

# minutes

## Ordinary Meeting of Council

MEETING HELD ON

TUESDAY 28 FEBRUARY 2023

### **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*

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## CITY OF JOONDALUP

**COUNCIL MEETING HELD IN THE COUNCIL CHAMBER, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON 28 FEBRUARY 2023**

### DECLARATION OF OPENING

The Mayor declared the meeting open at 6.30pm.

### ANNOUNCEMENT OF VISITORS

#### Mayor:

HON. ALBERT JACOB, JP

*absent from 9.34pm to 9.37pm*

#### Councillors:

CR TOM MCLEAN, JP	North Ward	
CR ADRIAN HILL	North Ward	
CR NIGE JONES	North Central Ward	
CR DANIEL KINGSTON	North Central Ward	<i>absent from 8.12pm to 8.15pm</i>
		<i>absent from 9.39pm to 9.41pm</i>
CR RUSSELL POLIWKA	Central Ward	<i>absent from 9.38pm to 9.40pm</i>
CR CHRISTOPHER MAY	Central Ward	<i>absent from 7.51pm to 7.55pm</i>
		<i>absent from 9.55pm to 9.58pm</i>
CR SUZANNE THOMPSON	South Ward	<i>absent from 9.34pm to 9.36pm</i>
CR RUSS FISHWICK, JP	South Ward	<i>absent from 9.34pm to 9.36pm</i>
CR JOHN RAFTIS	South-West Ward	<i>absent from 9.30pm to 9.32pm</i>
CR CHRISTINE HAMILTON-PRIME, JP	South-West Ward	
CR JOHN LOGAN	South-East Ward	<i>absent from 7.09pm to 7.13pm</i>
		<i>absent from 9.39pm to 9.43pm</i>

#### Officers:

MR JAMES PEARSON	Chief Executive Officer	
MR JAMIE PARRY	Director Governance and Strategy	
MR CHRIS LEIGH	Director Planning and Community Development	<i>absent from 7.10pm to 7.14pm</i>
MR NICO CLAASSEN	Director Infrastructure Services	
MR MAT HUMFREY	Director Corporate Services	
MRS CATHRINE TEMPLE	Manager Planning Services	<i>absent from 7.47pm to 7.49pm</i>
		<i>absent from 7.51pm to 7.52pm</i>
MRS KYLIE BERGMANN	Manager Governance	<i>absent from 7.10pm to 7.14pm</i>
		<i>absent from 7.54pm to 7.56pm</i>
		<i>absent from 9.11pm to 9.16pm</i>
MR STUART McLEA	Media and Communications Officer	
MRS VIVIENNE STAMPALIJA	Governance Coordinator	<i>absent from 9.08pm to 9.11pm</i>
MRS DEBORAH GOUGES	Governance Officer	<i>absent from 8.04pm to 8.06pm</i>
MRS SUSAN HATELEY	Governance Officer	<i>absent from 9.18pm to 9.21pm</i>

**Guest:**

MR PETER WITTKUHN

Partner, McLeods Lawyers

from 7.52pm

absent from to 7.55pm to 7.57pm

There were 66 members of the public and no member of the press in attendance.

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

### Disclosures of Financial Interest / Proximity Interest

Nil.

### 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>Cr Christine Hamilton-Prime, JP.</b>
<b>Item No. / Subject</b>	CJ012-02/23 - Sponsorship of Significant Event: Joondalup Festival Of Motoring.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hamilton-Prime and her husband are members of the AMG Club of Perth Car Group.

<b>Name / Position</b>	<b>Cr John Logan.</b>
<b>Item No. / Subject</b>	CJ019-02/23 - Review of Senior Female Sporting use at Bramston Park, Burns Beach.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Logan is a member of West Perth Football Club which has used Bramston Park as a training ground for its women's teams and junior teams.

<b>Name / Position</b>	<b>Cr Adrian Hill.</b>
<b>Item No. / Subject</b>	CJ021-02/23 - Request for Funding - Joondalup Brothers Rugby Union Football Club.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hill has met with a number of Joondalup Brothers Rugby Union Football Club (JBRUFC) Committee Members and also attended the JBRUFC Annual Ball and presented some awards in his capacity as a North Ward Councillor.

## PUBLIC QUESTION TIME

The following summarised questions were taken on notice at the Council meeting held on 13 December 2022:

**B Gould, Iluka:**

*Re: Draft Weed Management Plan Consultation.*

Q1 *Other than the City's website and Facebook post, how has the City communicated to the ratepayers, Homeowners' Associations and Friends Groups that the Draft Weed Management Plan is open for comment?*

A1 Other promotions that were completed for the draft Weed Management Plan included an eNewsletter to 3,812 subscribers and an email to each of the 21 Friends Groups, both of which occurred on Thursday 24 November 2022. Emails advising all City of Joondalup resident associations/groups of the consultation were also sent out on 24 November 2022.

Q2 *Can the City extend the consultation period for the Draft Weed Management Plan, enabling sufficient time for City Administration and Elected Members to consult with the community?*

A2 As the consultation was promoted widely, and a high number of responses were received, the City did not consider it necessary to extend the consultation period.

The following summarised questions were submitted prior to the Council meeting:

**J Hayden, Iluka:**

*Re: CJ204-12/22 - Population Management of Invasive Bird Species, Foxes and Feral Cats.*

Q1 *When is Council going to follow suit of other councils around Australia and impose heavy fines on cat owners who irresponsibly allow their cats to roam freely killing native wildlife, defecating on and destroying property?*

A1 The City of Joondalup actively imposes fines on cat owners, issued under the *Cat Act 2011* and *Animals Local Law 1999*, and does so regularly in the course of the City's animal management processes and procedures.

The maximum penalties for managing nuisance cats are provided under the *Cat Act 2011* with the modified penalties set under the *Cat Regulations 2012*.

The City works actively with the community to detain nuisance cats and encourages community members to report these concerns to the City's Community Safety team via 9400 4000 so that the City can continue to mitigate nuisance cat issues.

*Re: Lot 1840 Fernando Parkway, Iluka.*

Q2 *It would seem that the plans for lot 1840 have fallen through (Odyssey Residences). Is this land not put to better use as a much needed park for our children and pets?*

*This would align with the intent of the original Parks and Public Open Space Classification Framework with the inclusion of additional park assets. Further, using this space to create a fully fenced dog park or providing children's play equipment will accommodate a much sought after outdoor activities for the community where previously there were none.*

- A2 A valid planning approval for development of the site at 32 Fernando Parkway, Iluka currently exists.

The application was initially approved by the Joint Development Assessment Panel (JDAP) on 30 November 2018 and required construction to commence within two years (by 30 November 2020). This timeframe was extended by two years (by 30 November 2022) through the Notice of Exemption from Planning Requirements as part of the State of Emergency. The applicant applied to further extend this period to 30 November 2024, stating that difficulties associated with the current construction market has reduced the supply of skilled trades and construction materials. This extension was granted by the JDAP on 24 November 2022.

There are two public opens spaces within close proximity, being Pattaya Park and Blackpool Park along with the Iluka Foreshore Reserve. Sir James McCusker Park, is classified as a District Recreations Park as per the City's *Public Open Space Framework* which was endorsed by Council at its meeting held on 13 December 2022 (CJ209-12/22 refers). The City is currently progressing a request from Council to undertake a holistic review of the City's animal areas and the development of a framework which will seek to, amongst other things, guide access for dogs to public areas and also access to dedicated dog exercise areas within the City of Joondalup.

Re: *STL2117 – Iluka Lighting Infrastructure Improvements.*

- Q3 *The LED Street Lighting upgrade started in Iluka about two years ago seems to have stalled, can Council please outline the reason for the suspension of the program as well as the current status of progress (% complete), when it is expected to resume and when is it expected to be completed?*

- A3 The streetlight upgrade project in Iluka (STL2117 – Iluka lighting infrastructure improvements) has not been suspended. The City has completed all the roadway lighting upgrades and is currently only awaiting agreement from Western Power to disconnect the 23 poles in laneways to enable the City to replace the poles and luminaires.

It should be noted that the City owns and maintains 75% of the street lighting in Iluka. The remaining 25% in the north-west corner of Iluka is owned and maintained by Western Power. The City has no knowledge of any plans for lighting upgrades by Western Power for these lights.

Re: *Currambine Central Intersection.*

- Q4 *Currambine Central intersection appears to have gone through several iterations over the years to try to 'clarify' the traffic flow. The current signage is the most confusing yet, with a 'no right turn' and give way sign on the road facing Dan Murphy's and a 'Give way' sign at the intersection coming from Chesapeake Way facing west (see attached images).*



*Can the Council please show some leadership by taking ownership of this issue and visibly working with Currambine Central/Main Roads to properly resolve this once and for all to prevent any further issues for traffic flow and risk of collisions in the future?*



A4 The City is currently reviewing the intersection constructed against the design approved as part of the 2011 proposal to which it relates.

**G Cowcher, Woodvale:**

*Re: Reconciliation Action Plan*

*Q1 Why did the Reconciliation Action Plan Community Reference Group not meet in 2021-22?*

A1 There were several reasons why the Reconciliation Action Plan Reference Group (RAPCRG) did not meet in 2021-22, including the following:

- COVID related impacts.
- Availability of members.
- Availability of consultants engaged by the City to help lead the development of the Reconciliation Action Plan (RAP).
- A review of the City's approach and management of the RAPCRG.
- A need for Council to re-establish the membership of the RAPCRG in November 2021.

*Q2 How many meetings of the Reconciliation Action Plan Community Reference Group have been scheduled for 2022-23?*

A2 The City has held two meetings of the Reconciliation Action Plan Community Reference Group in November 2022 and earlier in February 2023.

The next meeting of the RAPCRG is scheduled for early July 2023.

*Q3 What is the expected date of finalisation of the City's Reconciliation Action Plan?*

A3 The City is working towards the City's first Reconciliation Action Plan to be presented to Council for consideration in December 2023.

This depends on several variables outside of the City's control, including Reconciliation Australia's approval process.

**N Dangar, Beldon:**

*Re: Briefing Session held on 14 February 2023 – Item 15: List of Payments Made During the Month of November 2022.*

*Q1 What risk management processes are in situ to monitor, reduce costs while preventing pilferage by users of the City of Joondalup accounts?*

A1 The City has a number of financial management controls in place, as follows:

- Financial management information systems including automated controls to ensure adequate segregation of duties/responsibilities with regard endorsed delegations related to procurement and authorisation of payments.
- Monthly reconciliation and exception reporting.
- Grant acquittals process.
- Financial management guidelines, protocols and processes.
- Appointment of external auditor to undertake reviews of financial management systems and procedures.

The City also has a number of detection systems, as follows:

- Financial management
  - Monthly data and exception issues analysis/reporting.
  - Monthly reconciliations and review of exception reports.
  - Fortnightly payroll certification reports and monthly payroll data integrity checking.
  - Internal audit reviews.
  - Annual statutory external audit by the office of the Auditor General and reporting in the City's Annual Report.
  - Annual budget process and mid-year review to critically review and examine forward budget projections.
  - Annual review of the Strategic Financial Management Plan.
- Governance
  - Regular review of conflicts of interest and gifts and hospitality declarations.
  - Regular review of registers to ensure compliance with legislative/policy requirements.
- Fraud and misconduct
  - Live data analysis using accounts payable, contracts and payroll data.

Q2 *Would the City please review some of the expenses such as number of mobile phones and a "FITBIT" from JB Hi-Fi?*

A2 Attracting and retaining members is an important element of operating Craigie Leisure Centre with the centre running various promotions to do so, which in some cases involves incentives to participate. Craigie Leisure Centre has recently run a program 'workout of the month' where members were encouraged to become more active, with the winner receiving a sports watch. The Fitbit was purchased from the JB Hi-Fi retail store for use by the Craigie Gym via an approved requisition.

There are no mobile phone purchases from JB Hi-Fi listed on the November payments. There is a purchase of a laptop computer, two docking stations and two webcams, all of which are associated to approved requisitions. These purchases were from JB Hi-Fi Commercial Group, being the commercial wholesale arm, not the Joondalup retail shop front. An iPad was purchased from the JB Hi-Fi retail store for use as a prize in the Business Perceptions Survey. Purchase was via an approved requisition.

Q3 *The cost of the 2022 Christmas decorations seems exorbitant (refer EF106153 15/11/2022 – The Factory (Australia) Pty Ltd - \$70,400). Can the City please advise the possibility of saving ratepayers money spent on Christmas decorations?*

A3 The City goes out to tender for a three-year contract, this is to get the best value for money for the installation of Christmas decorations, in order to enhance visual amenity, to attract more visitors to the region during the festive season.

Feedback has been received in the past that the City does not display sufficient decorations, however, there is a need to balance the expectations of the community with the best value for money by delivering decorations that encourage social interaction across the boundaries of the City of Joondalup not just in the CBD, in recent years the City has also reallocated some of the decoration funds to the four City of Joondalup Libraries as these locations have significant patronage throughout the months of November and December.

Q4 *In relation to the cost of herbicides. Can the City advise is it cheaper to steam the weeds because the cost of the current herbicide is so high?*

A4 It is not cheaper to use non-chemical weed control measures such as steam.

Based on the contractor rates and frequency of application, the cost of steam weeding is eight to 10 times more expensive than the cost of chemical weed control.

Q5 *Can the City advise if it is a fact that Profounder Turfmaster actually mow the City parks or the City employees or maybe the item refers to other mowing?*

A5 Profounder Turfmaster does not currently mow City's parks. Profounder Turfmaster undertakes the mowing of the City's arterial Roads in the North and South Zones.

### **K McPherson, Craigie:**

Re: *Shalom House at 252-254 Camberwarra Drive, Craigie.*

Q1 *Will extra security measures be implemented by the City of Joondalup such as additional ranger patrols and street surveillance to protect the surrounding residents? Especially during overnight hours.*

A1 The Field Officers in the City's Community Safety team can undertake specific targeted patrols of the areas in the City to increase street surveillance and improve perceptions of community safety between their span of operating hours being 6.00am to 9.30pm.

Concerns relating to anti-social or illegal behaviour and suspicious activity should be reported to the WA Police.

### **E Cochrane, Kingsley**

Re: *Shalom House at 252-254 Camberwarra Drive Craigie.*

Q1 *Now that the Department of Planning has decided that Shalom House does not need to apply for planning under the City's Local Planning Scheme No. 3.*

*How is the City of Joondalup going to ensure and monitor how Shalom House abides by the public health regulations, noise levels, capacity limits and overcrowding, traffic, parking and site safety?*

A1 The obligation to comply with relevant legislation (such as the *Environmental Protection (Noise) Regulations 1997* or the City's *Health Local Law 1999*) remains with the operator of a development. This includes, for example, the requirement to comply with noise levels, capacity limits and on-site safety.

The City would investigate any complaints in relation to non-compliance with relevant legislation for which the City is responsible for administering.

It is also noted that there may be a requirement for the City to undertake routine inspections of the premises if Shalom House requires registration as a particular business, such as a food business.

Q2 *Shalom House will be primarily operating as a commune at the property in Craigie, that is to say, its residents are paying rent, the ladies go out to work from 9.00am until 5.00pm everyday and return to sleep at night. Shalom House will in effect be a landlord. This type of land use, that is to say, Grouped Dwelling or Residential Building in the LPS3 is classified as X (which is not permitted by this scheme) under the current zoning of Private Community Purpose.*

*Why do the property owners not need to apply to change their land use?*

A2 In a separate matter involving Shalom House, the State Administrative Tribunal determined that the land use activities undertaken by Shalom House fall within the land use definition of 'Community Purpose'. A Community Purpose land use does not require planning approval in the Private Community Purpose zone, being the zoning of No. 252 – 254 Camberwarra Drive, Craigie, under the City's *Local Planning Scheme No. 3*.

The City of Joondalup was of the understanding that development approval is required under the *Metropolitan Region Scheme*, which is administered by the Western Australian Planning Commission (WAPC), and that Shalom House had committed to making an application. However, the WAPC has since informed Shalom House that it does not require development approval. The City is currently investigating its options in relation to this matter.

#### **P Navas-Parejo, Greenwood:**

*Re: 5G Telecommunications Infrastructure.*

Q1 *Has the City carried out any environment impact analysis on 5G receiver and transmitter?*

A1 No. The City is not the regulator of the environmental impacts of telecommunications infrastructure.

Q2 *Does the City have insurance indemnity for the installation of 5G receiver/transmitter by the installer?*

A2 No. Indemnity insurances are the responsibility of the telecommunications carrier, not the City.

Q3 *What is the average amount of Electromagnetic Field (EMF) emissions from a 5G cell tower in the City?*

A3 The City is not the regulator of Electromagnetic Energy Emissions (EME). The Australian Communications and Media Authority (ACMA) sets the rules for the Australian communications industry, on the advice of the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). Questions regarding EME emissions should be directed to either the carrier in question or these Federal Departments.

Q4 *Is the City having any discussion with telecommunication providers to use resources of the local government for 5G network infrastructure for example; on community buildings, lighting network to name a few?*

A4 The City already has 5G technology installed on City assets, including the Joondalup Administration Building.

All information regarding the installation of Australian Mobile Network technology, including current site locations, EME reports, carrier details and community consultation information, is publicly available through the *Radio Frequency National Site Archive* (RFNSA) at [www.rfnsa.com.au](http://www.rfnsa.com.au)

### **C O'Shea, Craigie**

*Re: Shalom House at 252-254 Camberwarra Drive Craigie.*

*Q1 What is the City planning on doing now that Shalom house has occupied the property in Craigie and is moving forward?*

*A1 The City is currently investigating its options in relation to this matter.*

*Q2 Has the Catholic Education Western Australia (CEWA) been in contact with the City in relation to the proximity of the Shalom house to the Whitfords Catholic Primary School? If so have they voiced their concerns?*

*A2 The City has been in contact with Catholic Education Western Australia which has expressed its views on this issue.*

*Q3 Has the Whitford Catholic Primary School (WCPS) been in contact with the City to raise their concerns and objections to the development?*

*A3 The City has been in contact with the Whitford Catholic Primary School which has expressed its views on this issue.*

*Q4 Is the City concerned that parents are going to pull their children out of WCPS and Nido Early School, in turn putting more pressure on other schools and day-care centres within the community?*

*A4 Parents and caregivers should make decisions that suit their individual circumstances.*

*Q5 How is the City going to manage the increased risk of crime and residents not feeling safe in their own homes, given the proximity of so many dwellings around the property?*

*A5 The City's Community Safety team provides a range of services to assist and benefit the local community including parking management, animal control and maintaining community amenity (including graffiti, firebreaks and responding to obstructions in public spaces). Concerns relating to anti-social or illegal behaviour and suspicious activity should be reported to the WA Police.*

### **T Goodall, Craigie:**

*Re: Shalom House at 252-254 Camberwarra Drive Craigie.*

*Q1 How has a drug and alcohol rehabilitation centre been approved to operate next to a school and childcare centre and in a residential area?*

A1 The activities proposed by Shalom House are consistent with the land use definition of 'Community Purpose' under the City's *Local Planning Scheme No. 3*. A 'Community Purpose' is a permitted (P) use within the Private Community Purpose zone meaning development approval is not required if there are no works proposed (such as; building works) or development approval is not required for the works. Shalom House has informed the City it does not need to undertake any works which would require development approval prior to commencing the use.

The City of Joondalup was of the understanding that development approval is required under the *Metropolitan Region Scheme*, which is administered by the Western Australian Planning Commission (WAPC), and that Shalom House had committed to making an application. However, the WAPC has since informed Shalom House that it does not require development approval. The City is currently investigating its options in relation to this matter.

Q2 *As a rate payer of the City of Joondalup and a taxpayer of Western Australia, we have had no information about Shalom House setting up a drug and alcohol rehabilitation centre.*

*Who is the decision maker, the City or the Labour Government?*

A2 As outlined in response to Question 1, notwithstanding that a development approval may not be required under the City's *Local Planning Scheme No. 3*, the City was of the understanding that the development approval was required under the *Metropolitan Region Scheme*, which is administered by the Western Australian Planning Commission (WAPC). However, the WAPC has informed Shalom House that it does not require development approval. The City is currently investigating its options in relation to this matter.

#### **M Sideris, Mullaloo:**

Re: *CJ015-02/23 – List of Payments made during the Month of November 2022.*

Q1 *In relation to the list of payments, there is payment of \$15,628 from Civic Legal for Legal Advice, can the City please confirm if this is the same on-going legal matter from 2022?*

A1 Yes.

Q2 *Can the City please advise the current total monies paid to Civic Legal to provide legal services related to a Corruption and Crime Commission (CCC) Serious Misconduct matter?*

A2 \$155,348.90 (excluding GST).

Q3 *Can the City please advise when the completion of the CCC serious misconduct investigation is anticipated?*

A3 The investigation has been completed and a report will be provided to Elected Members at the next Audit and Risk Committee on 8 March 2023 consistent with the Terms of Reference and Charter of the Committee.

Q4 *Can the City please advise if any Elected Member/s have been advised on the progress of the CCC serious misconduct matter?*

A4 The Chief Executive Officer has responded to questions on this matter from Elected Members, and members of the public, at Briefing Sessions and Council Meetings.

Re: *Property held for Community Purposes*

Q5 *Can the City please provide a current City of Joondalup Inventory list of all property held for community purposes, including property held for administration, operations, recreation, and / or infrastructure usage?*

A5 There are over 800 properties classified under the *Property Management Framework* that were previously adopted by Council at its meeting held on 20 November 2012 (CJ234-11/12 refers). A review of the City's property classification inventory is in progress and will be presented back to Council at a future date.

For details on the inventories previously adopted by Council, please refer to the Attachments 2 and 3 contained in the report to Council CJ234-11/12.

#### **A Muddle, Mullaloo:**

Re: *Shalom House at 252-254 Camberwarra Drive Craigie.*

Q1 *What actions are the City taking to uphold Child Safety Regulations now that the unaccredited drug rehabilitation centre Shalom House has circumvented planning approvals?*

*Note: Additional security is being planned for our school, this will increase our school fees significantly. We are primarily concerned about our children's safety.*

A1 The City's Community Safety team provides a range of services to assist and benefit the local community including parking management, animal control and maintaining community amenity (including graffiti, firebreaks and responding to obstructions in public spaces). Concerns relating to anti-social or illegal behaviour and suspicious activity should be reported to the WA Police.

Q2 *The lack of planning approval process means the people from Shalom House have moved in quickly and our school is not safeguarded, and there is a potential for increased antisocial behaviour.*

*How can the City ensure Shalom House has completed due diligence on the property?*

A2 It is understood that Shalom House undertook due diligence to its own satisfaction prior to purchasing the property. It is not the City's role to ensure a certain level of due diligence is undertaken by a purchaser.

Q3 *Shalom House Founder and Chief Executive Officer, Peter Lyndon-James posted about his process, this included a three month phone ban for new residents to prevent them contacting dealers and drug drop offs occurring.*



*How can Council protect our children from being exposed to this unsafe adult behaviour nestled amongst our child services (primary school and Nido Early School)?*

A3 See response to 1 above.

Q4 According to <https://www.businessbythebook.com.au/charity-review/shalom-house> Shalom House is not registered as a business name by West Australian Shalom Group and is therefore not trading legally.

*What is the City doing to make Shalom House accountable?*

A4 Concerns regarding the use of business names should be directed to the Australian Securities and Investments Commission.

Q5 *How many Councillors are linked to Global Heart Church, the same church affiliated with Shalom House and how much money from Global Heart Church is being filtered into the City of Joondalup?*

A5 The City cannot comment on the affiliations of individual Elected Members and does not monitor spending by the Global Heart Church in the City of Joondalup.

## **R Muddle, Mullaloo**

Re: *Shalom House at 252-254 Camberwarra Drive Craigie.*

Q1 *Can Council identify which aspects of the operation of Shalom House (or any similar proposed drug rehabilitation type facility) at the Mercyville site will be Council's responsibility to regulate, check compliance with or similar? For example car parking, catering, building integrity and required upgrades, noise, health and safety for facility residents as well as people in the neighbourhood.*

A1 The obligation to comply with relevant legislation (such as the *Environmental Protection (Noise) Regulations 1997* or the City's *Health Local Law 1999*) remains with the operator of a development. This includes, for example, the requirement to comply with noise levels, capacity limits and on-site safety.

The City would investigate any complaints in relation to non-compliance with relevant legislation for which the City is responsible for administering.

It is also noted that there may be a requirement for the City to undertake routine inspections of the premises if Shalom House requires registration as a particular business, such as a food business.

Q2 *Are there any other existing drug rehabilitation facilities in the City of Joondalup and if so, how many complaints or infractions or other issues have there been? (Please also identify the nature of these infractions and complaints).*

A2 The City's has identified three previous planning approvals for properties that offer out-patient support. The City has no record of any infractions or complaints associated with any of these facilities.

Q3 *Can Council explain how it will carry out the responsibilities relating to the tasks in question 1 to maximise safety for all stakeholders, especially in light of the surrounding land usage (such as; school and childcare centre) for this particular facility?*

A3 The City has a Regulatory Services Business Unit that investigates complaints in relation to non-compliance with relevant legislation for which the City is responsible for administering.

The processes and actions undertaken by the Regulatory Services Business Unit responds to the individual cases in which it investigates.

**A and G Welton, Beldon:**

Re: *Shalom House at 252-254 Camberwarra Drive Craigie.*

Q1 *Given that this is an unaccredited facility, who provides oversight of the facility? Specifically, the number of occupants that are permitted to stay and the activities that are permitted to occur on the site.*

A1 The obligation to comply with relevant legislation remains with the operator of a development.

The City would investigate any complaints in relation to non-compliance with relevant legislation for which the City is responsible for administering.

In relation to the number of occupants that can be accommodated on site, this is regulated by the City's *Health Local Law 1999*.

Q2 *Originally the intention of the owners was to submit an application for planning approval. That obviously has not occurred. The classroom windows look directly into facilities rooms, some of the fencing is low and able to be climbed over. Unfortunately, this has not given Whitfords Catholic Primary School the opportunity to put in the increased fencing, gates and security required to keep the students safe.*

*How is the Council able to help the school to ensure the safety of the children, until measures can be put in place?*

A2 The City's Community Safety team provides a range of services to assist and benefit the local community including parking management, animal control and maintaining community amenity (including graffiti, firebreaks and responding to obstructions in public spaces). Concerns relating to anti-social or illegal behaviour and suspicious activity should be reported to the WA Police.

Q3 *There are other councils around Perth experiencing problems with the other Shalom House facilities and unapproved building works. What will the Council do to monitor this at the Craigie site?*

A3 The City can undertake proactive investigations and will also investigate any complaints in relation to non-compliance with relevant legislation for which the City is responsible for administering.

**M O'Byrne, Kinross:**

Re: *Leafy City Program*

Q1 *Can the City please explain the process used to order the leafy city verge trees from suppliers, including the impact of seasonal variations on supply and what happens when trees initially selected are unavailable from suppliers when required?*

A1 In line with the City's purchasing protocols the City requested quotes for the contract growing of the trees for the Leafy City. As the trees are contract-grown specifically for the Leafy City, there are no supply impacts regarding unavailability.

Q2 *Why is the City of Joondalup planting the non-native Liquid Amber trees as part of the Leafy Tree Program, when the tree is well recognized as prone to dieback, causing great inconvenience to residents with spiky fruit drop, branch drop if inadequately watered, and tree roots which are capable of cracking cement?*

A2 Tree species selection for the Leafy City Program is undertaken by experienced qualified horticulturalists and is based on methodology which includes investigating existing site conditions, soil profile analysis, existing infrastructure and services, available root space and existing trees in the area. By using professional expertise and the above methodology, the tree species with the greatest propensity to develop and thrive are selected for each street, thus maximising the future canopy outcomes for the area.

There are over 60 species of dieback in Western Australia and each of these species impacts a different list of plants and trees. Liquidambar trees are susceptible to the dieback "bacterium *Xylella fastidiosa*" which is not present in Australia.

Q3 *When the City planted in Kinross in 2017 it mainly planted native trees which are endemic to the area, what has changed to make the City of Joondalup prefer non-native species in any area to native species as part of the Leafy Tree Program?*

A3 As per Answer 2 above, tree species selection for the program is undertaken by qualified Arborists and Horticulturalists. Leafy City objective is not based on preferencing either native or non-native trees as the program is not a natural area bush regeneration program.

The key objective of the Leafy City program is to mitigate increasing heat-island effect through the increase of the City's urban canopy. Therefore, the City selects the trees that will result in the best shade outcomes, taking into account the following:

- The existing site conditions.
- Soil profile analysis.
- Existing and future above-ground and below-ground infrastructure services.
- Pedestrian thoroughfare.
- Available root space.
- Road-traffic sightlines.
- Existing trees in the area that are thriving.

Kinross was planted with tree species that were best suited to each street in terms of the criteria above.

Non-native trees can have higher transpiration rates which means they cool the air more effectively which is a critical component of combatting heat-island effect.

Re: *Shalom House at 252-254 Camberwarra Drive Craigie.*

Q4 *What percentage share of planning responsibility does the City of Joondalup carry with regard to the situation that has arisen in Craigie with the placement of the Drug Rehabilitation Facility in close proximity to day care and school children?*

A4 The City of Joondalup was of the understanding that development approval is required under the *Metropolitan Region Scheme*, which is administered by the Western Australian Planning Commission (WAPC), and that Shalom House had committed to making an application. However, the WAPC has since informed Shalom House that it does not require development approval. The City is currently investigating its options in relation to this matter.

Re: *List of the City's parks and reserves identified as appropriate for potential development as community gardens.*

Q5 *When is the Chief Executive Officer releasing a list of the City's parks and reserves identified as appropriate for potential development as community gardens within them, as requested by an amendment moved by Cr. Raftis, seconded Cr. McLean in relation to Motion 2 of the Minutes of the AGM of Electors (CJ049-04/22)?*

A5 While the City has commenced work on this project, it had been waiting on the endorsement of the *Public Open Space Framework*, which occurred at the Council Meeting held on 13 December 2022, to allow it to be progressed further.

Now that the *Public Open Space Framework* has been endorsed, work will continue through undertaking an audit of the City's public open space areas and their suitability for future consideration for community gardens. It is anticipated that this work will be completed mid-2023.

### **S Apps, Woodvale:**

Re: *Shalom House at 252-254 Camberwarra Drive Craigie.*

Q1 *Can the City advise if the new owners of the above property will be exempted from rates, as they are listed as a Not for Profit entity ?*

A1 Applications for rates exemptions are assessed against section 6.26 of the *Local Government Act 1995*. It is the responsibility of the landowner to make the application.

Q2 *Mercyville Residential Aged care operated with a capacity of 17 residents plus support staff, what will be the operating capacity (as a residential drug and alcohol rehabilitation centre) under the new owners?*

Q3 *What oversight will there be on the total capacity of residents and support staff at this site?*

A2-3 The City has not received this level of detail from Shalom House.

The City would investigate any complaints in relation to non-compliance with relevant legislation for which the City is responsible for administering, including capacity limits.

Q4 *What condition of use applies to the above property being used under the definition of “private community” use?*

A4 In a separate matter involving Shalom House, the State Administrative Tribunal determined that the land use activities undertaken by Shalom House fall within the land use definition of ‘Community Purpose’.

The City’s *Local Planning Scheme No. 3* defines Community Purpose as “*premises designed or adapted primarily for the provision of educational, social, cultural or recreational facilities or services by organisations involved in activities for community benefit*”.

The use of the land will need to be consistent with this definition.

Q5 *Within the City of Joondalup, do Alcohol and Drug rehabilitation centres need to be accredited under the national accreditation scheme and/or Western Australian Health Department ?*

A5 The City is not aware of a requirement for alcohol and drug rehabilitation centres to be accredited under a national accreditation scheme or with the Western Australian Health Department.

**T Reilly, Craigie:**

*Re: Shalom House at 252-254 Camberwarra Drive Craigie.*

Q1 *Will there be occupancy limits on the number of people allowed to reside at the premises?*

A1 Yes. The number of occupants that can be accommodated on site is regulated by the City’s *Health Local Law 1999*, which limits capacity to a minimum of 14 cubic meters of air space per person over the age of 10 years.

Q2 *In reference to the statement made on 27<sup>th</sup> and 28th March 2018 in the Shalom House vs City of Swan case. Does Peter Lyndon-James have any plans to break the law again, in regards to activities conducted at the premises?*

A2 The City is not able to answer this question on behalf of Peter Lyndon-James.

Q3 *Will the facility be monitored for occupancy levels?*

A3 The obligation to comply with relevant legislation remains with the operator of a development, however the City would investigate any complaints in relation to non-compliance with relevant legislation for which the City is responsible for administering, including occupancy levels.

Q4 *Can the City advise at what stage of drug withdrawal will the occupants of the building be at?*

Q5 *Can the City advise are there any concerns for the wellbeing and safety of the local community during this withdrawal?*

A4-5 The City has been provided with general information regarding the Shalom House Program but has not been provided with specific details on the program that is intended to operate from 252 – 254 Camberwarra Drive, Craigie.

**M Moore, Edgewater:**

*Re: 2023 R-Codes Volume 1 (which comes into effect on the 1st of September 2023) and its impact on the Development in Housing Opportunity Areas Local Planning Policy (HOA LPP).*

*Q1 Can the City please advise when will the HOA LPP have to be revised by?*

*Q2 Can the City please advise which clauses will have to be removed?*

*Q3 Can the City please advise which clauses will have to be changed?*

*Q4 Can the City please advise if any provisions of the existing HOA LPP have precedence in the 'transition period'?*

*Q5 Can the City please advise when the City will provide the community with a public statement outlining how the HOA LPP will be changed?*

A1-5 The *Medium Density Housing Code* was released by the Minister for Planning on 23 February 2023.

City Officers are currently reviewing the *Medium Density Housing Code* and its supporting information to understand the obligations and implications for the City.

At this stage it is intended that a report outlining these obligations and implications, along with a recommended approach to managing implementation of the *Medium Density Housing Code*, including identifying potential changes to the City's existing planning framework, will be presented to the next available Policy Committee meeting, anticipated for May 2023.

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

**S de Graaf, Beldon:**

*Re: Joondalup Festival.*

*Q1 With regards to the Joondalup Festival, why are there so many shows of a sexualised nature such as "Club D'amour", "Happy Endings" and "Disney in Drag" on the program?*

A1 The Director Corporate Services responded that Joondalup Festival has evolved into a multi-week festival with a small percentage of the program aiming to attract an adult only audience, adding that these are promoted as satirical events and a warning is given of adult content and the events are rated accordingly.

*Re: Social Credit Score System.*

*Q2 With Smart Cities' self-monitoring and reporting technology, there is a social credit score system currently used in the City of Albany, is the City looking at using a similar social credit score?*

- A2 The Chief Executive Officer advised that the City is not looking to have a social credit score system.

**C Walker, Padbury:**

*Re: Shalom House, 252 – 254 Camberwarra Drive, Craigie.*

Q1 *What has been the response from the Western Australian Planning Commission (WAPC) or the Department of Planning, Lands and Heritage (DPLH) on how an unaccredited drug rehabilitation facility can be given approval directly from the Chair of WAPC, to operate next to a primary school and day-care centre without any conditions attached to ensure the safety and wellbeing of the children or community?*

A1 The Director Planning and Community Development responded that the only correspondence that the City has seen from the WAPC is the advice provided to Shalom House to advise them that in the commission's view they do not require approval under the *Metropolitan Region Scheme (MRS)*.

Q2 *Has the City received an update on the Planning Minister Rita Saffioti's position, and how will she assist the community with the concerning development in relation to Shalom House?*

A2 The Director Planning and Community Development responded that the City has not received anything directly from the Minister for Planning, adding that the City is aware of what has been reported in the media, with the Minister indicating that the Commission will be working on amending the land-use definition that pertains to these types of uses and that they are not intended to be applied retrospectively.

**N Dangar, Beldon:**

*Re: Public Declarations of Interest.*

Q1 *The public declarations of interest are not clear for the 8<sup>th</sup> and 16<sup>th</sup> of March 2021, can the City advise the specific date when the Mayor was no longer the Director of Geoff's Tree Service?*

Q2 *Is there any family trust listed for Geoff's Tree Service in the Australian Business Register to which the Mayor has a relationship?*

A1-2 Mayor Jacob responded that the question will be taken on notice and encouraged direct communication in future for questions not related to the Council.

**M Kwok, Ocean Reef:**

*Re: Annual General Meeting.*

Q1 *Key management personnel of large corporate entities, charities and non-profit organisations are expected to mingle with stakeholders and shareholders at the Annual General Meeting (AGM), can the City do the same at next week's AGM?*

A1 Mayor Jacob responded that the AGM is a formal process, different from the corporate scene, in that it is not for the purpose of mingling. Mayor Jacob advised that Elected Members engage with the community throughout the week and weekends at various events, 365 days a year, adding that the formal Council Meeting setting does not allow for this type of flexible engagement.

Q2 *At previous AGMs refreshments were provided, can the City provide refreshment and create a friendly atmosphere for our Annual General Meeting scheduled to be held next week?*

A2 Mayor Jacob responded that throughout his attendance at AGMs since 2006 he has not observed refreshments being provided, however direct communication of any details to correct this view is encouraged.

### **E Cochrane, Kingsley:**

*Re: Shalom House, 252 – 254 Camberwarra Drive, Craigie.*

Q1 *Parents are concerned that there is no fence between Shalom House and the school, with surveyors unclear as to where the fence is to be erected, does a planning application need to be submitted to erect a fence, and if so will the City expedite the application?*

A1 The Director Planning and Community Development responded that the need for a planning application depends on the nature of the fence, adding that a planning application typically is not required to put a fence between two side boundaries of two different properties, but ultimately this depends on specifics such as the materials used for construction and if there is a need for a building permit.

The Director Planning and Community Development advised that further advice can be provided when more specifics become available from representatives from Shalom House or the school.

Q2 *The most important fence needed is between the science room and the residence rooms, it is a three-metre-high colour-bond fence, does that make a difference?*

A2 The Director Planning and Community Development responded that more specifics are required to provide absolute certainty, adding that in the event an application was required, this is something that the City would typically expedite.

### **M Sideris, Mullaloo:**

*Re: CJ015-02/23 - List of Payments made during the month of November.*

Q1 *My question relates to the List of Payments for November and payment number 9003331834 to Water Corporation, can someone please explain what that payment was for?*

A1 The Director Corporate Services advised the question would be taken on notice.

*Re: Absence of Mullaloo Surf Lifesaving Club on Inventory List.*

Q2 *In relation to the City's response received regarding the current inventory list of all property held for community purpose, why was Mullaloo Surf Lifesaving Club not included on the inventory list?*

A2 The Director Infrastructure Services advised the question would be taken on notice.



**M Kickett:**

*Re: Challenge for the DNA – Honouring Tribal Custodians and Ancestors.*

*Q1 As a genealogist, I would like to confront Andrew Forrest and Gina Rinehart, because I feel that I have no recognition here on this land. There is a need to honour our tribal custodian ancestors. I did feel a little bit out of place when I realised the Mayor has done the 'Welcome to Country'. I did all my genealogy and I have had to narrow everything back into the past, and work towards a solution for the future.*

*As an elder here in the Bibbulmun nation, how do we make a challenge for the DNA?*

A1 Mayor Jacob encouraged Ms Kickett to contact his office if wishing to communicate further.

**C003-02/23****FIRST EXTENSION OF PUBLIC QUESTION TIME**

**MOVED Cr May, SECONDED Cr Poliwka 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 Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

**N Taylor, Craigie:**

*Re: Shalom House, 252 – 254 Camberwarra Drive, Craigie.*

*Q1 The City of Joondalup has responded that they were of the understanding that development approval was required under the Metropolitan Region Scheme, on what basis was that understanding made?*

A1 The Director Planning and Community Development responded that when Shalom House first approached the City to query the land-use permissibility and application requirements, the City sought legal advice. The Director Planning and Community Development advised the position that the City took being that an application is required under the *Metropolitan Region Scheme*, is based on legal advice.

*Q2 Was it internal legal advice, and if so, have there been any repercussions for the individual providing that advice?*

A2 The Director Planning and Community Development informed that it was external legal advice, noting that when the City received a copy of the WAPC's correspondence to Shalom House last week, the City has had the correspondence reviewed by the same lawyer and the view is maintained that there is an application required under the *Metropolitan Region Scheme*.

Mayor Jacob responded that there is a confidential item to be considered by Council at tonight's Council Meeting, that will likely lead to a resolution from the Council, adding that more information on this matter will then follow.

**A Muddle, Mullaloo:**

*Re: Shalom House, 252 – 254 Camberwarra Drive, Craigie.*

*Q1 As a parent of students at Whitford Catholic Primary School I have a lot of concerns about the current location of Shalom House. The communication we have received said that Council have been approached by a member of Shalom House to inform them that the Metropolitan Region Scheme (MRS) has approved occupation of the property.*

*Has the City received direct communication from the West Australian Planning Commission (WAPC)?*

**A1** The Director Planning and Community Development responded that the City has not received direct information from the WAPC, noting that the WAPC's advice was provided to the City by the representative of Shalom House.

Mayor Jacob responded that when there was activity onsite the City sent Compliance Officers to enquire about the activity, and the City then received the information through the representative of Shalom House.

*Q2 It has been said that Shalom House is going to house both women and children. I myself am a high school teacher, we require 'Working with Children Checks' for any people who come to the school that participate with student activities.*

*Is the City aware of this? and how is the City going to make Shalom House accountable?*

**A2** The Director Planning and Community Development responded that the City is aware through observing social media and what's publicly available, adding that the City has not received specific detail from Shalom House as to the intended operation of the program on the site. The Director Planning and Community Development stated in terms of the role that the City can play in ensuring that legal obligations are observed, the City is able to do that for the legislation that the City is responsible for administering. Ensuring that working with children checks are maintained is outside of the City's jurisdiction.

**Miche, Heathridge:**

*Re: Shalom House, 252 – 254 Camberwarra Drive, Craigie.*

*Q1 When Compliance Officers were sent to the site at Shalom House, they were informed that Shalom House does not require permission to move in and the Compliance Officers accepted that.*

*The City's legal advice is maintaining the position that Shalom House should have asked for planning approval, is that correct?*

**A1** The Director Planning and Community Development responded that the City's Compliance Team were advised, in conversation, that Shalom House were of the view they no longer required an approval, adding that the representative from Shalom House have since communicated this formally to the City and the matter is still being investigated.

The Director Planning and Community Development advised the City is considering what options are available to the City in how it responds to the activity that Shalom House is undertaking.

- Q2 *In the event that the City interprets that Shalom House is operating outside of the required approvals, what capacity does the City have to enforce compliance and to what lengths will the City go to ensure Shalom House is moved on if Shalom House is not approved to be on that site?*
- A2 The Director Planning and Community Development responded that in ensuring Shalom House observe the legal obligations, the City may enforce legislation that falls under the City's jurisdiction, noting that this can be undertaken through various legal action whether through prosecution or the issuing of directions or notices. The Director Planning and Community Development advised that the response of the City depends on the specifics of each individual breach, if one is to occur.

**C004-02/23****SECOND EXTENSION OF PUBLIC QUESTION TIME**

**MOVED Mayor Jacob, SECONDED Cr Logan 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 Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

**Jade, Craigie:**

*Re: Shalom House, 252 – 254 Camberwarra Drive, Craigie.*

- Q1 *Last week 6PR interviewed the owner of Shalom House, who stated that he was trying to obtain an occupancy permit. Is that through the City of Joondalup or another organisation?*
- A1 The Director Planning and Community Development responded that an occupancy permit is issued under the *Building Act 2011*, which is essentially a permit that certifies that a building is constructed to a certain standard and has various characteristics adequate for its' intended purpose, ensuring that the building is safe for occupation.

The Director Planning and Community Development advised the permit is issued via the City of Joondalup through an "uncertified application" which comes to the City to assess, adding that there is also a separate avenue where an occupancy permit can be submitted by a private building surveyor. The Director Planning and Community Development stated that at this stage the City has not received an occupancy permit application.

## **PUBLIC STATEMENT TIME**

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

### **H Burridge, Ocean Reef:**

*Re: Shalom House, 252 – 254 Camberwarra Drive, Craigie.*

Ms Burridge raised concerns over the positioning of Shalom House next to a primary school and childcare centre, expressing her disappointment at the location of the drug rehabilitation centre, which she deemed highly inappropriate.

Ms Burridge explained that regardless of planning permission technicalities, having an unregulated, unmonitored drug rehabilitation centre so near to a primary school and childcare centre contradicts common sense.

Ms Burridge urged the City of Joondalup and State Government to work together to find a solution.

### **E Cochrane, Kingsley:**

*Re: Shalom House, 252 – 254 Camberwarra Drive, Craigie.*

Mrs Cochrane on behalf of the Mercyville Rehab Opposition Group, addressed Council to oppose the location of Shalom House, stating that the Group opposes the location based on its proximity to a primary school, with no built boundaries to mitigate the ability of Shalom House to overlook the Nido Childcare Centre outdoor play space.

Mrs Cochrane described the Group's concerns that unnecessary risks would be placed on the children in the area, imploring Council to find a solution to these concerns, either by challenging the Hon. Rita Saffioti and working with Ms Caitlin Collins MLA – Member for Hillarys or finding a new location for Shalom House.

*Cr Logan left the Chamber at 7.09pm.*

### **S Chisolm, Ocean Reef:**

*Re: Shalom House, 252 – 254 Camberwarra Drive, Craigie.*

Mr Chisolm posed an invitation to Elected Members, and to all those concerned, to visit Shalom House and observe the undertakings in order to better inform personal determinations.

Mr Chisolm spoke as a father of three children who spends time at the facility, attending family events, emphasising that he had no hesitation or questions over the safety of his children when attending the facility.

Mr Chisolm declared that his sister-in-law is a resident of Shalom House and expressed that he and his family are very proud of what his sister-in-law has achieved in facing substance abuse and working alongside women and children who have histories of escaping domestic violence.

Mr Chisolm emphasised that Shalom House is a safe place, and invited all those concerned to visit.

**L Smyth, Iluka:**

*Re: CJ021-02/23 - Request for Funding – Joondalup Brothers Rugby Union Football Club.*

Mr Smyth spoke as a representative of the Joondalup Brothers Rugby Club (the Club), outlining the financial position of the Club and seeking support from the City of Joondalup.

Mr Smyth explained that the Club has struggled financially since 2011, when it moved to the HBF Arena operated by VenuesWest. Mr Smyth stated that in 2003 the Club was encouraged by the City to join the Arena Community Sport and Recreation Association (ACSRA). Mr Smyth explained that in 2012 the Club was then forced to stay with ACSRA having to pay increasing fees, which doubled in 2015 when obtaining funding for a second pitch.

Mr Smyth stated that if the financial position of the Club does not improve immediately it will lose its 'Premier Grade Status'. Mr Smyth requested equity and fairness from the City, through support comparable to what is provided for many other community sports clubs.

*The Manager Governance left the Chamber at 7.10pm.*

**J Hunt, Ocean Reef:**

*Re: CJ012-02/23 - Sponsorship of Significant Event: Joondalup Festival of Motoring.*

Mr Justin Hunt, Event Director of the Joondalup Festival of Motoring, spoke in appreciation of the City's support of the Joondalup Festival of Motoring.

Mr Hunt described how he decided to create the event after his father's cancer diagnosis in 2021, Mr Hunt created the event to encourage passionate adventure across age groups, connecting local businesses and the community.

Mr Hunt summarised the learnings from the first year, including cost increases related to safety aspects, as well as there being no possibility to deliver the event in one day for less money.

Mr Hunt celebrated the success of the event and anticipates the festival will be further refined with positive innovative steps.

**M Stroevooy, Craigie:**

*Re: Shalom House, 252 – 254 Camberwarra Drive, Craigie.*

Mr Stroevooy spoke of his concerns in relation to Shalom House, as a parent and as a resident of Craigie for 15 years.

Mr Stroevooy expressed that he finds it unacceptable for Shalom House, as a mental health institution conducting rehabilitation, to be located near the school grounds and the Nido early School, in a built-up area. Mr Stroevooy described his perception that Shalom House takes action first and then asks permission later, and that this creates intense concern in the community.

Mr Stroevooy implored the Council to use every means at their disposal to make sure that the community stays safe.

*Cr Logan entered the Chamber at 7.13pm.*

**A Summerville:**

*Re: CJ013-02/23 - Corporate Sponsorship Application: Wanneroo Basketball Association.*

Mr Andrew Summerville addressed Council as the CEO of Joondalup Wolves, in support of Corporate Sponsorship for the Joondalup Wolves.

Mr Summerville noted that the Joondalup Wolves are the only Joondalup branded team playing in a nationally branded competition, the NBL1 competition.

Mr Summerville outlined areas of growth since 2016, including crowd attendance having increased from some 200 to 1,000 people, the addition of livestreaming, broadcasting on Kayo Sports, national exposure for the City of Joondalup, and the NBL1 requesting to bring the National Final Series to Joondalup this year.

Mr Summerville requested the City to base sponsorship on the increased promotion the Wolves now bring to the City. Mr Summerville proposed partnership to help with the costs involved in expanded branding requirements, ultimately expressing that the Wolves look forward to working with the City for many years to come.

*The Manager Governance entered the Chamber at 7.14pm.*

**D Anglin:**

*Re: CJ014-02/23 - Corporate Sponsorship Application: National Basketball League Pty Ltd.*

Mr Anglin, the National General Manager of NBL1, spoke in support of the proposal to bring the NBL1 National Finals to the City of Joondalup.

Mr Anglin outlined that the Officer's Recommendation in the Agenda is below the requested amount, and Mr Anglin asked that this position be reconsidered.

Mr Anglin stated that there are opportunities within the National Framework to deliver in areas listed as underachieving, with an exception being the naming rights of the event. Mr Anglin explained that naming rights are in partnership with Coles Express, so the event will be known as the Coles Express National Finals, and cannot change to the Joondalup Finals, however, Mr Anglin emphasised that the City can be listed as a host and presenting partner.

Mr Anglin requested that when Council review the proposal, that the sponsorship request is for a minimum of \$35,000 and a maximum of \$50,000.

## **APOLOGIES AND LEAVE OF ABSENCE**

### **Apology**

Cr John Chester.

**C005-02/23            REQUESTS FOR LEAVE OF ABSENCE – CR JOHN CHESTER, CR NIGE JONES, CR JOHN RAFTIS, CR JOHN LOGAN CR CHRISTINE HAMILTON-PRIME AND MAYOR ALBERT JACOB, JP**

**MOVED Cr May, SECONDED Cr Poliwka that Council APPROVES the following requests for Leave of Absence from Council duties for:**

- 1        Cr John Chester covering the period 28 February to 28 March 2023 inclusive;**
- 2        Cr Nige Jones covering the period 7 to 9 March 2023 inclusive;**
- 3        Cr John Raftis covering the period 13 to 14 March and 20 to 24 March 2023 inclusive;**
- 4        Cr Nige Jones covering the period 14 to 16 March 2023 inclusive;**
- 5        Cr John Logan covering the period 18 to 26 March 2023 inclusive;**
- 6        Cr Christine Hamilton-Prime covering the period 1 April to 22 May 2023 inclusive;**
- 7        Mayor Albert Jacob, JP covering the period 4 to 10 April 2023 inclusive.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

## **CONFIRMATION OF MINUTES**

**C006-02/23            MINUTES OF ORDINARY COUNCIL MEETING HELD ON 13 DECEMBER 2022 AND SPECIAL COUNCIL MEETING HELD ON 7 FEBRUARY 2023**

**MOVED Cr Jones, SECONDED Cr Thompson that the Minutes of the following meetings of Council be CONFIRMED as a true and correct record:**

- 1        Ordinary meeting of Council held on 13 December 2022;**
- 2        Special meeting of Council held on 7 February 2023.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

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

### Boola Djarat Wardan

Mayor Jacob announced that it's the show that has everyone talking, never before seen in Perth, Boola Djarat Wardan, meaning many lights across the sea in Noongar, is coming to Hillarys Boat Harbour as part of Joondalup Festival 2023.

Mayor Jacob stated that the free family-friendly event has been created by internationally acclaimed light artists LASERVISION, with artistic input and storytelling contribution from Noongar advisory group, South West Kinships Cultural Immersions.

Mayor Jacob advised the event is running from 13 March to 2 April, this immersive show is set to transform the harbour with a kaleidoscopic display of colour, light, and water through digital laser technology.

Mayor Jacob encouraged everyone to visit [joondalupfestival.com.au](http://joondalupfestival.com.au) for more details about this and all our festival events.

Mayor Jacob informed that for the second consecutive year, Joondalup Festival will run over three weeks and at various locations across the City, adding that it all begins on 10 March.

### Full steam ahead for Marina

Mayor Jacob advised that earlier this month, Joondalup Council approved the execution of the Ocean Reef Marina Development Agreement and Land Transfer Deed.

Mayor Jacob noted that a result of 18 months of negotiations between the City and Development WA, this decision by our Council ensures that this massive project can progress in accordance with the required DevelopmentWA and State Government timelines.

Mayor Jacob added that it reinforces the City's commitment to working collaboratively with Development WA to ensure the project is delivered in accordance with our community's expectations.

Mayor Jacob stated that soon after Council's decision, the City of Joondalup CEO James Pearson and himself signed the important documents on behalf of the City.

Mayor Jacob announced the City looks forward to continuing to work alongside DevelopmentWA to bring this hugely anticipated project to fruition in the coming years.



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

### **C007-02/23                    PROCEDURAL MOTION – CHANGE ORDER OF BUSINESS**

**MOVED** Mayor Jacob, **SECONDED** Cr McLean that Council, in accordance with clause 14.1 of the *City of Joondalup Meeting Procedures Local Law 2013*, suspends the operation of clause 4.3 – Order of Business of the *City of Joondalup Meeting Procedures Local Law 2013*, to enable the consideration of:

- 1        **CJ012-02/23 - Sponsorship Of Significant Event: Joondalup Festival of Motoring, to be discussed after “Motions of which previous notice has been given”.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

## PETITIONS

### **C008-02/23                    PETITION IN RELATION TO THE MERCYVILLE SITE (254 CAMBERWARRA DRIVE, CRAIGIE)**

A 268 signature petition has been received from residents of the City of Joondalup opposing the application for use of the Mercyville site (254 Camberrwarra Drive, Craigie) for a rehabilitation centre.

### **C009-02/23                    PETITION IN RELATION TO THE MERCYVILLE SITE (254 CAMBERWARRA DRIVE, CRAIGIE)**

A 37 signature petition has been received from residents of the City of Joondalup opposing the application for use of the Mercyville site (254 Camberrwarra Drive, Craigie) for a rehabilitation centre.

**MOVED** Cr May, **SECONDED** Cr Poliwka that the following petitions be **RECEIVED**:

- 1        **A 311 signature petition in relation to opposing the application for use of the Mercyville site (254 Camberrwarra Drive, Craigie) for a rehabilitation centre;**
- 2        **A 37 signature petition in relation to opposing the application for use of the Mercyville site (254 Camberrwarra Drive, Craigie) for a rehabilitation centre.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

## REPORTS

### CJ001-02/23 DEVELOPMENT AND SUBDIVISION APPLICATIONS – NOVEMBER AND DECEMBER 2022

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Chris Leigh Planning and Community Development
<b>FILE NUMBER</b>	07032, 101515
<b>ATTACHMENT</b>	Attachment 1 Monthly Development Applications Determined – November and December 2022 Attachment 2 Monthly Subdivision Applications Processed – November and December 2022
<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 number and nature of applications considered under delegated authority during November and December 2022.

#### 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 November and December 2022 (Attachment 1 refers), as well as the subdivision application referrals processed by the City during November and December 2022 (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 28 June 2022 (CJ092-06/22 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 November and December 2022 is shown in the table below:

Type of subdivision referral	Number of referrals	Potential additional new lots
Subdivision applications	7	8
Strata subdivision applications	15	17
TOTAL	22	25

Of the subdivision referrals, 14 were to subdivide in housing opportunity areas, with the potential for 16 additional lots.

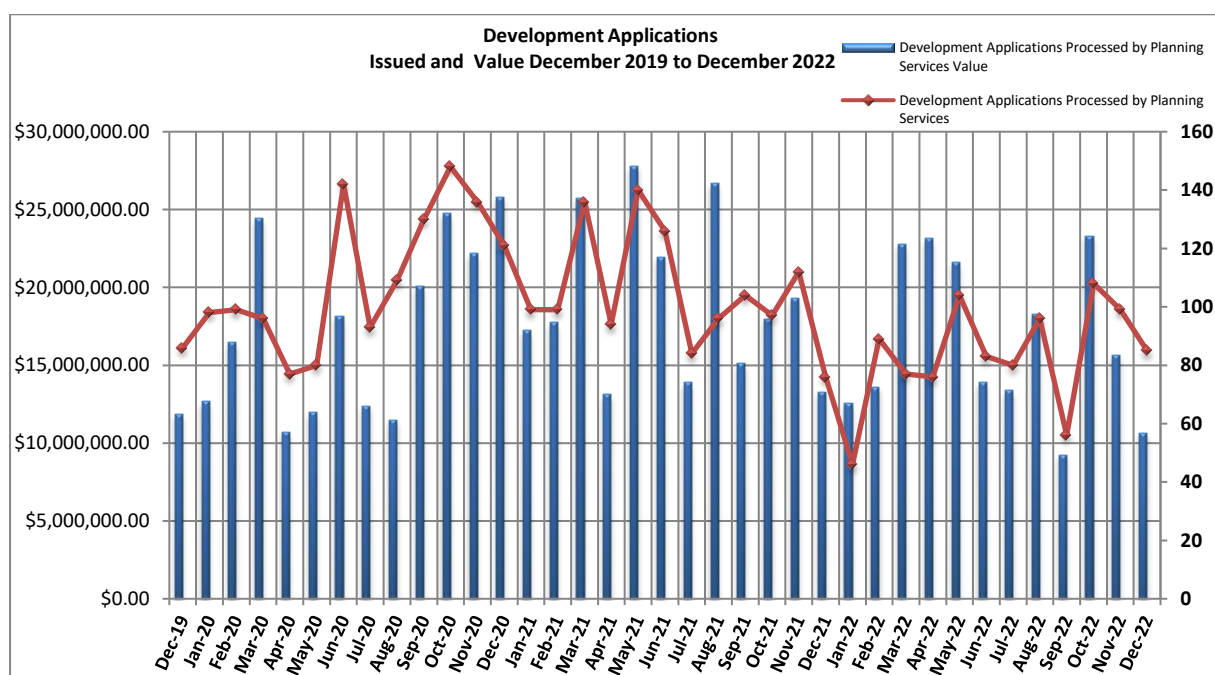
### Development applications

The number of development applications determined under delegated authority during November and December 2022 is shown in the table below:

	Number	Value (\$)
Development applications processed by Planning Services	184	\$26,306,851

Of the 184 development applications, 16 were for new dwelling developments in housing opportunity areas, proposing a total of 17 additional dwellings.

The total number and value of development applications determined between December 2019 and December 2022 is illustrated in the graph below:



The number of development applications received during November and December 2022 was 155.

The number of development applications current at the end of December was 146. Of these, 19 were pending further information from applicants and six were being advertised for public comment.

In addition to the above, 441 building permits were issued during November and December 2022 with an estimated construction value of \$59,560,087.

### **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.*

### **10-Year Strategic Community Plan**

**Key theme** Place.

**Outcome** Well-planned and adaptable – you enjoy well-designed, quality buildings and have access to diverse housing options in your neighbourhood.

**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 184 development applications were determined during November and December 2022 with a total amount of \$96,350.68 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 Cr Jones, SECONDED Cr Thompson that Council NOTES the determinations and recommendations made under delegated authority in relation to the:**

- 1 Development applications described in Attachment 1 to Report CJ001-02/23 during November and December 2022;**
- 2 Subdivision applications described in Attachment 2 to Report CJ001-02/23 during November and December 2022.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 1 refers*

*To access this attachment on electronic document, click here: [Attach1brf230214.pdf](#)*

## **CJ002-02/23 NOTICE OF MOTION – ESTABLISHMENT OF A PLANNING COMMITTEE**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Chris Leigh Planning and Community Development
<b>FILE NUMBER</b>	103963, 101515
<b>ATTACHMENTS</b>	Nil
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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### **PURPOSE**

For Council to consider a report in response to Council's resolution of 16 November 2021 regarding the merits of establishing a Planning Committee.

### **EXECUTIVE SUMMARY**

In response to a notice of motion, Council at its meeting held on 16 November 2021 (CJ127-11/21 refers) requested a report be prepared on the merits of establishing a Planning Committee. The notice of motion indicates that a Planning Committee could give a regular and dedicated forum to review complex planning matters, high-level strategic planning documents and stay on top of changes to the planning framework.

Currently, local planning policies are referred to the Policy Committee prior to a Council meeting, with all other planning proposals requiring a Council decision presented directly to a Council meeting (via a Briefing Session). In 2022, there were 18 reports presented to Council relating to the above, and eight reports presented to Policy Committee on local planning policies. Over the last three years, there has been an average of 12 reports per year presented to Council relating to the above, and five reports presented to the Policy Committee.

In considering the type of planning proposals that could be presented to a committee, there are implications if planning proposals with statutory timeframes or other deadlines are included. In these instances, there may be occasions where a Council decision is required prior to a scheduled committee/Council meeting. This would require the City to seek an extension from the Western Australian Planning Commission (WAPC) or proponent (as applicable). Where an extension is not given a special meeting of the committee may need to be convened, or where this is not practical, the proposal may need to be presented directly to a Council meeting.

Following a review of the number of planning proposals that could be presented to a Planning Committee each year and Council's current committee and meeting structure, it is not recommended that a Planning Committee is established. Should Council want to present planning proposals to a committee, it is considered more appropriate and efficient that this occur via an existing Council committee. The Policy Committee would be the most appropriate, noting that local planning policies are currently presented to this committee.

*It is therefore recommended that Council in relation to Council's resolution of 16 November 2021 (CJ127-11/21 refers) regarding the establishment of a Planning Committee:*

- 1 *DOES NOT PROGRESS the establishment of a Planning Committee;*
- 2 *REQUESTS the Chief Executive Officer prepare a report to review the Terms of Reference of the Policy Committee to include strategic planning proposals.*

## **BACKGROUND**

At its meeting held on 15 November 2022 (CJ185-11/22 refers), Council adopted a monthly meeting cycle format for 2023, with Strategy Sessions scheduled for the first Tuesday of each month, Briefing Sessions scheduled for the second Tuesday and Council Meetings scheduled for the fourth Tuesday.

In addition to the above, there are also currently four Council created committees as follows:

- Major Projects and Finance Committee.
- Policy Committee.
- Audit and Risk Committee.
- Chief Executive Officer Recruitment and Performance Review Committee.

The committees provide recommendations to Council as they do not have delegated authority to make a decision and the committee meetings under the current structure are not open to members of the public.

### Council resolution

In response to a notice of motion, Council at its meeting held on 16 November 2021 (CJ127-11/21 refers) resolved as follows:

*“That Council REQUESTS the Chief Executive Officer to prepare a report on the establishment of a Planning Committee, including the following matters:*

- 1 *merits of establishment of a Planning Committee;*
- 2 *potential role and terms of reference of a Planning Committee;*
- 3 *consideration of how a Planning Committee could operate within the context of existing committee structures and scheduling.”*

The notice of motion indicates that a Planning Committee could give a regular and dedicated forum for:

- committee members to review and report back to Council on complex planning matters
- the review of top-level strategic planning documents, including those prepared by the City (for example the Local Planning Strategy)
- to stay abreast of the State Planning Policies, Planning Bulletins and any significant changes to strategic planning initiated by the Western Australian Planning Commission (WAPC).

Currently, local planning policies are referred to the Policy Committee prior to a Council Meeting, with all other planning matters requiring a Council decision presented to a Council meeting (via a Briefing Session). The Briefing Session is used to inform Elected Members on the matters that are to be presented and discussed at the upcoming Council meeting.

This provides an opportunity for Elected Members to ask questions to clarify understanding, request additional information, or alternative wording for motions for possible consideration, and receive deputations from proponents and community members. Briefing Sessions and Council Meetings are open to the public, allowing public questions and statements.

## DETAILS

As outlined above, the notice of motion indicates that a Planning Committee could give a regular and dedicated forum for:

- committee members to review and report back to Council on complex planning matters
- the review of top-level strategic planning documents, including those prepared by the City (for example the Local Planning Strategy)
- to stay on top of the State Planning Policies, Planning Bulletins and any significant changes to strategic planning initiated by the WAPC.

The type of planning proposals that could be encompassed within the above criteria include:

- Strategic planning documents and direction-setting (for example the Local Planning Strategy)
- Local planning scheme and scheme amendments
- Structure plans
- Local development plans
- Local planning policies
- Submissions on draft planning documents that have considerable implications to the City's planning framework or are likely to have a high level of community interest. Examples of these include the State Government's proposed state planning policy for medium density and WALGA's discussion paper on third party appeal rights.

The table below outlines the number of reports presented to Council relating to the above, and local planning policies presented to the Policy Committee over the last three years, with there being an average of 12 reports presented to Council and five reports presented to the Policy Committee.

Year	2020	2021	2022
Reports to Council	9	10	18
Reports to the Policy Committee	4	2	8
Total	13	12	26

Should planning proposals with a statutory timeframe require a report to a Council committee, consideration needs to be given to instances where a meeting schedule would result in the decision by Council not being made within a statutory timeframe or other deadline. Statutory timeframes or other deadlines apply to:

- local planning scheme and scheme amendments after being initiated by Council
- structure Plans and Local Development Plans submitted by an external proponent
- structure Plans and Local Development Plans prepared by the City, after being endorsed for consultation
- submissions on draft changes to the planning framework.

There are no statutory timeframes applicable to local planning policies or strategic planning documents and direction-setting (for example the Local Planning Strategy).

An extension of time would be sought if a scheduled committee meeting would result in a statutory timeframe or deadline not being met. Depending on the type of proposal this extension would need to be granted by the proponent or the Western Australian Planning Commission.



Where an extension is not granted, a special meeting of a committee could be convened, and where this is not practical, the matter would need to be presented directly to a Council meeting.

### Comparison of Council meeting structure at other local governments with planning committees

Seven metropolitan local governments have operational Council Committees that consider planning proposals. The role of the planning committees vary, but most are consistent with the types of planning proposals the City would currently report to Council. The committees for the City of Fremantle, Town of Cambridge and Town of East Fremantle have a limited level of delegated authority to determine development applications.

In most cases meetings are held monthly and are open to the public and include opportunities for public question and statement time.

The Council meeting format for these local governments vary from the City of Joondalup in that:

- most have a number of standing committees and the majority of reports are presented to a committee meeting prior to a Council meeting. This includes the Cities of Stirling, Rockingham and Armadale which are considered the most comparable to Joondalup based on size
- the local governments do not have an equivalent Briefing Session open to the public prior to the Council meeting.

It is noted that the City of Wanneroo does not operate a Planning Committee, however, utilises a Briefing and Council meeting format similar to the City of Joondalup.

### Merits of establishing a Planning Committee

Based on the 2023 meeting schedule, a Planning Committee could be established, with the ability for meetings to be held monthly. Should a meeting be held monthly, this would ideally be no more than two weeks prior to an upcoming Briefing Session to allow committee minutes to be finalised and presented as part of the upcoming Briefing Session/Council meeting. Based on the 2023 meeting cycle, this will generally require meetings to be held in the third or fourth week of the month, depending on the date of the Briefing Session.

While a Planning Committee could be established within the existing committee/Council meeting schedule and structure, this is not recommended. Given the number of planning proposals that will need to be presented, should Council determine that planning proposals should be considered by a committee ahead of a Briefing Session, it is considered more appropriate and efficient that these matters be presented to an existing Council committee. The Policy Committee would be the most appropriate, noting that local planning policies are currently presented to this Committee.

Before planning proposals can be presented to the Policy Committee, a report will need to be presented to the Policy Committee to consider changes to the Terms of Reference to specify the type of planning proposals that are to be considered. The changes to the Terms of Reference will subsequently need to be endorsed by Council (by absolute majority).

*It is therefore recommended that Council not progress with establishing a Planning Committee and requests the Chief Executive Officer prepare a report for the Policy Committee to consider changes to the Terms of Reference to include strategic planning proposals.*

This report will consider in more detail the nature of planning proposals and implications given some planning proposals have statutory timeframes or other deadlines.

## Issues and options considered

The options are available to Council are:

- progress with establishing a Planning Committee
- not progress with establishing a Planning Committee but request a report be prepared to consider changes to the Terms of Reference of an existing committee to include some planning proposals  
or
- not progress with establishing a Planning Committee and make no changes to the way strategic planning matters are reported to Council.

It is recommended that a Planning Committee is not established, and a report is prepared for the Policy Committee to consider changes to the Terms of Reference.

As part of consideration of the type of planning proposals to be included in the Terms of Reference, there are implications if statutory timeframes are applicable. In the event planning proposals with a statutory timeframe are included, there may be a need to convene a special meeting of the committee, or present a matter directly to Council, where an extension to the timeframe is not granted by the proponent or Western Australian Planning Commission (as required).

Should Council want to progress with establishing a Planning Committee, a further report will need to be presented to Council to formally establish the Committee. If establishing a Planning Committee is preferred, Council will need to consider the following:

- The types of planning matters to be referred to the Planning Committee.
- Whether the Planning Committee will have a delegated function.
- Whether the Planning Committee is open to the public, noting that should the committee have a delegated function it is required to be open to the public in accordance with the *Local Government Act 1995*.
- Meeting frequency, noting that the type of planning proposals that will be presented to a Planning Committee influences the frequency of meetings. As discussed above, based on the 2023 meeting schedule, meetings could be held monthly.
- Membership. It has been usual practice for the City's committees that an Elected Member representative from each of the six wards, plus the Mayor, is a member on a respective committee.

## Legislation / Strategic Community Plan / Policy implications

**Legislation**                      *Local Government Act 1995.*  
    *Local Government (Administration) Regulations 1996.*  
    *City of Joondalup Meeting Procedures Local Law 2013.*

## 10-Year Strategic Community Plan

**Key theme**                        Leadership.

**Outcome**                        Capable and effective – you have an informed and capable Council backed by a highly-skilled workforce.

**Policy**                              Not applicable.

**Risk management considerations**

Given that the Policy Committee meets quarterly, planning proposals may be delayed compared to progressing matters directly to a Council Meeting. Should the Terms of Reference include planning proposals with a statutory timeframe or other deadline, there is a risk that matters may still need to be presented directly to a Council meeting, should an extension not be granted and it is not practical to convene a special meeting of the Policy Committee.

**Financial / budget implications**

The cost to operate a separate Planning Committee would include staff and catering costs, with additional staff resources required should the meeting be open to the public:

- a meeting that is not open to the public is estimated to be \$2,934 per meeting
- a meeting open to the public is estimated to be \$4,937 per meeting.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

Following a review of Council's current meeting structure and the type and volume of planning proposals that could be considered by a Council committee, it is considered there is no merit in establishing a separate Planning Committee. Rather, it is recommended that the Terms of Reference for the Policy Committee be amended to allow strategic planning matters to be presented.

A separate report will need to be presented to the Policy Committee to consider and endorse changes to the Terms of Reference. This report will consider in more detail the nature of planning proposals and implications given those planning proposals with statutory timeframes.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Jones, SECONDED Cr Thompson that Council in relation to Council's resolution of 16 November 2021 (CJ127-11/21 refers) regarding the establishment of a Planning Committee:**

- 1 DOES NOT PROGRESS the establishment of a Planning Committee;**
- 2 REQUESTS the Chief Executive Officer prepare a report to review the Terms of Reference of the Policy Committee to include strategic planning proposals.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

**CJ003-02/23 DRAFT WESTERN AUSTRALIAN PLANNING COMMISSION POSITION STATEMENT: CHILD CARE PREMISES - CITY OF JOONDALUP SUBMISSION**

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Chris Leigh Planning and Community Development
<b>FILE NUMBER</b>	103360, 101515
<b>ATTACHMENTS</b>	Attachment 1 Draft Position Statement: Child Care Premises Attachment 2 City of Joondalup submission
<b>AUTHORITY / DISCRETION</b>	Advocacy - Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.

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**PURPOSE**

For Council to consider and endorse the City of Joondalup submission on the Western Australian Planning Commission's draft Position Statement: Child Care Premises.

**EXECUTIVE SUMMARY**

The Western Australian Planning Commission (WAPC), through the Department of Planning, Lands and Heritage (DPLH), is seeking comment on the draft Position Statement: Child Care Premises. The draft position statement updates the *Planning Bulletin 72 Child Care Centres* (August 2009) and aims to provide decision-makers, proponents and the community with a consistent policy approach to planning for child care premises in Western Australia.

Compared to the current planning bulletin, the draft position statement encourages the co-location of child care premises on appropriate reserves and mixed commercial type zones, and provides further details on minimising amenity impacts, particularly in regard to noise as well as public and child safety.

An updated position statement on planning requirements for a child care premises is welcomed given the increase and change in the nature of child care premises being developed since the current planning bulletin. It is considered that further improvements can be made to provide additional clarity on some aspects and to improve readability.

*It is therefore recommended that Council ENDORSES the City of Joondalup submission on the draft Position Statement: Child Care Premises shown as Attachment 2 to Report CJ003-02/23 and FORWARDS the submission to the Department of Planning, Lands and Heritage.*

## BACKGROUND

The draft Position Statement: Child Care Premises was released for public comment on 10 November 2022 and will replace *Planning Bulletin 72 Child Care Centres* (August 2009).

Within the City of Joondalup, the *Child Care Premises Local Planning Policy* is the primary planning instrument used to guide the development of a child care premises. This local planning policy was last updated in February 2022, following a request from Council for a report on possible amendments to prevent child care premises from being built in residential areas. The key changes through this update to the local planning policy included providing criteria for the location and scale of a child care premises in a residential area to ensure the protection of residential amenity.

## DETAILS

The draft *Position Statement: Child Care Premises* is provided in Attachment 1. The position statement updates the *Planning Bulletin 72 Child Care Centres* (August 2009) and aims to provide decision-makers, proponents and the community with a consistent policy approach to planning for child care premises in Western Australia.

The purpose of the position statement is to set out the policy position of the WAPC with respect to child care premises. As it applies at a State-wide level, its purpose is not to prescribe development standards but be a single point of reference for local governments when creating their local planning policies. A local planning policy will generally have more detail and unique requirements based on a local government's own context, and the position statement aims to provide a broad degree of consistency on key considerations.

Compared to the current planning bulletin, the draft position statement:

- encourages the co-location of child care with schools, allowing for the development of child care premises to be considered when planning for the development of new public primary schools
- encourages co-locating child care premises on government reserves (intended for community and educational uses) and mixed commercial type zones, allowing for more flexible hours of operation to cater to the increasing number of families who have irregular or out-of-ordinary work hours
- provides more detail for proponents to demonstrate that their development will not create unsafe conditions for the children and families, or pedestrians, cyclists and vehicles using the roads near child care premises
- emphasises requirements that any noise impact on adjacent residential properties be minimised to a level acceptable to the decision-maker
- ensures external negative impacts, such as service station fumes and heavy vehicle traffic noise and exhaust, are recognised and addressed
- prioritises children's health and safety by reference to other legislation that provides standards for child care premises.

The City of Joondalup draft submission is provided in Attachment 2 to Report CJ003-02/23.

Several of the proposed location and design requirements for child care premises are generally supported, including:

- encouraging co-location with schools, appropriate local and regional reserves, and mixed commercial premises
- design requirements including compatibility and enhancing amenity when proposed in residential areas.

In general, the layout of the position statement results in a repetition in requirements and could be improved to enhance readability. Other key recommended improvements outlined in the City's draft submission are as follows:

- Further guidance is needed on what is considered an acceptable scale for a child care premises in a residential area. While the position statement needs to be general enough to be applicable at a state-wide level, it is considered that further guidance needs to be provided on this.
- Prior to proposing a child care premises in the residential zone, proponents should be required to have assessed and ruled out school sites, suitable reserves or mixed commercial areas in the locality as being suitable.
- The explanation on noise impacts from a child care premises should clarify that compliance with the *Environment Protection (Noise) Regulations 1997* does not mean that there is not an amenity impact on residential areas from noise, and there may be other planning considerations around noise amenity that mean a child care premises is unsuitable.
- Further clarity is needed on how the position statement is to be used in the assessment of development applications, particularly if there are requirements that are inconsistent with a local planning policy.
- A requirement for car parking to include the provision of one bay per staff member.

The final position statement, once approved by the WAPC, will trigger the requirement for the City to undertake a review of its local planning framework, including the *Child Care Premises Local Planning Policy*. While there is no requirement for the local planning framework to align with the requirements of the position statement, reviewing the local planning framework ensures that regard has been given to the updated requirements.

## Issues and options considered

### Options

The options available to Council in considering the draft submission on the draft Position Statement: Child Care Premises are to either:

- endorse the draft submission and forward to the DPLH
- endorse the draft submission with modifications and forward to the DPLH  
or
- not endorse the draft submission and provide no submission.

## Legislation / Strategic Community Plan / Policy implications

**Legislation**                      *Planning and Development Act 2005.*  
    *Planning and Development (Development Assessment Panels) Regulations 2011.*  
    *Planning and Development (Local Planning Schemes) Regulations 2015.*  
    *Local Planning Scheme No. 3.*

## 10-Year Strategic Community Plan

**Key theme**                      Leadership.

**Outcome**                      Proactive and represented – you are confident that the City is advocating on your behalf for initiatives that benefit the community.

**Policy**                          Not applicable.

**Risk management considerations**

Not applicable.

**Financial / budget implications**

Not applicable.

**Regional significance**

The draft position statement applies across the Western Australian planning system.

**Sustainability implications**

Not applicable.

**Consultation**

The public consultation on the draft Position Statement: Child Care Premises commenced on 11 November 2022 and closed on 10 February 2023. On advice from the DPLH, an interim submission, being the same as Attachment 2, was submitted prior to the closing date. A final submission, incorporating any modifications required by Council, will be provided following the Council's decision and will replace the interim submission.

**COMMENT**

An updated position statement on planning requirements for a child care premises is welcomed given the increase and change in the nature of child care premises being developed since the current planning bulletin. It is considered that further improvements can be made to provide additional clarity on some aspects and improve readability.

*It is therefore recommended that Council endorses Attachment 2 to Report CJ003-02/23 as the City of Joondalup's submission.*

**VOTING REQUIREMENTS**

Simple Majority.

**OFFICER'S RECOMMENDATION**

That Council ENDORSES the City of Joondalup submission on the draft Position Statement: Child Care Premises shown as Attachment 2 to Report CJ003-02/23 and FORWARDS the submission to the Department of Planning, Lands and Heritage.



**MOVED** Cr Thompson, **SECONDED** Cr Poliwka that Council **ENDORSES** the City of Joondalup submission on the draft Position Statement: Child Care Premises shown as Attachment 2 to Report CJ003-02/23, subject to the below modifications, and **FORWARDS** the submission to the Department of Planning, Lands and Heritage:

- 1 The second paragraph includes *The City's primary concern is guidance on the scale of child care premises in the Residential zone to ensure they are complementary to the residential character;*
- 2 The third paragraph includes *If references to other legislation is retained, these requirements should be contained in a separate section away from the planning considerations, and the position statement should clearly define what considerations the decision maker will take into account as part of the planning assessment;*
- 3 Under section 5.1 recommendation modifications, the second bullet point includes, *If a defined framework cannot be provided, it should not be a requirement in the position statement:*
- 4 Under section 5.4 recommendation modifications, bullet point four is modified to include:
  - 1.4.1 *Further location considerations are provided in residential zones and include child care premises:*
    - *Being located on a local distributor road and directly adjoining other commercial uses, or appropriate reserve;*
    - *Not being bound on all sides by residential development (excluding street boundaries), with outdoor play spaces away from residential properties;*
    - *Not being located in or on the corner of a cul-de-sac road.*
- 5 Under section 5.6 the first paragraph includes, *Further guidance is also required on appropriate built form in a residential area;*
- 6 Under section 5.6 recommended modifications, a further bullet point includes, *Further detail be provided on appropriate built form in residential areas, requiring a built form (for example building height and setbacks) that is consistent with the existing residential character (or future residential character).*

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2brf230214.pdf](#)

## **CJ004-02/23      PROPOSED REVOCATION OF THE MACNAUGHTON CRESCENT STRUCTURE PLAN**

<b>WARD</b>	North
<b>RESPONSIBLE DIRECTOR</b>	Mr Chris Leigh Planning and Community Development
<b>FILE NUMBER</b>	105172, 101515
<b>ATTACHMENTS</b>	Attachment 1    Location plan Attachment 2 <i>MacNaughton Crescent Local Structure Plan</i> map Attachment 3 <i>MacNaughton Crescent Local Structure Plan</i>
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

### **PURPOSE**

For Council to consider advertising a proposal to revoke the *MacNaughton Crescent Structure Plan*. The proposed revocation is to be progressed as an amendment to *Local Planning Scheme No. 3*.

### **EXECUTIVE SUMMARY**

As part of the approval of the City's current planning scheme, *Local Planning Scheme No. 3* (LPS3), the Western Australian Planning Commission (WAPC) advised the City that a separate review of the City's existing structure plan area should be undertaken to assess whether existing structure plans are still relevant and required. The City has been progressing this review since LPS3 came into effect in October 2018.

The *MacNaughton Crescent Structure Plan* (the structure plan) was adopted by Council at its meeting held on 13 December 2016 (CJ204-12/16 refers) and approved by the Western Australian Planning Commission (WAPC) on 1 May 2017. The structure plan was developed to facilitate the subdivision, zoning, allocation of density and built form standards of a parcel of land previously earmarked for development as a school site. The structure plan area has one remaining vacant lot.

The structure plan area is zoned 'Urban Development' under LPS3. The structure plan specifies that land use permissibility is in accordance with the corresponding zone or reserve under the (now former) *District Planning Scheme No. 2* (DPS2). Development provisions within the structure plan area are set out in both the *MacNaughton Crescent Local Development Plan* and the City's *Medium-density Single House Development Standards Local Planning Policy*. As such, there are no development provisions within the structure plan area that need to be retained and incorporated into LPS3.

In accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015* (the LPS Regulations), an amendment to LPS3 to incorporate the zonings outlined in the structure plan will automatically revoke the structure plan where a statement to that effect is included as part of the scheme amendment proposal. This type of scheme amendment is classified as a 'basic' amendment and there is no statutory provision to advertise this form of amendment.

Although the formal planning process to revoke the structure plan does not require public consultation, it is recommended that Council agrees to seek feedback on the proposal from the landowners within the structure plan area, prior to Council's further consideration of initiating a basic amendment to LPS3 to rezone the land within the structure plan area to facilitate the revocation of the structure plan.

## BACKGROUND

<b>Suburb/Location</b>		Kinross, including MacNaughton Crescent, Lochnagar Way, Grangemouth Turn, Skene Lane and Darroch Loop.
<b>Owner</b>		Various.
<b>Zoning</b>	<b>LPS</b>	Urban Development.
	<b>MRS</b>	Urban.
<b>Site area</b>		4.027 hectares.
<b>Structure plan</b>		<i>MacNaughton Crescent Structure Plan.</i>

### Local Structure Plan review project

As part of the approval of LPS3, the WAPC advised that a separate review of the City's existing structure plan areas should be undertaken to assess the current status of each structure plan. This would determine if a structure plan covered an area:

- where development is still occurring, and the structure plan is still relevant and needs to be retained
- where development is complete or nearing completion, in which case the structure plan can be revoked via an amendment to LPS3 to rezone the area. This may include introducing relevant development provisions from the structure plan into the scheme.

The City has been progressing this review since LPS3 came into effect with a number of structure plans revoked or in the process of being revoked.

### MacNaughton Crescent Structure Plan

The *MacNaughton Crescent Structure Plan* applies to the land bounded by MacNaughton Crescent to the east, Lochnagar Way to the north, Grangemouth Turn to the west and Darroch Loop to the south (Attachment 1 refers). The structure plan area was originally identified for the development of a primary school by the Department of Education however, in 2012, the site was determined to be surplus to its requirements. The site was subsequently rezoned in 2015 to 'Urban Development' under DPS2 to facilitate residential development.

The structure plan was adopted by Council at its meeting of 13 December 2016 (CJ204-12/16 refers) and approved by the Western Australian Planning Commission (WAPC) on 1 May 2017. Following approval of the structure plan, a local development plan was approved by Council at its meeting held on 21 August 2018 (CJ131-08/18) for those lots with direct frontage to an area of Public Open Space, for lots with rear-loaded (laneway) vehicle access and for lots where the driveway or dwelling design was impacted by the retention of specified trees. Additionally, Council adopted the *Medium-density Single House Development Standards Local Planning Policy* which provides the standards for development within the structure plan area.

The subject area has now been fully developed, with the exception of one lot on Darroch Loop.

## DETAILS

It is proposed that the structure plan be revoked as the estate has been developed, with the exception of Lot 51 (8) Darroch Loop.

Under the LPS Regulations, an amendment to the planning scheme to incorporate the zonings indicated in the structure plan will also revoke the structure plan, provided a statement is included to that effect. This means that the approval of an amendment to LPS3 to rezone the structure plan area from 'Urban Development' to those outlined in the structure plan, for example 'Residential' zone and 'Public Open Space' reserve, will automatically revoke the structure plan. Such a scheme amendment is classified as 'basic' under the LPS Regulations. There is no statutory provision to advertise this class of amendment.

However, prior to initiating the amendment to rezone the land within the structure plan area, it is considered appropriate to advertise the proposal to revoke the structure plan to the landowners within the structure plan area and seek feedback, prior to Council's further consideration.

### Issues and options considered

#### Current need for the *MacNaughton Crescent Structure Plan*

The structure plan consists of two zones being 'Residential' and 'Public Open Space'. The latter is a portion of public open space adjoining MacNaughton Park reserve. The 'Residential' zone is divided between three densities, being R25, R30 and R40 (Attachment 2 refers).

The structure plan was developed to facilitate the subdivision of the estate, in particular setting the proposed land use zones, residential density, public open space requirements and provisions around tree retention. All provisions within the structure plan have been met and addressed through the subdivision of the estate and as such it is not considered necessary to include any of the provisions within the scheme.

Development provisions for the dwellings are incorporated in both the *MacNaughton Crescent Local Development Plan* (LDP) and more specifically within the *Medium-density Single House Development Local Planning Policy* (LPP). The LDP has a life span of ten years and is not able to be revoked prior. Both the LDP and the LPP remain applicable for future development within the estate.

The future development of the one vacant lot on Darroch Loop will be subject to the requirements of the LPP, noting that the LDP and tree retention provisions are not applicable to this lot.

#### Zoning

The land within the structure plan area is zoned 'Urban Development' under LPS3. If the proposed revocation of the structure plan is supported, it is proposed to rezone this land to 'Residential R25', 'Residential R30', 'Residential R40' and the 'Public Open Space' and 'Local Road' reserves in accordance with the structure plan map (Attachment 2 refers).

#### Land use permissibility

The structure plan states that land use permissibility is to be in accordance with the 'Residential' zone under the scheme. If a scheme amendment is supported and the structure plan revoked, land use permissibility will be in accordance with the 'Residential' zone of LPS3 which is similar to that of the previous planning scheme.

Tree retention

The structure plan includes provisions to support the retention of trees. As part of the subdivision of the site, trees were retained within road reserves and public open space, which are now under the control and management of the City. The LDP includes provisions relating to mandatory crossover and driveway locations to ensure the retention and survival of trees located within the verge.

Options

The options available to Council in considering revoking the *MacNaughton Crescent Structure Plan* are to:

- advertise the proposal to revoke the structure plan to existing landowners within the structure plan area  
or
- not advertise the proposal to revoke the structure plan to existing landowners within the structure plan area.

Council can proceed with an amendment to LPS3 to rezone the land within the structure plan area without first advertising the proposal to revoke the structure plan, however this is not recommended.

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

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

**10-Year Strategic Community Plan**

**Key theme**                      Place.

**Outcome**                      Well-planned and adaptable – you enjoy well-designed, quality buildings and have access to diverse housing options in your neighbourhood.

**Policy**                          *Medium-density Single House Development Standards Local Planning Policy.*

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

Clause 28 of the deemed provisions of the LPS Regulations states that structure plans have effect for 10 years from their date of approval. The WAPC may extend the period of approval of a structure plan, revoke a structure plan or amend the planning scheme that covers a structure plan area which automatically revokes the structure plan.

The LPS Regulations state that an amendment to a scheme map that is consistent with an approved structure plan is a 'basic' amendment if the scheme includes the zones outlined in the structure plan. A statement must be included within the amendment proposal that when the amendment takes effect the approval of the structure plan is to be revoked.

Structure Plan Framework

The Structure Plan Framework outlines the manner and form in which a structure plan and activity centre plan is to be prepared under the LPS Regulations. Clause 16 of the framework outlines that the WAPC may revoke its approval of a structure plan under the deemed provisions of the LPS Regulations and provides for common circumstances in which this would occur, including where the zoning of the land is covered within the scheme and following finalisation of the subdivision of the land.

Local Planning Scheme No. 3

The objectives of the 'Residential' zone in LPS3 are:

Zone name	Objectives
Residential	<ul style="list-style-type: none"> <li>To provide for a range of housing and a choice of residential densities to meet the needs of the community.</li> <li>To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.</li> <li>To provide for a range of non-residential uses, which are compatible with and complementary to residential development.</li> </ul>

The objectives of the 'Public Open Space' and 'Local Road' reserves in LPS3 are:

Reserve name	Objectives
Public Open Space	<ul style="list-style-type: none"> <li>To set aside areas for public open space, particularly those established under the <i>Planning and Development Act 2005</i> s. 152.</li> <li>To provide for a range of active and passive recreation uses such as recreation buildings and courts and associated car parking and drainage</li> </ul>
Local Road	<ul style="list-style-type: none"> <li>To set aside land required for a local road being a road classified as an Access Road under the Western Australian Road Hierarchy.</li> </ul>

**Risk management considerations**

Not applicable.

**Financial / budget implications**

The City will be required to cover the costs associated with any advertising of the proposal to revoke the structure plan. Approximately 67 letters would be sent to landowners within the structure plan area with a direct cost of approximately \$101.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

There are no provisions within the LPS Regulations or Structure Plan Framework which require consultation to be undertaken prior to a structure plan being revoked. However, it is considered appropriate that the landowners within the structure plan area be informed of the proposal to revoke the structure plan and obtain any feedback which can be reported back to Council, prior to an amendment to rezone the land within the structure plan area being considered by Council.

The revocation of the *MacNaughton Structure Plan* is proposed to be advertised for 14 days by way of letter to all 67 property owners within the structure plan area.

## COMMENT

The area encompassed by the *MacNaughton Structure Plan* is nearing completion with one lot remaining for to be developed. The provisions of the *MacNaughton Crescent Local Development Plan* and the City's *Medium-density Single House Development Standards Local Planning Policy* are considered sufficient to ensure that any further development or redevelopment has an appropriate built form outcome.

While there is no requirement to advertise a proposal to revoke a structure plan, it is considered appropriate to advertise the proposal to the landowners within the structure plan area and seek any feedback, prior to Council's further consideration of an amendment to rezone the land within the structure plan area.

It is therefore recommended that Council advertises the proposed revocation of the *MacNaughton Crescent Local Structure Plan* to the landowners within the structure plan area for a period of 14 days.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Cr McLean, SECONDED Cr Hill that Council ADVERTISES the proposal to revoke the MacNaughton Crescent Local Structure Plan to landowners within the structure plan area, for a period of 14 days.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3brf230214.pdf](#)

## **CJ005-02/23 DRAFT GUIDELINES FOR MINIMISING NOISE IMPACT FROM OUTDOOR COMMUNITY BASKETBALL FACILITIES – CITY OF JOONDALUP SUBMISSION**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Chris Leigh Planning and Community Development
<b>FILE NUMBER</b>	106786, 101515
<b>ATTACHMENTS</b>	Attachment 1 Draft Guideline for Consultation Attachment 2 City of Joondalup Submission
<b>AUTHORITY / DISCRETION</b>	Advocacy - Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.

### **PURPOSE**

For Council to consider and endorse the City of Joondalup submission on the Department of Water and Environmental Regulation '*Draft for consultation – Minimising noise impact from outdoor community basketball facilities*'.

### **EXECUTIVE SUMMARY**

The Department of Water and Environmental Regulation (DWER) is seeking comment on a draft guidance document '*Minimising noise impact from outdoor community basketball facilities*' (the draft guidance document).

The draft guidance document provides an approach to minimising potential noise impacts on nearby residents when a new outdoor community basketball facility is proposed to be installed.

*It is therefore recommended that Council ENDORSES the City of Joondalup submission on the 'Draft for consultation – Minimising noise impact from outdoor community basketball facilities' shown as Attachment 2 to Report CJ005-02/23 and FORWARDS the submission to the Department of Water and Environmental Regulation.*

### **BACKGROUND**

The provision of basketball facilities ranging from full court facilities to one-on-one pads is common throughout local government. Basketball facilities are often located within public open spaces.

Basketball is a popular recreational activity for children and adults to stay fit, interact with others, have fun and can be used by people of all ages, abilities, and backgrounds.

The City provides basketball facilities at a number of its public open spaces for residents and visitors to use and enjoy. These range in size from 28 metres x 15 metres (full court), 15 metres x 11 metres (three on three pad) to 9 metres x 7 metres (one on one pad).



Noise associated with the use of a basketball facility should not unreasonably interfere with the health, welfare, convenience, comfort or amenity of any person. Noise from the use of a basketball facility is required to comply with the *Environmental Protection (Noise) Regulations 1997*.

The DWER are seeking comment from the City on the draft guidance document.

The draft guidance document has been developed to provide an approach to minimising potential noise impacts on nearby residents when a new outdoor community basketball facility is proposed.

Feedback on the draft guidance document is requested by 5pm, Friday 3 March 2023.

## DETAILS

The draft guidance document is provided as Attachment 1 to Report CJ005-02/23.

The draft guidance document provides an approach to minimising potential noise impacts on nearby residents when a new outdoor community basketball facility is proposed to be installed.

The City has reviewed the draft guidance document and has prepared the following comments that are provided in Attachment 2 to Report CJ005-02/23:

- *The draft guideline seeks to provide direction for local governments and their communities about the acceptable location of basketball facilities, however it lacks sufficient clarity and specificity to deliver on its intent. It is suggested that the draft guideline be structured in such a way as to provide a 'deemed-to-comply', acceptable separation distance between a facility (without any noise mitigation measures) and a noise sensitive land use (such as; a residential property). The draft guideline could then introduce specified reductions in distance (such as; 10m / 20m increments) that can be applied if certain noise mitigation measures are implemented in the design).*

*This would provide the clarity that local governments and their communities require to respond to the debate that exists about acceptable separation distances. It is noted that this may also require complementary changes to the Environmental Protection (Noise) Regulations 1997 to give effect to such an approach.*

- *The supporting technical information that has informed the development of the draft guideline should be made available for review and comment so that the data and methodology that has informed the draft guideline can be confirmed as accurate and fit for purpose.*
- *The description of facilities and associated characteristics should better reflect terminology and specifications designed and delivered by local government for these facilities. The draft guideline refers to a 'small pad' with notional pad size of 6m x 6m.*

*Terminology and sizing is more accurately described as follows:*

- *The specification for 'full size' basketball court is 28m x 15m (420m<sup>2</sup>) (as per the Department of Local Government, Sport and Cultural Industries (Sport and Recreation) guide).*
- *The specifications for a '3 on 3' basketball court is 15m x 11m (165m<sup>2</sup>) (as per the Department of Local Government, Sport and Cultural Industries (Sport and Recreation) guide).*
- *The specifications for '1 on 1' basketball court is 9m x 7m (63m<sup>2</sup>) (as per City of Joondalup specification).*

- *The approach taken in the guideline which supports a reduction in separation distance between a facility and a residence where the residence is near a major road (defined as carrying more than 15,000 vehicles per day) is noted. The principle is supported however applying this principle to 'major roads' only means that this would apply to very few roads and therefore have limited practical benefit. We therefore suggest that the same principle is applied to 'secondary roads' also (such as; roads carrying more than 6,000 vehicles per day), noting that the reduction in separation distance may be less than for a major road.*
- *Whilst it is recognised that the draft guideline has been prepared to assist local governments with their facility planning, it is recommended that other representative bodies associated with the sport of basketball – as subject matter experts – are also engaged in the preparation of the draft guideline.*

### **Issues and options considered**

#### Options

The options available to Council in considering the draft submission on the draft guidance document are to either:

- endorse the draft submission and forward to the DWER
- endorse the draft submission with modifications and forward to the DWER  
or
- not endorse the draft submission and provide no submission.

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

**Legislation**                      *Environmental Protection (Noise) Regulations 1997.*

#### **10-Year Strategic Community Plan**

**Key theme**                      Leadership.

**Outcome**                      Proactive and represented – you are confident that the City is advocating on your behalf for initiatives that benefit the community.

**Policy**                              Not applicable.

#### **Risk management considerations**

Not applicable.

#### **Financial / budget implications**

Not applicable.

#### **Regional significance**

The draft guidance document would apply across all local governments in Western Australia.

#### **Sustainability implications**

Not applicable.

## Consultation

The DWER have targeted local government to provide comments.

## COMMENT

Recreational basketball facilities provide health and wellbeing benefits to the community. The draft guidance document recognises that a balance is also required to reduce the impact of noise from the use of basketball facilities.

The draft guidance document provides a number of options that can be considered to reduce the noise impact to nearby residents, that can be considered for new installations.

A guidance document on the installation of new basketball facilities is welcomed, considering the number of factors that may influence the impact of noise, however, as outlined in the comments above, there is opportunity for greater clarity and specificity to better support local governments and their communities in planning for such facilities.

## VOTING REQUIREMENTS

Simple Majority.

## OFFICER'S RECOMMENDATION

That Council ENDORSES the City of Joondalup submission on the 'Draft for consultation – Minimising noise impact from outdoor community basketball facilities' shown as Attachment 2 to Report CJ005-02/23 and FORWARDS the submission to the Department of Water and Environmental Regulation.

## MOVED Cr Thompson, SECONDED Cr Fishwick that Council:

- 1 **NOTES** the announcement made by the Minister for Environment on 22 February 2023 stating that the draft guidelines for 'Minimising noise impact from outdoor community basketball facilities' will no longer be progressed;
- 2 **REQUESTS** that the Minister for Environment and the Department of Water and Environmental Regulation reconsiders the decision to no longer progress the draft guidelines for 'Minimising noise impact from outdoor community basketball facilities' and encourages continued development of these draft guidelines;
- 3 **REQUESTS** that the Chief Executive Officer writes to the Western Australian Local Government Association to advocate on behalf of local government by requesting that the Minister for Environment and the Department of Water and Environmental Regulation reconsiders the decision to no longer progress the draft guidelines for 'Minimising noise impact from outdoor community basketball facilities' and encourages continued development of these draft guidelines;

- 4 **UPDATES** the City of Joondalup submission on the 'Draft for consultation – Minimising noise impact from outdoor community basketball facilities' shown as Attachment 2 to Report CJ005-12/23 to include a recommendation that the guidelines also include information and guidance on factors that potentially exacerbate noise from outdoor community basketball facilities;
- 5 Subject to the update referred to in Part 4, **ENDORSES** the City of Joondalup submission on the 'Draft for consultation – Minimising noise impact from outdoor community basketball facilities' shown as Attachment 2 to Report CJ005-02/23 and **FORWARDS** the submission to the Department of Water and Environmental Regulation;
- 6 **REQUESTS** that the Department of Water and Environmental Regulation amends Schedule 2 of the Environmental Protection (Noise) Regulations 1997 to include a basketball facility that is installed in accordance with the 'Guidelines for minimising noise impact from outdoor community basketball facilities'.

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4brf230214.pdf](#)*

**CJ006-02/23 EXECUTION OF DOCUMENTS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr James Pearson Office of the CEO
<b>FILE NUMBER</b>	15876,101515
<b>ATTACHMENTS</b>	Attachment 1 Signing and Common Seal Register - extract for 29 November 2022 to 1 February 2023
<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 29 November 2022 to 1 February 2023.

**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.

*It is therefore recommended that Council NOTES the Signing and Common Seal Register for 29 November 2022 to 1 February 2023 as detailed in Attachment 1 to Report CJ006-02/23.*

**BACKGROUND**

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. The last report to Council was made at its meeting held on 13 December 2022 (CJ201-12/22 refers).

**DETAILS**

From 29 November 2022 to 1 February 2023, seven documents were executed by affixing the Common Seal. A summary is provided below:

Type	Number
New Licence Agreement	3
Deed of Extension	1
Removal of Section 70A Notification	1
Scheme Amendment No. 11 – Final Approval	1
Section 70A Notification	1

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

**Legislation** *Local Government Act 1995.*

**10-Year Strategic Community Plan**

**Key theme** Leadership.

**Outcome** Capable and effective - you have an informed and capable Council backed by a highly skilled workforce.

**Policy** Not applicable.

**Risk management considerations**

Not applicable.

**Financial / budget implications**

Not applicable.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

Not applicable.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED** Cr Jones, **SECONDED** Cr Thompson that Council **NOTES** the Signing and Common Seal Register for 29 November 2022 to 1 February 2023 as detailed in Attachment 1 to Report CJ006-02/23.

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 5 refers*

*To access this attachment on electronic document, click here: [Attach5brf230214.pdf](#)*

## **CJ007-02/23 MINUTES OF REGIONAL COUNCIL MEETINGS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	03149, 41196, 101515
<b>ATTACHMENT</b>	Attachment 1 Mindarie Regional Council – Ordinary Council Meeting Minutes – 24 November 2022 Attachment 2 Tamala Park Regional Council – Meeting Minutes – 8 December 2022 Attachment 3 Mindarie Regional Council – Ordinary Council Meeting Minutes – 15 December 2022
<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 minutes of various bodies on which the City has current representation.

### **EXECUTIVE SUMMARY**

The following minutes are provided:

- Ordinary Minutes of the Mindarie Regional Council meeting held on 24 November 2022.
- Ordinary Minutes of the Tamala Park Regional Council meeting held on 8 December 2022.
- Ordinary Minutes of the Mindarie Regional Council meeting held on 15 December 2022.

### **DETAILS**

#### **Mindarie Regional Council Ordinary Council Meeting – 24 November and 15 December 2022**

Ordinary meetings of the Mindarie Regional Council were held on 24 November 2022 and 15 December 2022.

At the time of the meeting held on 24 November, Mayor Albert Jacob and Cr Christopher May were Council's representatives at the Mindarie Regional Council meeting.

At the time of the meeting held on 15 December, Mayor Albert Jacob was Council's representative at the Mindarie Council meeting and Christopher May was an apology for the meeting.

The attached minutes detail those matters that were discussed at this external meeting that may be of interest to the City of Joondalup (Attachments 1 and 3 refer).

### **Tamala Park Regional Council - Ordinary Council Meeting – 8 December 2022**

An ordinary meeting of the Tamala Park Regional Council was held on 8 December 2022.

At the time of this meeting Cr John Chester and Cr Nige Jones were Council's representatives at the Tamala Park 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 (Attachment 2 refers).

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

**Legislation** Not applicable.

#### **10-Year Strategic Community Plan**

**Key theme** Leadership.

**Outcome** Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.

**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 Cr Jones, SECONDED Cr Thompson that Council NOTES the minutes of:**

- 1 the ordinary meeting of the Mindarie Regional Council held on 24 November 2022 forming Attachment 1 to Report CJ007-02/23;**
- 2 the ordinary meeting of the Tamala Park Regional Council held on 8 December 2022 forming Attachment 2 to Report CJ007-02/23;**
- 3 the ordinary meeting of the Mindarie Regional Council held on 15 December 2022 forming Attachment 3 to Report CJ007-02/23.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 6 refers*

*To access this attachment on electronic document, click here: [Attach6brf230214.pdf](#)*

**CJ008-02/23 CITY OF JOONDALUP – E-PETITIONS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	05386, 101515
<b>ATTACHMENTS</b>	Attachment 1 Draft Terms and Conditions
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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**PURPOSE**

For Council to consider the outcomes of an investigation for the development of an e-Petition application on the City's website to enable residents/ratepayers to submit and sign petitions online.

**EXECUTIVE SUMMARY**

At the Ordinary Council meeting held on 19 April 2022 (CJ049-04/22 refers), Council resolved to request the Chief Executive Officer to prepare a report on the development of an e-Petition application on the City's website to enable residents/ratepayers to submit and sign petitions online.

The City has now completed that investigation and proposes that Council supports introducing e-Petitions on the City's website, in addition to supporting the continued use of hard-copy petitions as an alternative.

The introduction of e-Petitions will improve the accessibility, sustainability and transparency of this aspect of Council business.

*It is therefore recommended that Council:*

- 1 *APPROVES the introduction of e-Petitions, which will be accessible through the City of Joondalup's website;*
- 2 *NOTES the implementation, development and roll out of e-petitions will be included in the scope of works for the core system replacement project (Project Axiom);*
- 3 *NOTES that the City of Joondalup will continue to support the use of hard-copy petitions.*

## BACKGROUND

At the Annual General Meeting of Electors held on 8 February 2022, the following motion was carried, in part, by electors present:

*That the Electors of the City of Joondalup REQUESTS that Council instructs the City to:*

- 1 Set up an online facility for the submission of petitions (E-petitions) and continues with hard copy petitions and that provision is made for both hard copy and E-petitions to be concurrent on the same subject matter and counted as one if submitted at the same time;*
- 2 Amend its relevant local law(s) so that the authenticity of petitions overall is safeguarded;*
- 3 Establish a concurrent petition status page so residents can see how their petition is progressing and the historical outcome of previous petitions.*

A report was presented to the Council meeting held on 19 April 2022 (CJ049-04/22 refers), with regard to the motions carried at the Annual General Meeting. The following Officer's comment was provided with regard to e-Petitions:

### "Officer's comment

*Petitions inform the Council of the views of a section of the community and serve as one way of placing community concerns before Council. The subject of petitions must be a matter on which Council has the power to act and petitions must adhere to the City's petition requirements set out in clause 5.11 of the City of Joondalup Meeting Procedures Local Law 2013, as detailed below:*

### **5.11 Petitions**

- (1) A petition must –*
  - a. be prepared, as far as practicable, in the form prescribed in Schedule 1;*
  - b. be addressed to the Council and forwarded to an Elected Member or the CEO;*
  - c. be made by at least 25 electors of the district;*
  - d. state the request on each page;*
  - e. contain a summary of the reasons for the request;*
  - f. contain the legible names, addresses and signatures of the electors making the request, and the date each electors signed;*
  - g. state the name of the person upon whom, and an address at which, notice to the petitioners can be given;*
  - h. be respectful and temperate in its language; and*
  - i. comply with any form prescribed by the Act or any other written law, such as the Local Government (Constitution) Regulations 1998 if, for example, it is –*
    - i. a proposal to change the method of filling the office of the Mayor;*  
*or*
    - ii. a submission about changes to wards, the name of a district or ward or the number of councillors for a district or ward.*

*To be accepted, petitions require at least 25 signatures, and although anyone can sign a petition, only those who are City of Joondalup electors will be recorded in the official signature count for that petition. The City does not currently accept online or electronic petitions (e-Petitions), as there is a requirement for electors to sign the petition document in accordance with clause 5.11(1)(f) above.*

Clause 5.11(1)(f) of the City of Joondalup Meeting Procedures Local Law 2013 requires that petitions contain 'legible signatures.' Initial investigations suggest that electronic signatures could meet this requirement in accordance with section 4(b) and 10(1) of the Electronic Transactions Act 1999, as detailed below:

#### **4. Simplified outline**

- The following requirements imposed under a law of the Commonwealth can be met in electronic form:
  - (b) a requirement to provide a signature.

#### **10. Signature**

Requirement for signature

- (1) If, under a law of the Commonwealth, the signature of a person is required, that requirement is taken to have been met in relation to an electronic communication if: -
  - (a) in all cases – a method is used to identify the person and to indicate the person's intention in respect of the information communicated; and
  - (b) in all cases – the method used was either: -
    - (i) as reliable as appropriate for the purpose for which the electronic communication was generated or communicated, in the light of all the circumstances, including any relevant agreement; or
    - (ii) proven in fact to have fulfilled the functions described in paragraph (a), by itself or together with further evidence.

The City of Stirling currently allows for the submission of e-Petitions via its website. In addition, the Legislative Council of Western Australia is currently trialling the use of e-petitions from 1 January 2022 to 31 March 2023.

If Council were of the opinion that e-Petitions should be available to members of the community as a means to voice their concerns, then it is recommended that the City investigates the development of an e-Petition application on its website to enable residents to submit petitions online and sign a petition that has been proposed.

The development of an e-Petition module on the City's website is likely to allow a level of control to meet the requirements of the Electronic Transactions Act 1999 however, further investigations would need to be undertaken before a final decision is made.

The financial implications of an e-Petition module on the City's website and ongoing costs are unknown at this stage and there are currently no funds listed in the Council's annual budget for the investigation and development of an e-Petition application.

#### **Officer's recommendation**

That Council REQUESTS the Chief Executive Officer to prepare a report on the development of an e-Petition application on the City's website to enable residents /ratepayers to submit petitions online and sign a petition that has been proposed."

## DETAILS

### Federal and WA State Government

The Australian Federal Parliament allows members of the public to both initiate an electronic petition and respond to petitions via its website. [e-petitions – Parliament of Australia \(aph.gov.au\)](http://aph.gov.au).

The Western Australian State Government also facilitates the use of electronic petitions on their website [LC e-Petitions \(parliament.wa.gov.au\)](http://parliament.wa.gov.au).

Both agencies providing this facility do so with agreed Terms and Conditions, which set out a number of considerations including the following:

- a. Privacy.
- b. Creation of the petition, and details of the lead petitioner.
- c. Signing the petition, including the provision of a verifiable email address and verification that the signee is a real person.
- d. Disclaimer – no obligation relating to presentation of the petition, the views of the petitions are not necessarily the views of the agency, no assumption of liability for the information set out in the petition, no parliamentary privilege.

### Other Local Governments

For many years, the Brisbane City Council (BCC) was the only local government in Australia to provide an advanced online model for the use of e-Petitions. The BCC has been using e-Petitions for over 10 years.

In 2017-18 the Cities of Stirling and Canning considered and implemented e-Petitions. Both the Cities of Stirling and Canning have been contacted for feedback regarding the use of e-Petitions and both note that e-Petitions are easy to use and facilitate greater participation by the public through the ability to share and obtain signatures electronically. The only issues noted were with members of culturally and linguistically diverse communities, and older people who have sometimes required assistance.

City Officers have contacted the following local governments to ascertain whether they are currently accepting e-Petitions:

Local Government	Accepting E-petitions?
Wanneroo	No
Swan	No
Vincent	No
Perth	No
South Perth	No
Canning	Yes
Stirling	Yes
Gosnells	Yes

### City of Joondalup current position

To date, the City of Joondalup has not accepted online petitions. If Council were of the opinion that e-Petitions should be made available to members of the community, then it is recommended that the City incorporates this project within the scope of works for the core system replacement project (Project Axiom). The e-petitions application on the City's website would be similar to that used by the Cities of Stirling and Canning.

If Council adopts the use of e-Petitions, it is also recommended that the City continue to provide for the current process for hard-copy petitions. This is consistent with the approach taken by the Cities of Stirling and Canning.

Also, noting the motion carried at the Annual General Meeting of Electors held on 8 February 2022, concurrent hard-copy and electronic petitions could be submitted allowing the lead-petitioner to collect both hard-copy and electronic signatures.

The City would then table the petition before Council as receiving two petitions on the same subject matter. Equally, lead-petitioners would have the choice of doing a stand-alone hard-copy petition or e-Petition.

#### Electronic signatures

Clause 5.11 of the *City of Joondalup Meeting Procedures Local Law 2013* requires that petitions contain legible names, addresses and signatures of electors making the request. With the level of control available by an e-Petition application on the City's website, it is considered that electronic signatures would meet this requirement in accordance with section 4(b) and 10(1) of the *Electronic Transactions Act 1999 (Cth)* and section 4(2)(b)(ii) and 10(1) of the *Electronic Transactions Act 2011 (WA)* as detailed below:

#### *Electronic Transactions Act 1999 (Cth)*

#### **4. Simplified outline**

- *The following requirements imposed under a law of the Commonwealth can be met in electronic form:*
  - (b) *a requirement to provide a signature.*

#### **10. Signature**

##### *Requirement for signature*

- (2) *If, under a law of the Commonwealth, the signature of a person is required, that requirement is taken to have been met in relation to an electronic communication if: -*
  - (c) *in all cases – a method is used to identify the person and to indicate the person's intention in respect of the information communicated; and*
  - (d) *in all cases – the method used was either: -*
    - (iii) *as reliable as appropriate for the purpose for which the electronic communication was generated or communicated, in the light of all the circumstances, including any relevant agreement; or*
    - (iv) *proven in fact to have fulfilled the functions described in paragraph (a), by itself or together with further evidence.*

#### *Electronic Transactions Act 2011 (WA)*

#### **4. Simplified Outline**

- (2) *This Act provides -*
  - (b) *that things that can or have to be done under a law of the State in relation to any of the following matters can generally be done by electronic communication –*
    - (ii) *providing a signature.*

## 10. Signatures

- (1) *If, under a law of this jurisdiction, the signature of a person is required, that requirement is taken to have been met in relation to an electronic communication if -*
- (a) *a method is used to identify the person and to indicate the person's intention in respect of the information communicated; and*
  - (b) *the method used was either –*
    - (i) *as reliable as appropriate for the purpose for which the electronic communication was generated or communicated, in the light of all the circumstances, including any relevant agreement; or*
    - (ii) *proven in fact to have fulfilled the functions described in paragraph (a), by itself or together with further evidence;*
- and*
- (c) *the person to whom the signature is required to be given consents to that requirement being met by the use of the method mentioned in paragraph (a).*

City Officers are supportive of an application on the City's website with the appropriate controls to ensure petitions meet the requirements of the City's *Meeting Procedures Local Law 2013* and the *Electronic Transactions Act 1999* (Cth) and *Electronic Transactions Act 2011* (WA).

### Delivery proposal

It is proposed that the development of e-Petitions be incorporated within the scope of works for the core system replacement project (Project Axiom). Delivery of the e-Petition platform on the City's website, is expected to be implemented by early 2024.

The City's e-Petition platform will need to satisfy the following requirements:

- E-Petitions to be integrated with the City's new website (which is currently under development).
- Petition creation: platform will allow for the creation of a petition form, which will include a textbox, data selectors, file uploads and email fields.
- Petition signing: If an elector wishes to sign an e-Petition on the City's website, they will be required to declare that they are both a resident/elector of the City of Joondalup, and that they agree to the terms and conditions of signing an e-Petition. A hand written signature will not be required.
- Privacy: The City will retain personal information of a signatory for the purposes of the *Electronic Transactions Act 1999* however, only the person's initials and suburb will be available to view on the City's website.

### Terms and conditions

Draft terms and conditions for using, submitting and signing an e-Petition are provided at Attachment 1 to Report CJ008-02/23.

### **Issues and options considered**

The following options are provided for Council's consideration:

- 1 APPROVES the introduction of e-Petitions which will be accessible through the City's website. Noting that the City of Joondalup will continue to support the use hard-copy petitions in addition to accepting e-Petitions.

It is proposed that the inclusion of e-Petitions be incorporated within the scope of works for the core system replacement project (Project Axiom). Initial assessments indicate that the e-Petitions platform could be developed and implemented by early 2024. However, this is subject to changes pending the progress of the core system replacement project (Project Axiom) and the City's new website development.

- 2 DOES NOT APPROVE the introduction of e-Petitions on the City's website and maintains the status-quo with the City accepting only hard copy petitions containing handwritten signatures.

Free to use e-Petition websites were not considered as part of this investigation as it is considered that these sites do not meet the City's requirements of the *Meeting Procedures Local Law 2013* and/or the *Electronic Transactions Acts*.

Option one is the preferred option.

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

**Legislation** *Local Government Act 1995.*  
*Electronic Transactions Act 1999 (Cth).*  
*Electronic Transactions Act 2011 (WA).*  
*City of Joondalup Meeting Procedures Local Law 2013.*

### **10-Year Strategic Community Plan**

**Key theme** Leadership.

**Outcome** Capable and effective – you have an informed and capable Council backed by a highly-skilled workforce.

Proactive and represented – you are confident that the City is advocating on your behalf for initiatives that benefit the community.

Engaged and informed – you are able to actively engage with the City and have input into decision-making.

**Policy** Not applicable.

### **Risk management considerations**

The e-Petitions platform will be designed to ensure submissions are validated against the user's email address. Petitioners will then receive an email requesting them to 'verify the signature.' Additionally, the system will only accept one email signature per email account. This will reduce the risk of petitioners submitting fraudulent or multiple signatures.

The platform will be administered by the City's Governance Support team. City staff in the Governance Support team will review the initial wording of the petition to ensure language is appropriate and will not cause offence, prior to publishing on the City's website. The City will reserve the right to not publish e-Petitions which contravene the City's e-Petitions Terms and Conditions. Draft Terms and Conditions are provided at Attachment 1.

Privacy concerns will be addressed by publishing only a person's initials and suburb on the City's website when they have signed a petition.



**Financial / budget implications**

Costs for the development and implementation of an e-Petition platform on the City's website will be incorporated within the scope of works for the core system replacement project (Project Axiom).

**Regional significance**

Not applicable.

**Sustainability implications**

The implementation of an e-Petition application on the City's website would potentially reduce the number of paper versions of petitions being submitted.

Providing the ability to create and access e-Petitions on the City's website will enable petitioners to access a broader target audience and facilitate greater community participation.

**Consultation**

Not applicable.

**COMMENT**

The City supports the introduction of e-Petitions (in conjunction with hard-copy petitions) which will allow for and improve the accessibility, sustainability and transparency of this aspect of Council business.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Jones, SECONDED Cr Thompson that Council:**

- 1 APPROVES the introduction of e-Petitions, which will be accessible through the City of Joondalup's website;**
- 2 NOTES the implementation, development and roll out of e-petitions will be included in the scope of works for the core system replacement project (Project Axiom);**
- 3 NOTES that the City of Joondalup will continue to support the use of hard-copy petitions.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 7 refers*

*To access this attachment on electronic document, click here: [Attach7brf230214.pdf](#)*

## **CJ009-02/23      CORPORATE BUSINESS PLAN 2022-2026 QUARTER 2 REPORT AND QUARTERLY CAPITAL WORKS REPORTS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	20560, 101515
<b>ATTACHMENTS</b>	Attachment 1      Corporate Business Plan 2022–2026 Quarter 2 Report Attachment 2      Quarterly Capital Works Progress Report Attachment 3      Key Capital Works Project Quarterly Status Reports
<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 receive the Corporate Business 2022–2026 Quarter 2 Report, the Quarterly Capital Works Progress Report, and the Key Capital Works Project Quarterly Status Reports for the period 1 October 2022 to 31 December 2022.

### **EXECUTIVE SUMMARY**

The City's *Corporate Business Plan 2022–2026*, which was adopted by Council at its meeting held on 28 June 2022 (CJ093-06/22 refers), is the City's five year medium-term planning document comprising the services, projects and activities developed in response to the vision, goals and outcomes of the City's *10-Year Strategic Community Plan, Joondalup 2032*.

The Corporate Business Plan 2022–2026 Quarter 2 Report provides information on the progress of 2022-23 services, projects, and activities against the quarterly milestones of the *Corporate Business Plan 2022–2026* and is provided as Attachment 1 to Report CJ009-02/23.

The Quarterly Capital Works Progress Report lists all the projects within the City's *5-Year Capital Works Program*, provided as Attachment 2 to Report CJ009-02/23.

The Key Capital Works Project Quarterly Status Reports provide quarterly status updates against the key capital works projects identified in the *Corporate Business Plan 2022–2026*, provides as Attachment 3 to Report CJ009-02/23.

Two amendments are proposed to the *Corporate Business Plan 2022–2026*. The first relates to item: Edgewater Quarry site contamination activities. The Department of Water and Environmental Regulation's requirements for the City to undertake further investigations and continue operational site management are considered incompatible with the remaining milestones relating to the Edgewater Quarry site contamination activities (Item 4 of the 28 November 2022 meeting of the Major Projects and Finance Committee refers).

The second proposed amendment relates to the item: Age-Friendly Plan. At its meeting held on 13 December 2022 (CJ198-12/22 refers), Council endorsed an extension of the current *Age-Friendly Plan* through the 2023-24 financial year. The remaining milestones regarding the development of a new *Age-Friendly Plan* are incompatible with this resolution.

*It is therefore recommended that Council:*

- 1 *RECEIVES the Corporate Business Plan 2022–2026 Quarter 2 Report shown as Attachment 1 to Report CJ009-02/23;*
- 2 *RECEIVES the Quarterly Capital Works Progress Report for the period 1 October 2022 to 31 December 2022 shown as Attachment 2 to Report CJ009-02/23;*
- 3 *RECEIVES the Key Capital Works Project Quarterly Status Reports for the period 1 October 2022 to 31 December 2022 shown as Attachment 3 to Report CJ009-02/23;*
- 4 *APPROVES the removal of the remaining milestones related to the Edgewater Quarry site contamination activities from the Corporate Business Plan 2022–2026;*
- 5 *APPROVES the removal of the remaining milestones related to the development of a new Age-Friendly Plan.*

## **BACKGROUND**

The *Corporate Business Plan 2022–2026* was adopted by Council at its meeting held on 28 June 2022 (CJ093-06/22 refers). It contains the services, projects, and activities the City intends to deliver over five years, and quarterly milestones for those the City intends to deliver in the 2022-23 financial year. The *5-Year Corporate Business Plan* demonstrates how the outcomes of the *10-Year Strategic Community Plan, Joondalup 2032*, are translated into a five-year service delivery program.

The *Corporate Business Plan 2022–2026* sits within an Integrated Planning and Reporting Framework which builds in informing, resourcing, planning, and reporting requirements to ensure transparency and evidence of planned achievements. It is also a requirement of the City's *Governance Framework 2021* to develop quarterly reports against annual projects and priorities that are presented to Council.

## **DETAILS**

Corporate Business Plan 2022–2026 Quarterly Reports provide information on achievements and performance against the quarterly milestones set at the beginning of each year. The project milestones for each quarter are reported via colour codes to indicate if the milestone has been completed or is behind schedule. The budget status is reported via symbols to indicate if each project or activity is on budget, over budget, or under budget. In addition, a commentary for each milestone provides details on what has been achieved. Note that the report does not include projects and activities that do not have milestones for 2022-23.

## **Proposed amendments to Corporate Business Plan 2022–2026**

Two amendments are proposed to the *Corporate Business Plan 2022–2026*. The first removes the remaining milestones listed for the item: Edgewater Quarry site contamination. This is a result of the day-to-day management of contamination at the site being treated as an operational matter which will be undertaken in line with the Interim Site Management Plan.

There is not currently a long-term plan to redevelop the quarry site, so it is considered that the milestones related to this activity can be removed from the *Corporate Business Plan (2022–2026)*. This, as well as a detailed status report, was noted at the 28 November 2022 meeting of the Major Projects and Finance Committee as follows (Item 4 refers):

*“That the Major Projects and Finance Committee:*

- 1 *NOTES the Edgewater Quarry Status Report;*
- 2 *NOTES an amendment to the Corporate Business Plan 2022–2026 to remove the milestones related to the Edgewater Quarry site contamination activity, will be considered in the Corporate Business Plan 2022–2026 Quarter 2 report.”*

The second proposed amendment relates to the item: Age-Friendly Plan. The City has three social impact plans, including the *Age-Friendly Plan*, that all operate on a three or four-year replacement cycle. All three of these plans address similar outcomes in creating a community that is inclusive, supporting and welcoming. The City has therefore identified an opportunity to consolidate and potentially simplify the strategies within a single community plan. To achieve this, Council endorsed the extension of the current *Age-Friendly Plan 2018/19–2022/23*, through the 2023-24 financial year (CJ198-12/22 refers). Therefore, it is recommended that the remaining milestones concerned with the development of a new *Age-Friendly Plan* be removed from the *Corporate Business Plan 2022–2026*, as they are no longer suitable.

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

Not applicable.

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

**Legislation** All local governments in Western Australia are required to produce a “plan for the future” under section 5.56 of the *Local Government Act 1995*. Division 3 of the *Local Government (Administration) Regulations 1996* provides a brief outline of the minimum requirements to meet this section of the Act, which includes the development of a strategic community plan and a corporate business plan. There are no requirements in the Act or the Regulations to produce quarterly reports.

#### **10-Year Strategic Community Plan**

<b>Key theme</b>	Leadership.
<b>Outcome</b>	Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.  Responsible and financially-sustainable - you are provided with a range of City services which are delivered in a financially responsible manner.
<b>Policy</b>	Not applicable.

### **Risk management considerations**

The City has developed a reporting system to provide Council with the necessary information to enable it to assess performance against the various plans it has developed. The reporting system is a systematic and regular process that allows Council to take action to rectify any issues that arise and as such, be accountable to the community.

### **Financial / budget implications**

The 2022-23 services, projects, and activities in the *Corporate Business Plan 2022–2026* were included in the *2022-23 Annual Budget*.

### **Regional significance**

Not applicable.

### **Sustainability implications**

The services, projects, and activities in the *Corporate Business Plan 2022–2026* are aligned to the key themes in *Joondalup 2032*, developed to ensure the sustainability of the City.

The key themes are as follows:

- 1 Community.
- 2 Environment.
- 3 Place.
- 4 Economy.
- 5 Leadership.

### **Consultation**

Not applicable.

### **COMMENT**

The *Corporate Business Plan 2022–2026* was adopted by Council at its meeting held on 28 June 2022 (CJ093-06/22 refers). Detailed reports on the progress and the project status of the *5-Year Capital Works Program* have been included as Attachments 2 and 3 to Report CJ009-02/23. These reports provide an overview of progress against all the projects and programs in the *2022/23 Capital Works Program*.

The first proposed amendment to the *Corporate Business Plan 2022–2026* project outlined above (removal of the remaining milestones relating to the Edgewater Quarry site contamination) was noted at the 28 November 2022 Major Projects and Finance Committee (Item 4 refers) and would ensure an accurate depiction of the City's activities within the planning and reporting requirements.

The extension of the current *Age-Friendly Plan 2018/19–2022/23* through to the 2023-24 financial year was supported by Council at its meeting held on 13 December 2022 (CJ198-12/22 refers). Consequently, it is proposed that the milestones relating to the development of a new *Age-Friendly Plan* be removed the *Corporate Business Plan (2022–2026)* to ensure an accurate depiction of the City's activities within the planning and reporting requirements.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Cr Jones, SECONDED Cr Thompson that Council:**

- 1 RECEIVES the Corporate Business Plan 2022–2026 Quarter 2 Report shown as Attachment 1 to Report CJ009-02/23;**
- 2 RECEIVES the Quarterly Capital Works Progress Report for the period 1 October 2022 to 31 December 2022 shown as Attachment 2 to Report CJ009-02/23;**
- 3 RECEIVES the Key Capital Works Project Quarterly Status Reports for the period 1 October 2022 to 31 December 2022 shown as Attachment 3 to Report CJ009-02/23;**
- 4 APPROVES the removal of the remaining milestones related to the Edgewater Quarry site contamination activities from the *Corporate Business Plan 2022–2026*;**
- 5 APPROVES the removal of the remaining milestones related to the development of a new *Age-Friendly Plan* from the *Corporate Business Plan 2022-2026*.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 8 refers*

*To access this attachment on electronic document, click here: [Attach8agn230228.pdf](#)*

## **CJ010-02/23      STRATEGIC COMMUNITY REFERENCE GROUP – WORK PLAN 2023**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBERS</b>	102605, 101515
<b>ATTACHMENTS</b>	Attachment 1      Strategic Community Reference Group Terms of Reference Attachment 2      Strategic Community Reference Group Meeting 1 Report Attachment 3      Strategic Community Reference Group Meeting 2 Report Attachment 4      Strategic Community Reference Group Meeting 3 Report Attachment 5      Strategic Community Reference Group — Work Plan 2023
<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 note the achievements of the Strategic Community Reference Group in 2022 and to endorse the proposed Work Plan for 2023.

### **EXECUTIVE SUMMARY**

The Strategic Community Reference Group met on three occasions in 2022 to provide input into the development of a new Community and Libraries Strategy, Community Safety Plan, and Environment Strategy. The meeting outcomes, outlined in the meeting reports (Attachments 2 to 4 refer), demonstrate the reference group's effectiveness as a unique mechanism for obtaining community input and expert advice on high-level, strategic matters. The City is proposing three items for the 2023 Work Plan (Attachment 5 refers).

Compilation of the 2023 Work Plan involved discussions across the organisation to identify key plans, strategies, frameworks and activities planned for development in 2023 that might benefit from community input. The items identified have considered the City's strategic planning objectives, annual priorities and other City plans and initiatives.

*It is therefore recommended that Council:*

- 1      *NOTES the achievements of the Strategic Community Reference Group for 2022 shown in the meeting reports provided as Attachments 2, 3 and 4 to Report CJ010-02/23;*
- 2      *ENDORSES the Strategic Community Reference Group — Work Plan 2023 provided as Attachment 5 to Report CJ010-02/23.*

## BACKGROUND

### Strategic Community Reference Group

At its meeting held on 26 June 2012 (CJ112-06/12 refers), Council established the Strategic Community Reference Group as a new participation mechanism for the external provision of input into Council on matters of significant community interest and strategic initiatives. In addition to the four Council-appointed Elected Members, the reference group consists of 14 community member representatives, as well as seconded subject matter experts who are utilised on an as-needs basis.

Reference group meetings are facilitated by an external and independent consultant as per the *Strategic Community Reference Group Terms of Reference* (Attachment 1 refers). The facilitator is managed through a Request for Quotation process for the required term of two years.

### 2022 meeting outcomes

On 25 July 2022, the reference group provided input into the development of the City's strategic approach to community development and libraries and identified opportunities to inform a new Community Development and Libraries Strategy. Reference group members participated in facilitated activities to explore the role and impact of community development and library services; identify opportunities for alignment in the delivery these services; and prioritise key areas and the City's role in their delivery. The outcomes from the meeting will be used to inform the development of a new Community Development and Libraries Strategy. The full meeting report is provided as Attachment 2.

On 20 October 2022, the reference group provided input into the development of the City's strategic approach to community safety and to identify 'what makes our community feel safe'. Reference group members participated in facilitated activities to explore the role and impact of the City's Community Safety team; identified initiatives to promote community safety in the City; and prioritised community safety services the City can provide. The outcomes from the meeting will be used to inform the development of a new Community Safety Plan. The full meeting report is provided as Attachment 3.

On 21 November 2022. The reference group provided input into the City's strategic approach to the environment to inform a new Environment Strategy. Reference Group members participated in facilitated activities to explore what is valued most about the environment and what are the major environmental challenges; identified innovative ideas that address current environmental challenges; and discussed shared responsibility and how the City can work with key environmental stakeholders and the community. The outcomes from the meeting will be used to inform the development of a new Environment Strategy. The full meeting report is provided as Attachment 4.

## DETAILS

Under section 6 of the *Strategic Community Reference Group Terms of Reference*, City Officers are to prepare an annual Work Plan considering the City's strategic planning objectives, annual priorities and other City plans or initiatives. Section 6.1 states that "A Council report with the proposed Work Plan will be prepared by City Officers and presented to Council for their endorsement."



### Proposed Work Plan 2023 and meeting dates

The table below outlines the items proposed for the Strategic Community Reference Group — Work Plan 2023, and the meeting dates.

Item	Purpose	Date
Community consultation, engagement, and communication	To review the City's current approach to community consultation and engagement. The meeting will examine the strengths and weaknesses of the various methodologies for obtaining feedback and explore preferences for ongoing communication and engagement.	23 Mar 2023
Telecommunications infrastructure	To provide input into the City's approach to supporting telecommunications carriers in improving network capacity throughout the City. The meeting will explore community perceptions around the installation of telecommunications infrastructure and ways to address misinformation and community concerns with regard to amenity and health.	15 May 2023
Public art	To provide input into the development of a new Public Art Master Plan. The meeting will investigate potential objectives and themes for the plan, including an exploration of the different types of art, local stories and places of significance which will inform the scope and role of public art across the City into the future.	31 Jul 2023

The proposed Work Plan for 2023 is considered to contain an appropriate and manageable number of items. However, the endorsed Work Plan does not prevent Council from referring additional items to the reference group should they be considered of significant community interest or of a strategic nature.

### Issues and options considered

Council has the option to either:

- endorse the Strategic Community Reference Group — Work Plan 2023 provided as Attachment 5 to Report CJ010-02/23  
or
- amend the Strategic Community Reference Group — Work Plan 2023 with alternative items for consideration by the reference group.

The recommended option is to endorse the Strategic Community Reference Group — Work Plan 2023 provided as Attachment 5 to Report CJ010-02/23.

### Legislation / Strategic Community Plan / policy implications

**Legislation** *Local Government Act 1995.*

### 10-Year Strategic Community Plan

**Key theme** Leadership.

**Outcome** Engaged and informed — you are able to actively engage with the City and input into decision-making.

**Policy** *Community Consultation Policy.  
Elections Caretaker Policy.*

### **Risk management considerations**

The Strategic Community Reference Group cannot meet until Council endorses the 2023 Work Plan, as per section 6 of the *Strategic Community Reference Group Terms of Reference*.

### **Financial / budget implications**

The three items in the Strategic Community Reference Group Work Plan for 2023 can be undertaken within current budget allocations. Any expansion of the proposed work plan will require additional resources and funds. As the Strategic Community Reference Group meetings are scheduled by calendar year, the costs associated are spread over two financial years. The March and May meetings are covered by the 2022-23 budget and the July meeting will be covered by the proposed 2023-24 budget.

The budget below reflects the costs associated with conducting the meetings in the current financial year (2022-23) and includes external facilitation and catering costs.

#### Current financial year impact

<b>Account no.</b>	1.534.A5304.3265.7030.
<b>Budget Item</b>	Consultancy.
<b>Budget amount</b>	\$9,000
<b>Amount spent to date</b>	\$5,225
<b>Proposed cost</b>	\$3775
<b>Balance</b>	\$0

<b>Account no.</b>	1.534.A5304.3281.0000.
<b>Budget Item</b>	Catering.
<b>Budget amount</b>	\$1,500
<b>Amount spent to date</b>	\$792
<b>Proposed cost</b>	\$400
<b>Balance</b>	\$308

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

Not applicable.

### **Sustainability implications**

The Strategic Community Reference Group Work Plan for 2023 has been developed to allow consideration on strategic matters that may be of significant interest to the community and may influence and contribute to increased sustainable outcomes for the City.

### **Consultation**

Not applicable.

## COMMENT

The Strategic Community Reference Group continues to be an effective and unique mechanism for obtaining community input and expert advice in the consideration of high-level, strategic matters.

The items proposed for the 2023 Work Plan have significant community interest and are of a strategic nature that will benefit from community input and expert advice provided by the reference group members.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Cr Jones, SECONDED Cr Thompson that Council:**

- 1 NOTES the achievements of the Strategic Community Reference Group for 2022 shown in the meeting reports provided as Attachments 2, 3, and 4 to Report CJ010-02/23;**
- 2 ENDORSES the Strategic Community Reference Group Work Plan 2023, provided as Attachment 5 to Report CJ010-02/23.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 9 refers*

*To access this attachment on electronic document, click here: [Attach9brf230214.pdf](#)*

## CJ011-02/23 VETERANS AND EX-DEFENCE EMPLOYMENT INITIATIVE

<b>WARD</b>	All	
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER</b>	08903, 101515	
<b>ATTACHMENTS</b>	Attachment 1	WA Veterans and Families Strategy
	Attachment 2	New South Wales - Local Government Rank to Grade Guide
	Attachment 3	Australian Defence Force/New South Wales - Rank Grade Guide
	Attachment 4	South Australia Public Sector – Military Rank to Grade Guide
<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 endorse the City's proposed approach to supporting veterans and ex-defence service men and women employment.

### EXECUTIVE SUMMARY

At the Council meeting held on 17 May 2022 (C57-05/22 refers) a Notice of Motion from Cr Logan was considered in relation to a veterans and ex-defence service men and women employment initiative. It was resolved as follows:

*"That Council REQUESTS the Chief Executive Officer to prepare a report on a veterans and ex-defence service men and women employment initiative to investigate:*

- 1 *the level of compatibility for transference of skills and capabilities from defence roles to local government employment;*
- 2 *the possibility of incorporating such a specific initiative into existing employment diversity and inclusion recruitment plans and strategies;*
- 3 *potential benefits for Local Government as employers, veterans and ex-defence service men and women as future employees;*
- 4 *the scope and cost to resource such an initiative including identifying the involvement, roles and responsibilities of different tiers of government and peak industry bodies."*

The City has liaised with the Veterans Issues Office of Defence West to discuss the potential for the City to develop an approach to support veterans and ex-defence service men and women employment.

Following research and liaison with the Veterans Issues Office of Defence West it is considered that such a program would support the City's approach to increasing employment opportunities for diversity groups whilst encouraging such groups to see the City of Joondalup as a viable employer.

*It is therefore recommended that Council:*

- 1 *ENDORSE the City's proposed approach, as detailed in Report CJ011-02/23, to collaborate with the Veterans Issues Office of Defence West, Working Spirit, Woven, and the Returned and Services League of Australia (RSLWA) to develop an employment initiative for the City of Joondalup for veterans and ex-defence service men and women;*
- 2 *NOTE that the City of Joondalup will explore funding opportunities to progress its proposed veterans and ex-defence service men and women employment initiative as detailed in Part 1 above.*

## **BACKGROUND**

At the Council meeting held on 17 May 2022 (C57-05/22 refers) a Notice of Motion from Cr Logan was considered in relation to a proposed veterans and ex-defence service men and women employment initiative, requesting that the Chief Executive Officer prepare a report on the feasibility of such an initiative.

Subsequent to the Council's resolution, the City has liaised with the Veterans Issues Office of Defence West to discuss the potential for the City to develop an approach to support veterans and ex-defence service men and women employment.

It is evident from these discussions that employment in the civilian workforce is a key strategic focus of the Australian Government with a number of important initiatives aimed at matching Australian Defence Force (ADF) skills and experience with those required for public sector roles.

The Western Australian State Government also seeks to develop local governments' understanding of the veteran's workforce and work collaboratively to develop veteran employment policy.

It is considered that an opportunity to progress an employment initiative which raises awareness of roles at the City of Joondalup whilst supporting veterans and ex-defence service men and women would be of benefit to the organisation, local community, and broader local government sector.

## **DETAILS**

### **Notice of Motion**

At the Council meeting held on 17 May 2022 (C57-05/22 refers) a Notice of Motion from Cr Logan was considered in relation to a veterans and ex-defence service men and women employment initiative. It was resolved as follows:

*"That Council REQUESTS the Chief Executive Officer to prepare a report on a veterans and ex-defence service men and women employment initiative to investigate:*

- 1 *the level of compatibility for transference of skills and capabilities from defence roles to local government employment;*
- 2 *the possibility of incorporating such a specific initiative into existing employment diversity and inclusion recruitment plans and strategies;*
- 3 *potential benefits for Local Government as employers, veterans and ex-defence service men and women as future employees;*

- 4 *the scope and cost to resource such an initiative including identifying the involvement, roles and responsibilities of different tiers of government and peak industry bodies.”*

Cr Logan provided in his reason for the Notice of Motion (C57-05/22 refers) the following:

*“There is increasing nationwide interest from local and State governments, as well as the Federal Government, in identifying how the wide range of skills of former Australian Defence Force personnel may be better utilised in the public sector.*

*Former members of the modern-day military are bringing many and varied skill sets to the government sector. As men and women who have continuing keen desire to serve others, they increasingly are being seen as great fits in local government, the government closest to the people.*

*Veterans are trained critical thinkers and decision makers who work well in teams and make outstanding leaders, they have experience in culturally diverse communities, and they make for resilient and dependable employees, all important traits especially in the challenges of a Covid affected world.*

*Until now most benefits of employing veterans have been realised by local and State governments in the Eastern States, but the WA Government’s interest in employment initiatives is gaining momentum, largely through the Department of Communities. The Department is building a veterans and families strategy which seeks to engage with local governments on employment opportunities.*

*The City of Joondalup has a record of developing employment programs including for youth, Aboriginal and Torres Strait Islander peoples, women in leadership and for the mature aged.*

*It would be advantageous for the City to investigate the level of compatibility for transference of skills from defence force roles and to consider developing a veterans employment program.*

*Given the increasing State interest, the time is right to investigate how the City may be able to collaborate on a veteran’s employment initiative with other tiers of government.*

*Of course, I would expect a report back to Council to cover the scope and cost to resource such an initiative, including potential Federal and State funding streams, along with the roles and responsibilities of the different tiers of government.*

*It would be of paramount importance that the City engage comprehensively with the Returned and Services League and other associated veterans support services on any veterans employment initiative.*

*These groups, among other things, are best placed to provide feedback and advice on how an employment initiative may assist veterans to adjust to civilian life after serving in the defence forces and how it may go some way to enhance their health prospects.”*

### **WA Veterans and Families Strategy**

The City met with a representative of *Veterans Issues Office of Defence West* from the *Department of Jobs, Tourism, Science and Innovation* to discuss the proposal requested by the Council. The City of Joondalup was informed it is the first local government in Western Australia to meet and discuss the *WA Veterans and Families Strategy* (Attachment 1 refers) and the Office was keen to support the City with any endeavours related to veteran employment.

The *WA Veterans and Families Strategy* was launched in 2019 and provides a framework to guide the development of policies and initiatives that welcome veterans and their families and commemorates the service and sacrifice of Australian service personnel.

There are five themes in the strategy. They are not mutually exclusive, nor are they listed in order of importance. They are, to varying degrees, mutually supporting. High level outcomes and initiatives have been identified for each theme. They are as follows:

- Recognise and support veterans and their families.
- Encourage and enable their ongoing participation and contribution to the broader community.
- Understand who and where Western Australian veterans are, and their interests and needs.
- Commemorate the service and sacrifice of Australian service personnel.
- Educate the broader community on the significance and impact of Australia's wars on our nation.

Employment in the civilian workforce is supported by State Government in the strategy under the theme of *Participation* with each year approximately 5,000 service members transitioning from the ADF with the majority looking to join the civilian workforce and commence the next phase of their lives. The Australian Government, through the Department of Veterans Affairs (DVA), has primary responsibility for developing and delivering programs that support ex-service members and their dependents.

Previously, the term veteran was used synonymously with 'returned' servicemen or women and was reserved for those who rendered 'war-like' service, as defined in the various rehabilitation and compensation Acts.

The new and more inclusive definition recognises the unique nature of military service and responsibility of the Australian Government to those who have rendered that service. The Western Australian Government does not distinguish between types of service; what matters is the spirit in which the service was offered.

A veteran is defined as someone who has served in the Australian Defence Force. The 2021 Australian government census revealed that there are 581,100 veterans of which 65,083 (11.2%)<sup>1</sup> are resident in Western Australia (WA). Of these, approximately 5,000 to 6,000 are veterans of modern conflicts, having served since 1999. Whilst the data available is somewhat limited it does show that approximately 300-350 service personnel transition to civilian life in WA each year.

Despite publicity around Post Traumatic Stress Disorder (PTSD), the Australian Institute of Health and Welfare AIWH reported on 1 September 2022 that most of the ex-serving ADF members were doing well. Many had attained higher education qualifications, were employed, earned higher incomes than the Australian population, owned their own homes and were socially connected by living in a family type household.

Currently, Western Australia incurs an opportunity cost in failing to leverage the training the Department of Defence (Defence) has invested in a defence member. One study estimates the lost training value at approximately \$43 million per year.<sup>2</sup> The State Government seeks to make the most of these Western Australians, maximising the social and economic benefit to the community and to veterans and their families.

### **New South Wales - Local Government Rank to Grade Guide**

New South Wales (NSW) leads Australia in employing veterans within the public sector. The NSW Office for Veterans Affairs led research to analyse how ADF employees' skills and experience match those required for public sector jobs.

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<sup>1</sup> [Australian Defence Force service | Australian Bureau of Statistics \(abs.gov.au\)](https://www.abs.gov.au)

<sup>2</sup> [Conrad Liveris, Under-Considered, Under-Utilised – Veterans in the Labour Market, May 2018.](#)

The findings were that ADF skills and experience are highly transferrable to government workplaces across a broad range of fields, ranging from entry level to executive positions. The NSW program has placed 644 veterans in 18 months in state and local government jobs across the state. Victoria and Queensland have adopted similar programs to employ veterans within the public sector.

The guides developed by NSW (Attachments 2 and 3 refer) in particular demonstrate a mature approach to compatibility of skills and capabilities from defence roles to public sector employment, which could be adopted for similar use in WA.

### **Skills Guides and Assistance to Veterans**

The Western Australian State Government seeks to develop local governments' understanding of the veteran's workforce and work collaboratively to develop veteran employment policy. NSW has offered to share their intellectual property to assist other jurisdictions.

The ADF has over 280 jobs, most serve in their core role, however, as they move through the ranks, they become more managerial as they are reporting on subordinates, and they are still active on the "tools" so to speak however not every day.

ADF members can have their military skills recognised through a national qualification before transitioning to civilian employment.

Skills, knowledge and experience can be formally recognised through a process called recognition of prior learning (RPL), sometimes called recognition of current competency. RPL validates skills against nationally accredited units of competency for the award of a statement of attainment or a full qualification.

Defence provides ADF Training and Skills Guides that explain skills acquired during military service in civilian language. The guides align military training to civilian skills and competencies, and can be referenced by ADF members and civilian employers.

### **Employment Support to Veterans**

There are a number of key organisations which focus on assisting veteran's transition to civilian employment.

Working Spirit is one such not-for-profit organisation and has offices in Joondalup. It has placed over 100 veterans into employment since February 2022 across a range of industry sectors. Working Spirit is attracting the interest of ADF personnel from across Australia who are considering their move to civilian life.

Working Spirit assists veterans into employment through a variety of ways, including:

- meet and greet - directly with companies
- military to Civilian Career Summits - once a year
- military to civilian networking events - once to twice a year
- work experience programs prior to transition from the ADF supporting medically discharged veterans.

Additionally, Working Spirit send out jobs lists each week to veterans and current serving personnel who are actively looking for employment.

In 2022 Working Spirit and RSLWA commenced a joint employment partnership having received funding for the next three years to support employment pathways for ex-service men and women and their families.



In addition to veterans this program also supports the families of current and ex-service men and women who are placed or choose to remain in WA. It is recognised that family members would also provide a further talent pool to consider for employment opportunities within the community.

Working Spirit also has a female specific programme Woven (Women Veterans Employment Network Australia) which specifically supports female veterans to thrive through their employment pathways post service.

Initial discussions have commenced between the City and Working Spirit and at this stage they have advised they are willing to send expressions of interest for the roles the City forwards to them to be advertised to veterans. They can also send resumes for review for suitable roles. A fee of \$500 would be applicable for any successful hires.

### **City of Joondalup *Diversity and Inclusion Plan 2021/22 – 2023/24***

The City of Joondalup *Diversity and Inclusion Plan 2021/22 – 2023/24* outlines the commitment of the City to create a diverse and inclusive culture that promotes a fair, equitable, respectful and supportive workplace, and adds real value to the performance, innovation and productivity of the organisation.

The Plan has three key focus areas being employment pathways; education and training; and to support and celebrate a diverse and inclusive culture; with the following goals of:

- Creating a work environment where diversity and inclusion thrive, and the organisation acknowledges and embraces its differences.
- Improving representation in the workforce of people from diversity groups.
- Reducing structural, process and cultural barriers to employment for people from all diversity groups.
- Implementing meaningful, action-orientated strategies.
- Promoting inclusive culture through flexible mindsets and work practices.

The aim of these focus areas is as follows:

- Increase employment opportunities for diversity groups with the organisation.
- Improve active internal engagement on the employment of minority groups.
- Encourage diversity groups to see the organisation as a viable employer.
- Establish professional relationships with external agencies to facilitate employment pathways.
- Provide career pathways for women into leadership positions.
- Increase organisational understanding of diversity and inclusion principles and practices.
- Provide relevant data for monitoring and decision-making purposes on diversity and inclusion.

### **Proposed City of Joondalup approach to veterans and ex-defence service men and women employment**

It is considered that establishment of relationships with veteran organisations will assist in meeting a number of the City's *Diversity and Inclusion Plan 2021/22 – 2023/24* objectives, as detailed above.

As such, the following approach is proposed:

### **Phase 1**

- Leverage from the relationships with Working Spirit, Woven, RSLWA and the *WA Veterans and Families Strategy*, with advice of the City's support for initiatives that facilitate veterans and ex-defence service men and women employment.
- Establish a relationship with Working Spirit and RSLWA to forward them City of Joondalup employment vacancies.
- Continue to liaise with Working Spirit, RSLWA and the Veterans Issues Office of Defence West to explore leveraging from the work of the NSW Office for Veterans Affairs to develop a similar program in WA.

### **Phase 2**

- Develop and include a Veterans Support Initiative under the City's Diversity and Inclusion Portfolio, using the ADF guide as a framework and supporting mechanism for not-for-profit providers.
- Become member/supporter of *Soldier On*, Working Spirit and RSLWA.
- Develop broad support of the veteran community through engagement with *Soldier On* including attendance at Pathways events.
- Advertise employment vacancies through *Soldier On*, Working Spirit WA and RSLWA in addition to the normal locations like Seek, Aboriginal Services Jobs Board (Jobs and Skills WA). Careers at Council and LinkedIn. This means that the industry partners can proactively approach candidates and can offer support in the application process.
- Provide training for Human Resources and hiring Managers in recruiting veterans including understanding military roles and terminology, being able to ask interview questions that draw out transferable skills and being able to translate military experience into job requirements.
- Updated Human Resources documentation to reflect externally to candidates, and internally to Human Resources and hiring Managers, the priority focus of veterans as well as help in the translation of military service into the job interview processes.
- Identify ongoing roles to be promoted actively via the initiative.
- Explore funding and grant opportunities for the initiative.
- Examine the feasibility of establishing a Veterans Reference Committee comprising current employees who are veterans to oversee the proposed program.
- Attend ongoing networking events for veterans and service men and women.

### **Issues and options considered**

Council may:

- endorse the proposed initiative to collaborate with the Veterans Issues Office of Defence West, Working Spirit, Woven, and RSLWA to develop a City of Joondalup for veterans and ex-defence service men and women employment  
or
- not support the City collaborating with veterans' agencies to develop a City of Joondalup employment initiative for veterans and ex-defence service men and women.

Option 1 is the preferred option.

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

#### **Legislation**

*Equal Opportunity Employment Act 1984.*

## 10-Year Strategic Community Plan

**Key theme** Leadership.

**Outcome** Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.

**Policy** Not applicable.

### Risk management considerations

There are not considered to be any significant risks associated with the proposal.

### Financial / budget implications

The financial implications associated with the proposal are nominal.

In 2022, the Anzac Day Trust provided \$500,000 in funding support for the establishment of a Veterans' Employment Program in Western Australia. The Veterans' Employment Program is a partnership between Working Spirit and the RSLWA. They will deliver a comprehensive employment program for veterans and their families, including the development of a veteran-specific jobs portal.

The City will explore funding opportunities to progress a proposed veterans and ex-defence service men and women employment initiative.

### Regional significance

The Western Australian State Government seeks to develop local governments' understanding of the veteran's workforce and work collaboratively to develop veteran employment policy.

It is considered that an opportunity to progress an employment initiative which raises awareness of roles at the City of Joondalup whilst supporting veterans and ex-defence service men and women would be of benefit to the organisation, local community, and broader local government sector.

### Sustainability implications

The proposal has social sustainability implications in that the proposal will meet the strategic objectives of the City's *Diversity and Inclusion Plan 2021/22-2023/24* and the *Equal Opportunity Act 1984*.

### Consultation

No community consultation has been undertaken with regard the proposal.

### COMMENT

Following the City's research and liaison with the Veterans Issues Office of Defence West there is the potential for the City to develop an approach to support veterans and ex-defence service men and women employment.

It is also evident from these discussions that employment in the civilian workforce is a key strategic focus of the Australian Government with a number of important initiatives aimed at matching Australian Defence Force (ADF) skills and experience with those required for public sector roles.

The Western Australian State Government also seeks to develop local governments' understanding of the veteran's workforce and work collaboratively to develop veteran employment policy.

It is considered that an opportunity to progress an employment initiative which raises awareness of roles at the City of Joondalup whilst supporting veterans and ex-defence service men and women would be of benefit to the organisation, local community, and broader local government sector.

## **VOTING REQUIREMENTS**

Simple Majority.

### **MOVED Cr Logan, SECONDED Cr Hamilton-Prime that Council:**

- 1 ENDORSES the City's proposed approach, as detailed in Report CJ011-02/23, to collaborate with the Veterans Issues Office of Defence West, Working Spirit, Woven, and the Returned and Services League of Australia (RSLWA) to develop an employment initiative for the City of Joondalup for veterans and ex-defence service men and women;**
- 2 NOTES that the City of Joondalup will explore funding opportunities to progress its proposed veterans and ex-defence service men and women employment initiative as detailed in Part 1 above.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 10 refers*

*To access this attachment on electronic document, click here: [Attach10brf230214.pdf](#)*

**Disclosure of Interest affecting Impartiality**

<b>Name / Position</b>	<b>Cr Christine Hamilton-Prime, JP.</b>
<b>Item No. / Subject</b>	CJ012-02/23 - Sponsorship of Significant Event: Joondalup Festival Of Motoring.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hamilton-Prime and her husband are members of the AMG Club of Perth Car Group.

**CJ012-02/23      SPONSORSHIP      OF      SIGNIFICANT      EVENT:  
JOONDALUP FESTIVAL OF MOTORING**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	109022, 101515
<b>ATTACHMENT</b>	Attachment 1      Post Event Report Attachment 2      Confidential – Independent Auditor’s Report Attachment 3      Confidential – Sponsorship Agreement – Festival of Motoring  <i>(Please Note: Attachment 2 and 3 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.

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This Item was dealt with later in the meeting, after ‘Motions of Which Previous Notice has been Given’, page 188 refers.

## **CJ013-02/23      CORPORATE      SPONSORSHIP      APPLICATION: WANNEROO BASKETBALL ASSOCIATION**

<b>WARD</b>	All			
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy			
<b>FILE NUMBER</b>	110313, 101515			
<b>ATTACHMENT</b>	Attachment 1	Wanneroo	Basketball	Association
		Application		
	Attachment 2	Joondalup	Wolves	Partnership
		Prospectus		
	Attachment 3	Joondalup Wolves Profile		
	Attachment 4	Master Sponsorship Assessment Matrix		
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.			

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### **PURPOSE**

For Council to consider the sponsorship application received from Wanneroo Basketball Association (WBA) for the City to continue as the Naming Rights 'Co-Major' partner of the NBL1 Men's and Women's team.

### **EXECUTIVE SUMMARY**

The City's Corporate Sponsorship Program aims to attract, host or support a wide range of events, programs and activities that enhance the service delivery to the community and attract visitors to the region, while also providing positive exposure for the City's brand local and regionally.

This program is open all year round (budget allowing) and has supported a wide range of events held in the region from Carols in the Park, triathlons to dance competitions and more.

The City has received an application from the Wanneroo Basketball Association for the City to continue as the Joondalup Wolves NBL1 Naming Rights 'Co-Major' partner for a proposed two season across the 2023 – 2024 calendar years. The sponsorship value requested is \$35,000 per season, totalling \$70,000 for the 2-year term of the agreement.

With the club branded "Joondalup Wolves" they are a highly successful and recognisable club in the Northern Suburbs. Established 40 years ago the association includes men's, women's and junior teams and has over 5,000 members following a significant 65% growth in the club in the past two years.

The application has been assessed against the master sponsorship assessment matrix (attachment two) and has been valued at \$20,000 (excluding GST).

The full amount requested has not been recommended as the higher level of funding requires the City to receive significantly more benefits in the area of regional promotion, tourism and economic development as outlined in the master sponsorship assessment matrix (Attachment 4 refers). The recommended sponsorship is commensurate with the benefits available to the City.

The request for sponsorship for a two-year term is also not recommended as:

- the City's sponsorship budget has not been determined for 2024, and as such the amount of money that would be available to support events/programs within the region is uncertain at this time
- committing to multiyear agreements reduces the budget availability for the City to support a diverse range of events and programs annually, and/or new events/programs that may be held within the region
- sponsorship support is not guaranteed, recurrent, ongoing funding. The City encourages all organisations to seek alternate funding to ensure their event or program is sustainable long term.

An annual application is suggested for future sponsorship.

*It is therefore recommended that the Council AGREES to:*

- 1 *APPROVE a sponsorship amount of \$20,000 (excluding GST) for the 2023 season only subject to the Wanneroo Basketball Association entering into a formal sponsorship agreement with the City of Joondalup.*

## **BACKGROUND**

The City's corporate sponsorship program aims to achieve the following objectives:

- Attracting, hosting, or supporting a wide range of events, programs and activities that enhance the level of service delivery to the community and visitors to the region.
- Providing positive exposure for the City's brand locally and regionally.
- Providing support to local organisations/community groups.
- Stimulating economic development and providing benefits to local businesses.
- Increasing visitors to the region.
- Creating long-term value to the City and its residents by building sustainable partnerships or relationships.
- Ensuring that all agreements entered into provide an adequate return on investment by overseeing and managing the sponsorship, contributions and donations program, process, and outcomes.

All corporate sponsorship applications need to meet the following criteria:

- The applicant, event, program and/or activity must be aligned with the City's vision and corporate values.
- The event, program or activity must be consistent with the City's Sponsorship Program objectives.
- The audience for the event, program or activity should reach the City's target audiences.
- Requests for sponsorship should be for an event, program or activity located within the City of Joondalup, which provides a significant return to the general and/or business community.

- Tangible benefits for the City, its residents and/or local businesses need to be associated and demonstrated with the event, program, or activity.
- The event, program or activity must provide positive exposure for the City and its brand.
- The event, program or activity should provide opportunity to create long-term value to the City, residents and/or businesses.

The City has sponsored the Joondalup Wolves for numerous seasons as outlined below:

2014 and 2015 seasons	\$15,000 (excluding GST) per season
2016, 2017, 2018 and 2019 seasons	\$20,000 (excluding GST) per season
2020 Season	Season cancelled due to COVID
2021 and 2022 Seasons	\$20,000 (excluding GST) per season

## DETAILS

The Wanneroo Basketball Association is an inclusive sporting association, welcoming the community to a sport that can be played at all ages, caters for all people (diverse and welcoming) and can influence and engage large masses of people every week and weekend (community and ratepayers).

With the club branded “Joondalup Wolves” they are a highly successful and recognisable club in the Northern Suburbs. Established 40 years ago the association includes men’s, women’s and junior teams and has over 5,000 members following a significant 65% growth in the club in the past two years.

The Association has more than 5,000 registered players through seven large, volunteer governed, affiliated domestic clubs.

- 12,000 people visit the facility weekly
- 5,000 members in the junior and domestic clubs
- 500 teams play in the competitions
- 9,500 Facebook followers
- 4,000 Instagram followers
- 2,000 website visits per month.

The WBA is committed to sustainable success and is a destination for Joondalup families. It provides health and physical activities, participation, personal development and social connectivity and is an integral part of the community fabric. Management’s objectives is “*to position the Association as a true destination for all, a genuine hub of the community that continues to grow and explore new models to service demand.*”

This commitment supports the City’s *Strategic Community Plan 2022-2023*, specifically:

*“GOAL: Community*

*We have a vibrant cultural scene, and our community is friendly, welcoming, caring and supportive. We are prepared for emergencies and feel strong and resilient. We encourage and support local organisations and community-led activities and feel connected and safe in our neighbourhoods.”*

The pinnacle of the Association is the NBL1 Men’s and Women’s teams. The Joondalup Wolves (as they are known) have been in existence since 1983 and have experienced much success in their time including 9 state championships between the Men’s and Women’s teams.



NBL1 consists of five conferences covering every state and territory of Australia. Each conference has both a women's and men's competition, with a total of 76 clubs and 149 teams all competing for a chance to win a spot at the NBL1 National Finals.

NBL1 is the official pathway to the elite levels of basketball, including the WNBL, NBL, US College, NBA D-League the NBA and the Australian Boomers and Opals.

### Attendance

The general season sees 12,000 stadium attendees per week over 40 full weeks of basketball equating to approximately 480,000 attendees per annum.

The 2022 NBL1 season saw 15 home games, attracting 1,000 patrons to each game totalling 15,000 people over the season. 2023 targets are set for 1,100 patrons across 13 games totalling 14,300 spectators.

The NBL1 competition – both men and women - is a high standard and offers opportunities for Joondalup families to support their team and experience a family-friendly evening of entertainment at a very low cost, with ticket prices at \$12.00 to attend the game.

The Association supports the delivery of a safe, healthy and family friendly basketball competition, delivering a strong and inclusive men's and women's NBL1 competition. The primary target market for the NBL1 competition is families. Entertainment for parents and their children is provided at each game, and this market encompasses a large proportion of City ratepayers.

### Sponsorship Benefits for the City

There are considerable brand and profile benefits to be gained from a partnership with the Association and being recognised as the Naming Rights 'Co-Major' partner with Chambers Franklyn (a property management service).

In return for the sponsorship contribution the City will receive the below outlined benefits:

<b>Benefits to be provided to the City by Joondalup Wolves</b>	
Naming rights - Naming Rights 'Co-Major' partner for NBL1 teams Such as Chambers Franklyn City of Joondalup Wolves	✓
<b>Promotional and Branding Benefits</b>	
Logo on promotional material - Logo on men's and women's playing singlets	✓
Signage displayed at the event, program or activity - two x 1000x2000mm show court signs that are visible on KAYO	✓ (2)
Logo and hyperlink on website	✓
Logo on event signage	✓
Recognition on media releases	✓
Recognition and link on social media forums	✓
Logo on local and/or regional advertising	✓
Digital Marketing for example inclusion in club newsletters, emails	✓

<b>Benefits to be provided to the City by Joondalup Wolves</b>	
<b>Economic and Tourism Benefits</b>	
Economic development - local businesses are engaged through the association's procurement services - visitors to the region may utilise current businesses such as hospitality (dining and accommodation)	✓
Tourism - over 13 opposition clubs from over the Perth Metro area will compete in the region throughout the season, bringing athletes, supports staff and spectators with them.	✓
<b>Other Benefits</b>	
Corporate Hospitality - Corporate box for eight for each NBL1 home game through the season	✓
Opportunity to set up a promotional display at each home game	✓
Opportunity for the City representative to present/speak	✓
Verbal acknowledgement throughout each home game	✓
Merchandise distribution - City merchandise to give away at games	✓
<b>Attendance</b>	
Over 10,000 for the NBL1 season	✓

The Association advise that the 2023-2024 season will see sophisticated communications and promotional plans for the Joondalup Wolves NBL1 utilising a range for tools and mediums to promote the Joondalup Wolves brand and associated partners.

Social media platforms continue to be the most successful for the WBA, building a fanbase of over 9,500 Facebook followers, 4,000 Instagram followers and 2,000 website visits per month.

#### *Economic Impact and Business Engagement*

The Joondalup Wolves NBL1 games attract visitors to the region, including athletes, visiting teams and basketball fans and spectators.

Each season the Joondalup Wolves NBL1 teams welcome 13 opposition clubs from all over the Perth Metro and some outlying country locals.

As well as visitation the Association both procure and receive local business support and are a significant employer, purchaser, supplier and connector for local, economic development and stimulus across Joondalup.

The WBA operate at a scale whereby lucrative and consistent local business procurement and business engagement opportunities exist into the significant tens of thousands of dollars.

#### *Other Funding Support*

The Joondalup Wolves NBL1 team received over \$100,000 in commercial sponsorship support from a wide range of partners including organisations such as Chambers Franklyn (co-naming rights partner), Zambrero and JLC Associates (premium partners) and more as outlined in attachment three.

Chambers Franklyn are a commercial and residential strata management company based in Stirling. They shared co-naming rights sponsorship with the City of Joondalup in 2022 and are confirmed co-naming rights sponsor for 2023. The value of the sponsorship has not been disclosed by Wanneroo Basketball Association in their application or the previous year's acquittal.

City of Wanneroo are not an official partner.

### Sponsorship Agreement and Key Performance Indicators

Should the Council agree to progress with supporting sponsorship of the Wanneroo Basketball Association, a sponsorship agreement will be developed between the City and the Association outlining the roles, responsibilities, benefits, and key performance indicators, as per the City's standard sponsorship process.

Key Performance indicators will address all details outlined in the sponsorship benefits table previously outlined.

The City's approach to sponsorship is to ensure a coordinated approach towards the development of agreements that aim to maximise benefits and create effective partnerships.

Sponsorship is a mutually beneficial commercial partnership involving financial or in-kind investments made in return for marketing and promotional benefits.

The proposal from the Wanneroo Basketball Association meets these requirements as the City will receive a range of benefits in return for its financial contribution to the organisation.

### **Issues and options considered**

The Council may choose to:

- endorse the sponsorship of the Wanneroo Basketball Association for the full amount requested of \$35,000 (excluding GST). The benefits outlined in the application do not align with this value as detailed in the City's sponsorship assessment matrix
- endorse the sponsorship of the Wanneroo Basketball Association for the reduced amount of \$20,000 (excluding GST). This option ensures that the proposed benefits are in line with City's sponsorship assessment matrix  
or
- not endorse the sponsorship application.

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

**Legislation** Not applicable.

#### **10-Year Strategic Community Plan**

**Key theme** Community.

**Objective** Active and Social - you enjoy quality local activities and programs for sport, learning and recreation.

**Policy** Not applicable.

## Risk management considerations

The Stirling Senators Basketball Association, branded Warwick Senators, are also located within the City's boundaries and they are part of the same NBL1 competition as the Wanneroo Basketball Association.

They have recently enquired about potential sponsorship support from the City and indicated that they will be making an application in the near future seeking a similar level of support as the City provides the Wanneroo Basketball Association.

Should both of these applications be endorsed, this would commit a sizeable portion of the City's sponsorship budget to two organisations, reducing the availability of funding to support other events or programs held within the region.

Supporting the City's state level basketball Associations with this level of funding may also prompt other state levels sporting codes to seek sponsorship support from the City which isn't financially sustainable as part of the Corporate Sponsorship Program.

## Financial / budget implications

### 2022-23 financial year impact

70% of the sponsorship amount recommended is due in the 2022-23 financial year.

<b>Account no.</b>	1.443.A4409.3299.4023.
<b>Budget Item</b>	Sponsorship.
<b>Budget amount</b>	\$130,000
<b>Sponsorship proposed cost</b>	\$14,000
<b>Balance of budget line</b>	\$2,400

### 2023-2024 financial year impact

30% of the sponsorship amount recommended is due in the 2023-2024 financial year.

<b>Account no.</b>	1.443.A4409.3299.4023.
<b>Budget Item</b>	Sponsorship.
<b>Budget amount</b>	Historical budget of \$130,000 (subject to adoption of 23-24 budget).
<b>Sponsorship proposed cost</b>	\$7,000
<b>Balance of budget line</b>	TBC

All amounts quoted in this report are exclusive of GST.

## Regional significance

Not applicable.

## Sustainability implications

The NBL1 season is well supported both locally and beyond the City boundaries, while also providing a strong stimulus for the local economy.

## Consultation

Not applicable.

## COMMENT

The sponsorship proposal submitted is an opportunity for the City to provide financial support to the Wanneroo Basketball Association, in return for a range of marketing and promotional benefits.

If the sponsorship proposal was endorsed, the City would receive a range of benefits that enhanced the development of the sport, provide a positive image of the City and its ability to provide assistance to regionally significant sporting organisation and help to promote Joondalup as an attractive destination.

Attracting events and supporting youth and local sporting groups is part of the City's strategy to position Joondalup as a destination that attracts visitors with its diverse mix of iconic events with local, national, and international appeal.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED Cr Jones, SECONDED Cr Thompson that Council APPROVE a sponsorship amount of \$20,000 (excluding GST) for the 2023 season only subject to the Wanneroo Basketball Association entering into a formal sponsorship agreement with the City of Joondalup.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 12 refers*

*To access this attachment on electronic document, click here: [Attach 12brf230214.pdf](#)*

**CJ014-02/23 CORPORATE SPONSORSHIP APPLICATION:  
NATIONAL BASKETBALL LEAGUE PTY LTD**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	110313, 101515
<b>ATTACHMENT</b>	Attachment 1 NBL1 Sponsorship Application Attachment 2 NBL1 Presentation Attachment 3 Master Sponsorship Assessment Matrix
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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**PURPOSE**

For Council to consider the significant event sponsorship application received from National Basketball League Pty Ltd for Joondalup to be the host City of the 2023 NBL1 National Final Series, proposed to be held at HBF Arena Joondalup from the 18 to 20 August 2023.

**EXECUTIVE SUMMARY**

The City's Corporate Sponsorship Program aims to attract, host or support a wide range of events, programs and activities that enhance the service delivery to the community and attract visitors to the region, while also providing positive exposure for the City's brand local and regionally.

The City has received a sponsorship application from the National Basketball League Pty Ltd to be the host City for the 2023 NBL1 National Final Series at HBF Arena Joondalup from the 18 to 20 August 2023.

As this event is a national event that is unique to Joondalup, it is also the first time the National Finals will be held outside of Victoria and is proposed to deliver economic development benefits for the region, specifically beds stays and expenditure with local businesses, this event has been defined as a "significant event".

The NBL1 National Finals is a pinnacle event on the national basketball calendar. It is the only Association based Senior National Championships in Australia and the host city is seen as a flagship venue within the basketball community when selected.

The annual event brings together 12 teams (180 participants) from across all Australian States and Territories, the champions of each conference and the reigning teams, for a three day event where teams compete for the title of NBL1 National Champions.

The sponsorship value requested is \$50,000 (excluding GST).

The application has been assessed and valued at \$35,000 (excluding GST).

The full amount requested has not been recommended as the higher level of funding requires:

- the event to attract over 10,000 patrons
- the City to receive naming rights to the event
- the City to receive significantly more benefits in the area of regional promotion, tourism and economic development

as outlined in the master sponsorship assessment matrix (Attachment 3 refers).

The recommended sponsorship is commensurate with the benefits available to the City.

*It is therefore recommended that the Council AGREES to:*

- 1 *APPROVE a sponsorship amount of \$35,000 (excluding GST) for the City to host the 2023 NBL1 National Final Series subject to the organisation entering into a formal sponsorship agreement with the City of Joondalup;*
- 2 *LIST FOR CONSIDERATION as part of the City's budget development process, an amount of \$10,500 (excluding GST) in the 2023-2024 budget for the payment of the 30% balance of the sponsorship amount.*

## **BACKGROUND**

The Council has adopted a Strategic Position Statement regarding significant events which provides as follows:

*The City will attract and support significant events that are unique to Joondalup and enhance its image as an attractive destination for residents, visitors, tourists, and businesses. These significant events will deliver economic development benefits for local businesses whilst promoting Joondalup's reputation state-wide, nationally, and internationally as the cultural, civic and entertainment CBD of the Northwest region of the Perth metropolitan area.*

A key non-capital project/activity outlined in the City's *Corporate Business Plan 2022- 2026* involves positioning Joondalup as a destination city where unique tourism opportunities and activities provide drawcards for visitors and residents, specifically:

- attract and support significant events that are unique to Joondalup to enhance its image as an attractive destination for visitors, tourist and businesses.

## **DETAILS**

Well over one million people are now playing basketball nationally and the sport is growing at a much faster rate (19% per annum) than any other team sport. In Western Australia the latest Ausplay survey estimates that there are over 180,000 participants, with competition members registered with Basketball WA exceeding 55,000 for the first time in 2021. The school and introductory programs continue to perform strongly with Aussie Hoops reaching record levels of more than 7,600 registrations across WA. This represents a doubling of the program over the past two years. \*Source: *WA Basketball Association Annual Report 2020-2021*.

In the last three years Western Australia has moved into the number two spot nationwide for participation.

NBL1 is the official pathway to the elite levels of basketball, including the Womens National Basketball League, NBL, US College, NBA D-League the NBA and the Australian Boomers and Opals.

NBL1 consists of five conferences covering every state and territory of Australia. Each conference has both a women's and men's competition, with a total of 76 clubs and 149 teams all competing for a chance to win a spot at the NBL1 National Finals.

The NBL1 National Finals is the pinnacle event on the national basketball calendar. It is the only Association based Senior National Championships in Australian and the host city is seen as a flagship venue within the basketball community when selected.

The annual event brings together the champions of each conference and the reigning teams for a three day event where teams compete for the title of NBL1 National Champions. This finals event has never been held outside of Victoria, so to be the first interstate final event would be a huge accolade for HBF Arena and the City of Joondalup.

The Joondalup Wolves and Warwick Senators are the City's local NBL1 teams, with the Warwick Senators Women's team not only taking out the 2022 NBL1 West Premiership but also the 2022 NBL1 National Championship. Between the two associations they have over 8,500 participants across their competitions.

The event will be held from the 18 to 20 August 2023, with the teams arriving on the 17 August. 12 teams - six women's and six men's – form the championship with eight interstate and four West Australian teams playing.

The event will activate Show Court one and Show Court two simultaneously for three games a day on Friday and Saturday, with the Women's and Men's National Finals held on the Sunday, bringing thousands of people per day into Joondalup. The ticket cost for entry has not been finalised, however it will not exceed \$20.

It is estimated that the event will host 180 participants, 80 staff and officials and approximately 2,500 spectators daily, totalling approximately 8,000 people in attendance over the three-day event.

A breakdown of these numbers is outlined below:

- Teams: Twelve teams (six women's and six men's) comprising of a minimum of 15 people, athletes, coaches and staff.  
Eight interstate teams and four West Australian teams.
- Officials: Eighteen referees, six reserve referees, two to four referee coaches.  
A minimum of 32 score table and statisticians from WA.
- Streaming: A minimum of eight camera operators and two producers.  
Ten to 12 commentators from right across Australia.

#### Sponsorship Benefits for the City

The event will be streamed live on Kayo with the 2022 event attracting more than 1.1 million minutes of viewership.

As the Host City sponsor the City will receive the below outlined benefits:



<b>Benefits to be provided to the City</b>	
<b>Promotional and Branding Benefits</b>	
Logo on promotional material	✓
Signage displayed at the event which will also be visible on the KAYO stream	✓
Logo and hyperlink on website during the final's series	✓
Recognition on media releases	✓
Recognition and link on social media forums	✓
Digital Marketing for example inclusion in club newsletters, emails	✓
Road to Joondalup Promotion as soon as the host City is determined commentators and clubs will have the opportunity to promote the "road to Joondalup" as part of their regular season strategies and commentary.	✓
<b>Economic and Tourism Benefits</b>	
Economic development - Approximately 550 bed nights (within the City) with an average stay of three nights, four days - Estimated daily spend of \$180 per day per person - NBL1 will work with the City to engage and promote local businesses to participants, staff, officials while they are staying within the region	✓
Tourism increased visitors to the region; people will travel to attend the event program from within Western Australian and interstate.	✓
<b>Other Benefits</b>	
Corporate Hospitality - complimentary VIP tickets	✓
Opportunity to set up a promotional display	✓
Opportunity for the City representative to present/speak	✓
Verbal acknowledgement throughout the final's series	✓
Merchandise distribution through participant packs including the opportunity for local businesses to get involved	✓
<b>Attendance</b>	
5,001 – 10,000	✓

### Economic Impact

With 260 players, staff and officials generating 550 bed nights, and then at least a few hundred interstate visitors as spectators/fans coming to Joondalup, it is expected that the event will deliver more than 1,000 bed nights across three days, noting that consultation has already commenced with the Joondalup Resort, Quest and Nautica @ Hillarys.

Tourism Research Australia data estimates that the national average spend of a domestic overnight tourist whose purpose of travel is to either compete in or spectate at a sporting event is \$360 per person per overnight stay with \$183 of this dedicated to accommodation.

Based on this research data with approximately 1,000 bed nights it is estimated this event will contribute over \$183,000 to the local accommodation sector.

In addition to the accommodation it is estimated that the 260 players, coaches and officials will spend on average \$180 a day over the three-day event period, contributing over \$140,000 to the economy.

In addition to the players, coaches and officials, NBL1 anticipate bringing thousands of people a day into Joondalup, all of whom will spend directly in Joondalup. It is expected that the event will cycle hundreds of thousands of dollars back into the Joondalup economy – directly benefitting local hospitality and service providers (such as; hire cars, restaurants, golf courses).

In addition to this, interstate and out of the region visitors are likely to spend in local shopping precincts during their stay.

#### Local Business and Stakeholder Engagement

NBL1 have proposed that they would like to work with the City to:

- develop quality travel packages for visitors
- provide opportunities to showcase culturally appropriate actions and promote local first nation stories
- increase accommodation occupancy and tourism revenue to the region
- incorporate local business information in participant packs.

The event will also be supported by the Wanneroo Basketball Association with support staff and volunteers.

#### Sponsorship Agreement and Key Performance Indicators

Should the Council agree to progress with supporting sponsorship of the NBL1 finals, a sponsorship agreement will be developed between the City and NBL1 outlining the roles, responsibilities, benefits, and key performance indicators, as per the City's standard sponsorship process.

Key Performance indicators will address all details outlined in the sponsorship benefits table previously outlined along with specific measures as follows:

- Attendance
  - Set a minimum attendance level.
- Customer Satisfaction Levels
  - Set a customer satisfaction level based conducting onsite and post event feedback.
- Marketing and Media Coverage
  - Set a dollar value for marketing and media coverage achieved for the event.
- Stakeholder Engagement
  - Outline approach and expectations around local business engagement.
- Financial Economic Impact
  - Outline a minimum economic impact dollar figure to be achieved.
  - Request that economic outcomes analysis be conducted and included in the post event report to ensure the City received return on investment for this sponsorship.

The City's approach to sponsorship is to ensure a coordinated approach towards the development of agreements that aim to maximise benefits and create effective partnerships.

Sponsorship is a mutually beneficial commercial partnership involving financial or in-kind investments made in return for marketing and promotional benefits.

The proposal from NBL meets these requirements as the City will receive a range of benefits in return for its financial contribution to the league.

### Issues and options considered

The Council may choose to:

- endorse the sponsorship of the NBL1 National Finals for the full amount requested of \$50,000 (excluding GST). The benefits outlined in the application do not align with this value as detailed in the City's sponsorship assessment matrix
- endorse the sponsorship of the NBL1 National Finals for the reduced amount of \$35,000 (excluding GST). This option ensures that the proposed benefits are in line with City's sponsorship assessment matrix  
or
- not endorse the significant event sponsorship application, which would then enable another state in Australia to be the first to host this national event outside of Victoria.

### Legislation / Strategic Community Plan / policy implications

**Legislation** Not applicable.

#### 10-Year Strategic Community Plan

**Key theme** Economy.

**Outcome** Appealing and Welcoming - you welcome residents, and local and international visitors to the City.

**Policy** Not applicable.

### Risk management considerations

Not applicable.

### Financial / budget implications

As part of its annual budgeting process, the Council allocates an amount to attract significant events to the City to meet its strategic objectives. The proposed event would need to be incorporated into this budgeted amount as outlined below.

#### 2022-23 financial year impact

70% of the sponsorship amount recommended is due in the 2022-23 financial year.

<b>Account no.</b>	1.210.A2101.3293.0000.
<b>Budget Item</b>	Significant Event Sponsorship.
<b>Budget amount</b>	\$625,000
<b>Sponsorship proposed cost</b>	\$24,500
<b>Balance of budget line</b>	\$38,000

Noting that this account has already covered the cost for significant events such as Joondalup Festival of Motoring and the Perth International Arts Festival event to be held in February 2023.

### 2023-24 financial year impact

30% of the sponsorship amount recommended is due in the 2023-2024 financial year

<b>Account no.</b>	1.210.A2101.3293.0000.
<b>Budget Item</b>	Significant Event Sponsorship.
<b>Budget amount</b>	\$350,000 (subject to adoption of 23/24 budget)
<b>Sponsorship proposed cost</b>	\$10,500
<b>Balance of budget line</b>	TBC

\$350,000 has been budgeted for the continuation of the Joondalup Festival of Motoring event, should this be endorsed by Council.

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

The event will be unique to the state for the 2023 season and is supported by the Venues West, Basketball WA and the Wanneroo Basketball Association.

As reigning champions the Warwick Senators (Women) and Rockingham Flames (Men) will automatically join the conference champions which will attract a significant regional supporter base to the region.

### **Sustainability implications**

Such an event should be well supported by the community, both locally and beyond the City boundaries, while also providing a strong stimulus for the local economy.

### **Consultation**

Consultation has been conducted with Venues West, Basketball WA and the Wanneroo Basketball Association, with all organisations supportive of the event being held at HBF Arena Joondalup.

Venues West have offered discounted venue hire and catering support for the event.

Wanneroo Basketball Association will reschedule all local games for the period of time that the Final Series is held at HBF Arena Joondalup and will also support the event through the supply of staff and volunteers.

As the event is proposed to be held within the City of Joondalup boundaries, the City of Wanneroo has not been engaged at this stage.

### **COMMENT**

Since 2012, the City has been working to attract significant events of a calibre suitable to enhance tourism and stimulate the local economy, while attracting wide media coverage to enhance and strengthen Joondalup's reputation and image as a Destination City.

Attracting significant events is part of the City's strategy to position Joondalup as a destination that attracts visitors with its diverse mix of iconic events with local, national, and international appeal.

The City has hosted or supported major events including the Joondalup Festival of Motoring, Perth Internal Arts Festival, NAB Cup (AFL), Soundwave and Future Music Festival. It also delivers major community events such as the Joondalup Festival and Valentine's Concert. In addition, it hosts and supports smaller community events such as the Heathridge Carols in the Park and other community group fairs / fêtes.

The NBL1 National Finals sponsorship proposal submitted is an opportunity for the City to provide financial support to the NBL1, in return for a range of marketing and promotional benefits.

If the sponsorship proposal was endorsed, the City would receive a range of benefits that enhanced the development of the sport, provide a positive image of the City and its ability to provide assistance to regionally and nationally significant sporting organisations and help to promote Joondalup as an attractive destination.

## **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Jones, SECONDED Cr Thompson that Council AGREES to:**

- 1 APPROVE a sponsorship amount of \$35,000 (excluding GST) for the City to host the 2023 NBL1 National Final Series subject to the organisation entering into a formal sponsorship agreement with the City of Joondalup;**
- 2 LIST FOR CONSIDERATION as part of the City's budget development process, an amount of \$10,500 (excluding GST) in the 2023-24 Budget for the payment of the 30% balance of the sponsorship amount.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 13 refers*

*To access this attachment on electronic document, click here: [Attach13brf230214.pdf](#)*

## **CJ015-02/23 LIST OF PAYMENTS MADE DURING THE MONTH OF NOVEMBER 2022**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	09882, 101515
<b>ATTACHMENTS</b>	Attachment 1 Chief Executive Officer's Delegate Municipal Payment List for the month of November 2022 Attachment 2 Chief Executive Officer's Delegated Municipal Payment List (Bond Refunds for the month of November 2022) Attachment 3 Municipal and Trust Fund Vouchers for the month of November 2022
<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 November 2022.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of November 2022, totalling \$17,978,726.96.

*It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for November 2022 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 CJ015-02/23, totalling \$17,978,726.96.*

### **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 November 2022. Lists detailing the payments made are appended as Attachments 1 and 2 to Report CJ015-02/23.

The vouchers for the month are appended as Attachment 3 to Report CJ015-02/23.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques & EFT Payments 112640 - 112656 & EF105915 - EF106224 & EF106240 - EF106560 Net of cancelled payments	\$10,530,091.97
	Vouchers 3409A – 3424A	\$7,409,533.19
	Bond Refund Cheques & EFT Payments EF105913 - EF105914 & EF106225 -EF106239 & EF106561 - EF106565 Net of cancelled payments.	\$39,101.80
	<b>Total</b>	\$17,978,726.96

### 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.

### 10-Year Strategic Community Plan

#### Key theme

Leadership.

#### Outcome

Accountable and financially-sustainable - you are provided with a range of City services which are delivered in a financially responsible manner.

#### 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 City of Joondalup *2022-23 Budget* as adopted by Council at its meeting held on 28 June 2022 (CJ104-06/22 refers) or has been authorised in advance by the Mayor or by resolution of Council as applicable.

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED** Cr Jones, **SECONDED** Cr Thompson that Council **NOTES** the Chief Executive Officer's list of accounts for November 2022 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 CJ015-02/23, totalling \$17,978,726.96.

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 14 refers*

To access this attachment on electronic document, click here: [Attach14brf230214.pdf](#)



## **CJ016-02/23 LIST OF PAYMENTS MADE DURING THE MONTH OF DECEMBER 2022**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	09882, 101515
<b>ATTACHMENTS</b>	Attachment 1 Chief Executive Officer's Delegate Municipal Payment List for the month of December 2022 Attachment 2 Chief Executive Officer's Delegated Municipal Payment List (Bond Refunds for the month of December 2022) Attachment 3 Municipal and Trust Fund Vouchers for the month of December 2022
<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 list of accounts paid under the Chief Executive Officer's delegated authority during the month of December 2022.

### **EXECUTIVE SUMMARY**

This report presents the list of payments made under delegated authority during the month of December 2022, totalling \$22,090,628.97.

*It is therefore recommended that Council NOTES the Chief Executive Officer's list of accounts for December 2022 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 CJ016-02/23, totalling \$22,090,628.97.*

### **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 December 2022. Lists detailing the payments made are appended as Attachments 1 and 2 to Report CJ016-02/23.

The vouchers for the month are appended as Attachment 3 to Report CJ016-02/23.

FUNDS	DETAILS	AMOUNT
Municipal Account	Municipal Cheques & EFT Payments 112657- 112700 & EF106574 - EF107401 & EF107407 - EF107638 & EF107642 - EF107761 Net of cancelled payments	\$16,469,654.39
	Vouchers 3430A – 3442A	\$5,595,709.28
	Bond Refund Cheques & EFT Payments EF106566 - EF106573 & EF107402 -EF107406 & EF107639 - EF107641 & EF107762 - EF107766 Net of cancelled payments.	\$25,265.30
	<b>Total</b>	\$22,090,628.97

### 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.

#### 10-Year Strategic Community Plan

#### Key theme

Leadership.

#### Outcome

Accountable and financially-sustainable - you are provided with a range of City services which are delivered in a financially responsible manner.

#### 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 City of Joondalup *2022-23 Budget* as adopted by Council at its meeting held on 28 June 2022 (CJ104-06/22 refers) or has been authorised in advance by the Mayor or by resolution of Council as applicable.

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED** Cr Jones, **SECONDED** Cr Thompson that Council **NOTES** the Chief Executive Officer's list of accounts for December 2022 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 CJ016-02/23, totalling \$22,090,628.97.

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 15 refers*

To access this attachment on electronic document, click here: [Attach15brf230214.pdf](#)

## **CJ017-02/23 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED NOVEMBER 2022**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</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 30 November 2022.

### **EXECUTIVE SUMMARY**

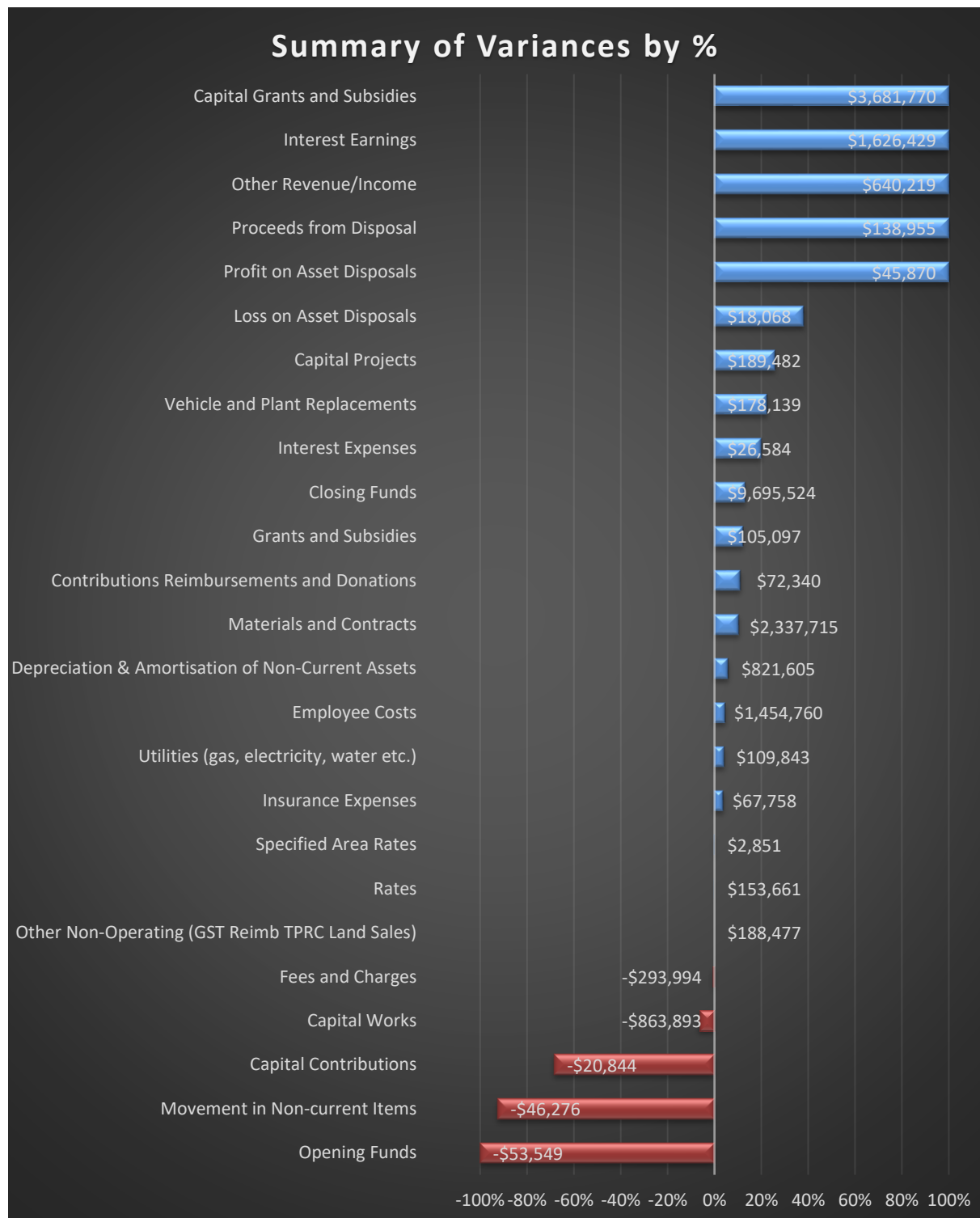
At its meeting held on 28 June 2022 (CJ104-06/22 refers), Council adopted the *2022-23 Annual Budget*. Council subsequently amended the budget at its meeting held on 16 August 2022 (CJ132-08/22 refers), 20 September 2022 (CJ158-009/22 and CJ161-09/22 refers) and 18 October 2022 (CJ178-10/22 and CJ179-10/22 refers). The figures in this report are compared to the amended budget.

The November 2022 Financial Activity Statement Report shows an overall favourable variance of \$9,695,524 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 or that these funds are surplus to requirements. It represents the year to date position to 30 November 2022 and results from a number of factors identified in the report, including the opening funds position which is subject to the finalisation of the *2021-22 Annual Financial Statements*.

There are a number of factors influencing the favourable variance, but it is predominantly due to timing of revenue and expenditure compared to the budget estimate in November and the finalisation of 2021-22 end of year process. The notes in Attachment 3 identify and provide commentary on the individual key material revenue and expenditure variances to date.

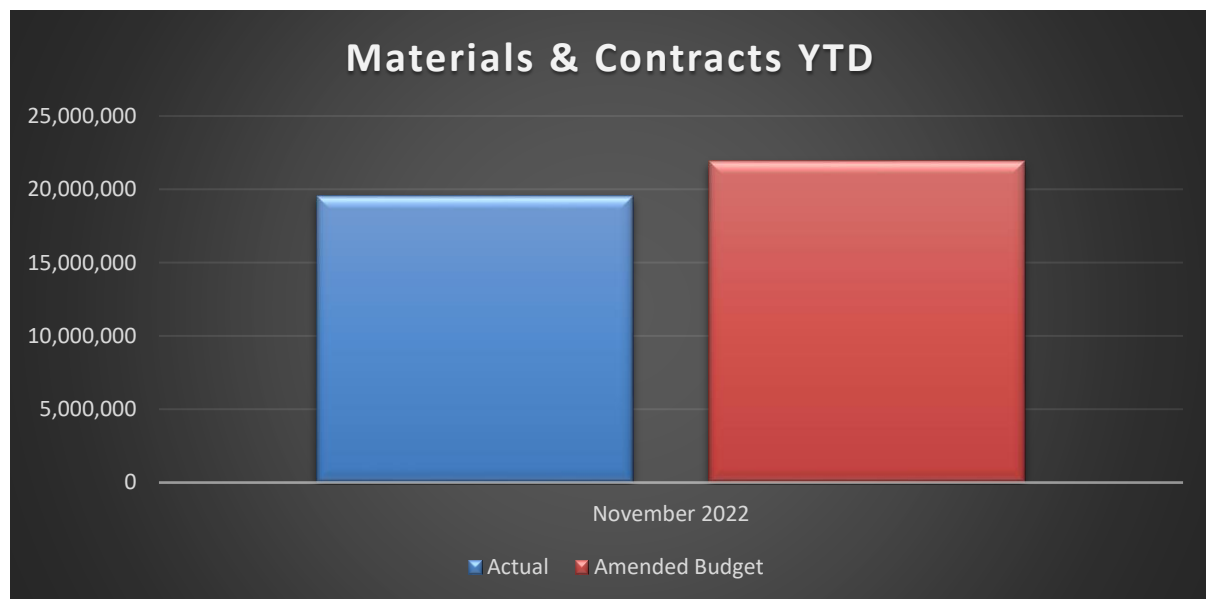
The key elements of the variance are summarised below:



The significant variances for November were:

### **Materials and Contracts**

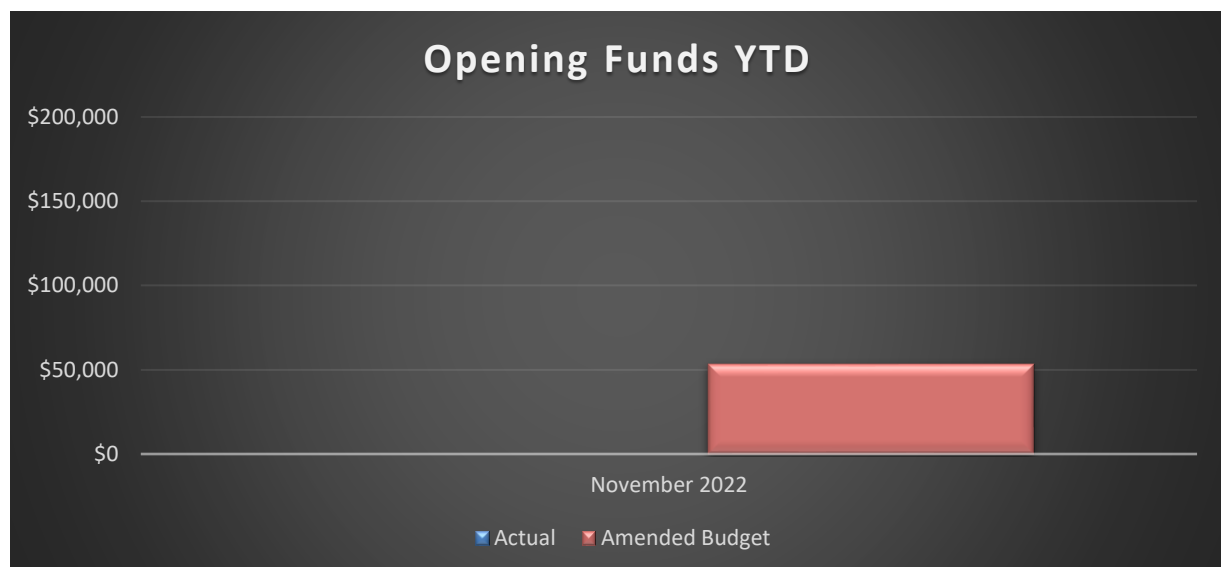
**\$2,337,715**



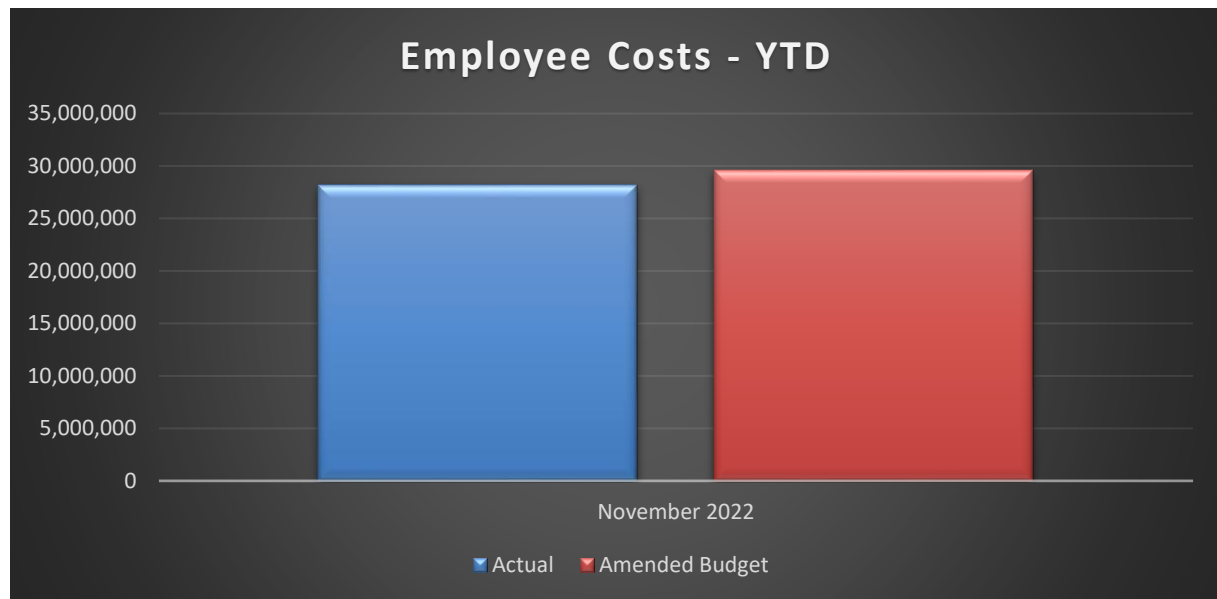
Materials and Contracts expenditure is \$2,337,715 below budget. This is spread across a number of different areas including External Service Expenses \$911,991, Waste Management Services \$587,222, Professional Fees and Costs \$418,031, Contributions and Donations \$301,507 and Public Relations, Advertising and Promotions \$229,124. This was partially offset by Computing (\$350,890).

### **Opening Funds**

**(\$53,549)**



Opening Funds for November 2022 is \$53,549 below budget. The variation in the Closing Funds for the period ended 30 June 2022 is prior to end of year adjustments being processed. The final balance will be available after the Financial Statements for 2021-22 have been audited.

**Employee Costs****\$1,454,760**

Employee Costs expenditure is \$1,454,760 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 30 November 2022 forming Attachment 1 to Report CJ017-02/23.*

**BACKGROUND**

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

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

The Financial Activity Statement for the period ended 30 November 2022 is appended as Attachment 1.

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

Section 6.4 of the *Local Government Act 1995* requires a local government to prepare an annual financial report for the preceding year and such other financial reports as are prescribed.

Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* requires the local government to prepare each month a statement of financial activity reporting on the source and application of funds as set out in the annual budget.

## 10-Year Strategic Community Plan

**Key theme** Leadership.

**Outcome** Accountable and financially-sustainable - you are provided with a range of City services which are delivered in a financially responsible manner.

### 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

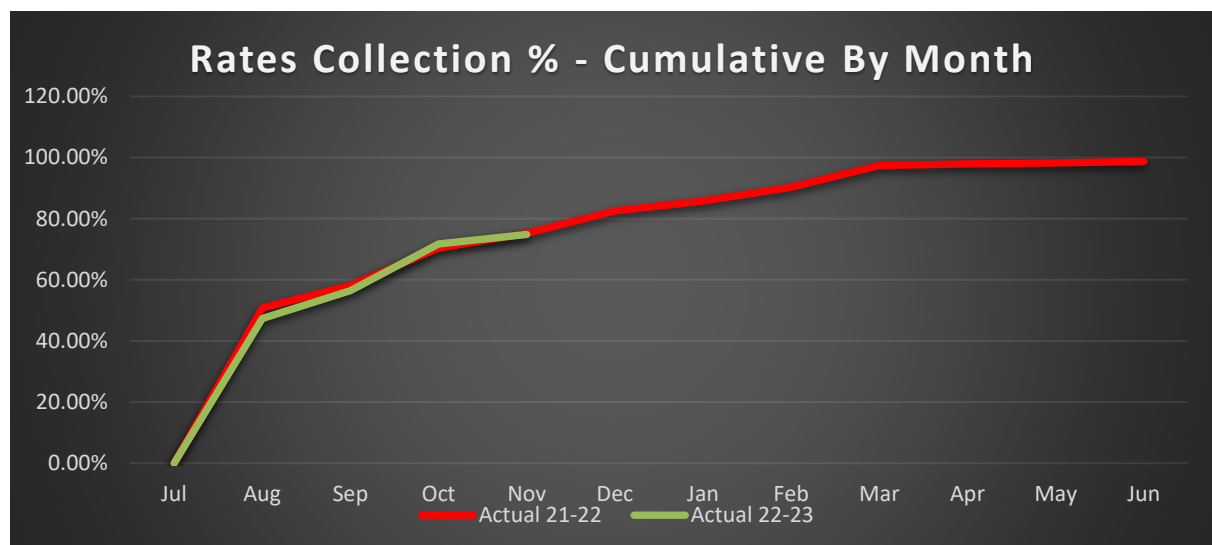
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

### 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*.

## KEY INDICATORS

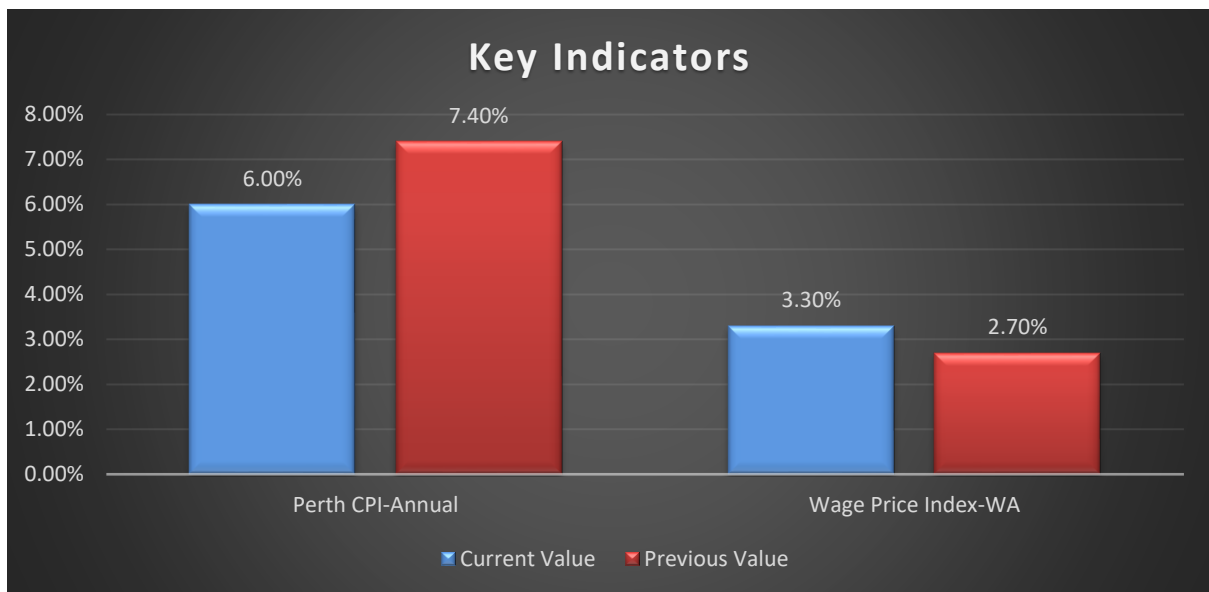
### Rates Collection



Rates collections as a percentage of rates issued (debtors) is slightly lower than previous financial year at the end of November.



## **Economic Indicators**



During November, the Q3 Wage Price Index was released. Wages rose by 1.4% for the quarter in most states including Western Australia. Western Australian private wages growth accelerated 0.7ppts to 1.7% for the quarter to be 3.8% up through the year.

## **COMMENT**

All expenditure included in the Financial Activity Statement is incurred in accordance with the provisions of the 2022-23 adopted budget (as amended) or has been authorised in advance by Council where applicable.

## **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Jones, SECONDED Cr Thompson that Council NOTES the Financial Activity Statement for the period ended 30 November 2022 forming Attachment 1 to Report CJ017-02/23.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 16 refers*

To access this attachment on electronic document, click here: [Attach16brf230214.pdf](#)

## **CJ018-02/23 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 DECEMBER 2022**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</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 December 2022.

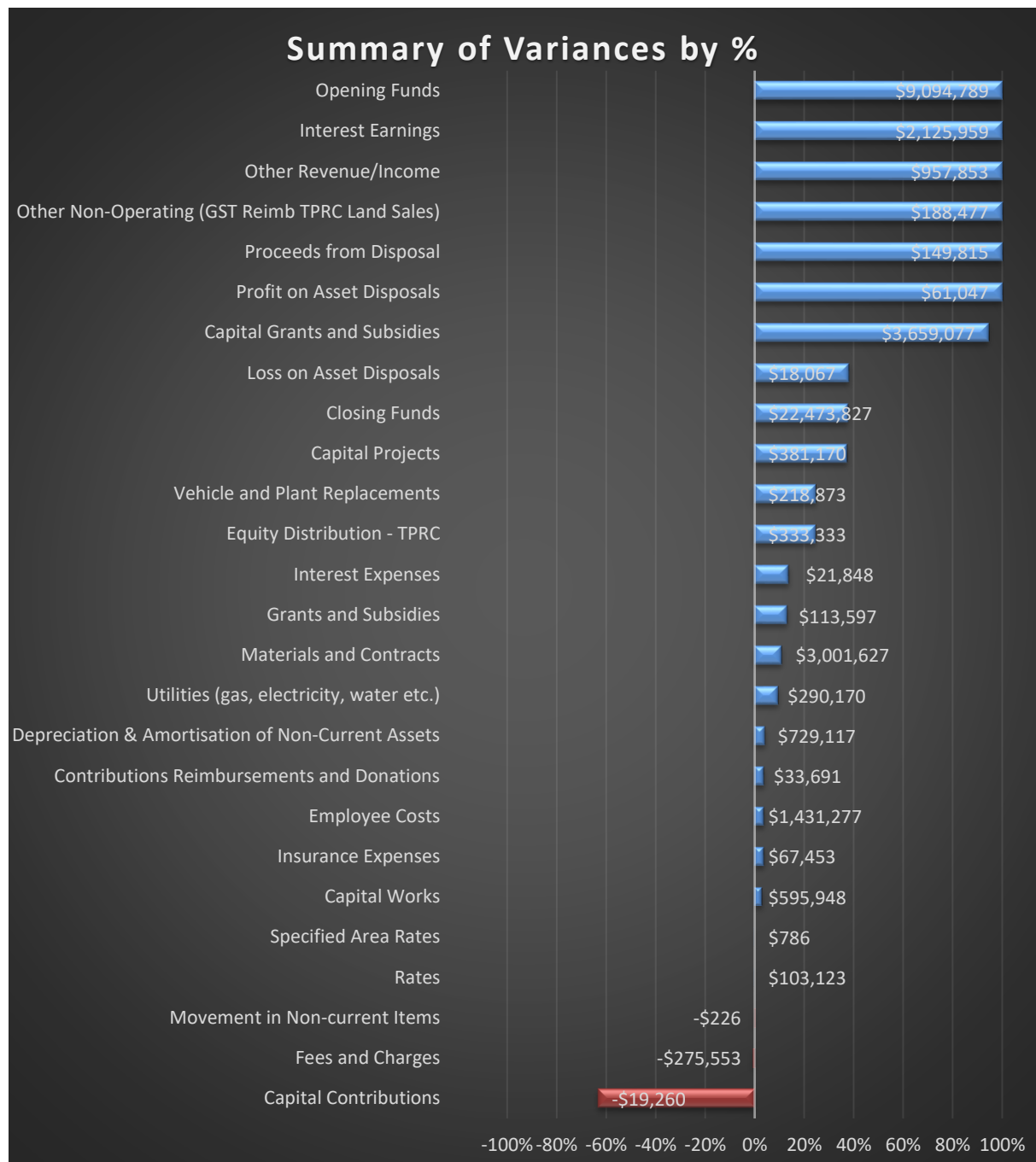
### **EXECUTIVE SUMMARY**

At its meeting held on 28 June 2022 (CJ104-06/22 refers), Council adopted the *2022-23 Annual Budget*. Council subsequently amended the budget at its meeting held on 16 August 2022 (CJ132-08/22 refers), 20 September 2022 (CJ158-009/22 and CJ161-09/22 refers), 18 October 2022 (CJ178-10/22 and CJ179-10/22 refers) and 13 December 2022 (CJ211/12/22 refers). The figures in this report are compared to the amended budget.

The December 2022 Financial Activity Statement Report shows an overall favourable variance of \$22,473,827 from operations and capital, after adjusting for non-cash items.

There are a number of factors influencing the favourable variance, but it is predominantly due to timing of revenue and expenditure compared to the budget estimate in December. The notes in Attachment 3 identify and provide commentary on the individual key material revenue and expenditure variances to date.

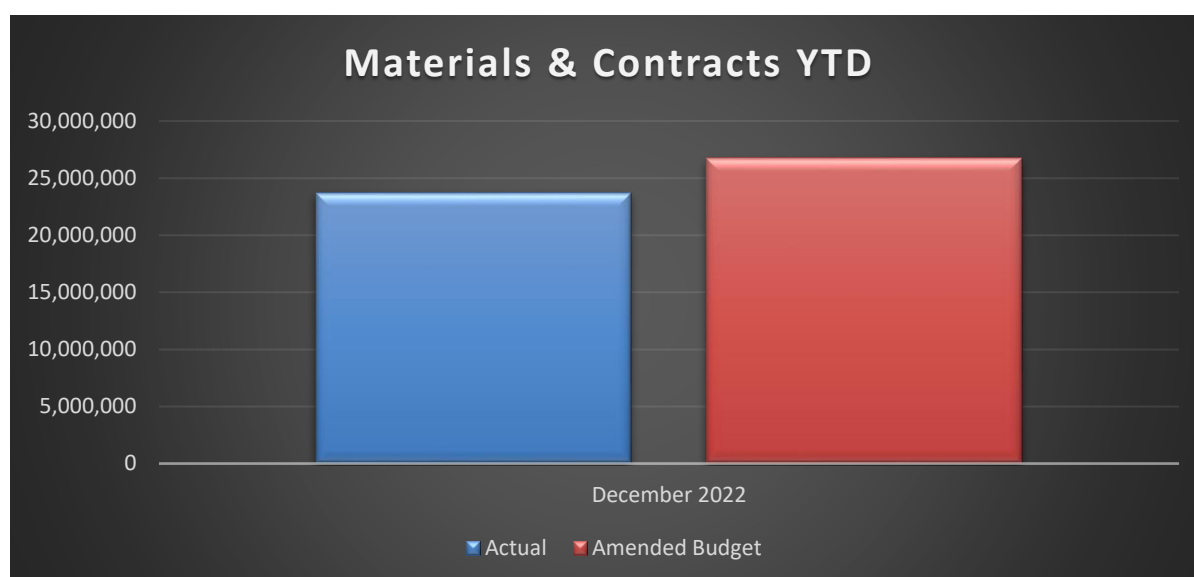
The key elements of the variance are summarised below:



The significant variances for December were:

**Materials and Contracts**

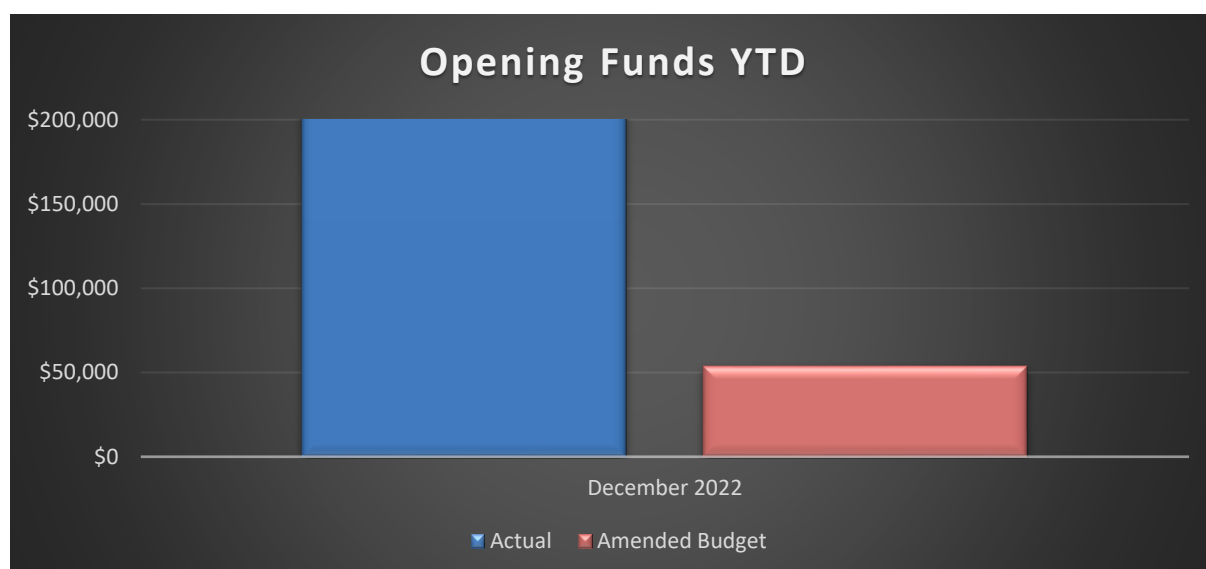
**\$3,001,627**



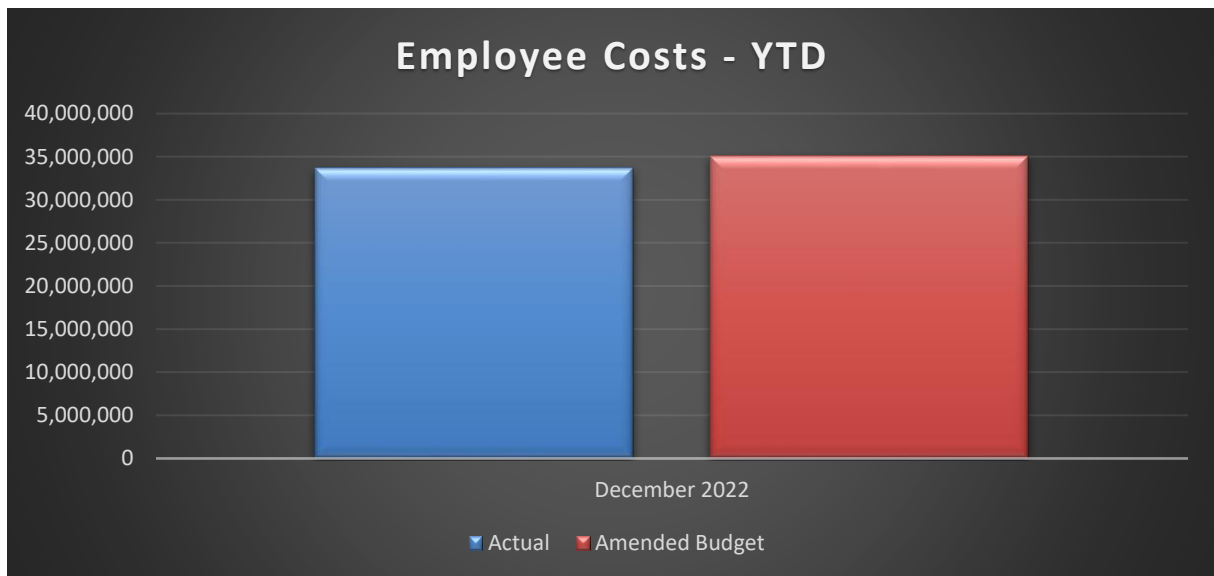
Materials and Contracts expenditure is \$3,001,627 below budget. This is spread across a number of different areas including Waste Management Services \$736,783, External Service Expenses \$685,905, Professional Fees and Costs \$539,276, Contributions and Donations \$284,345, Public Relations, Advertising and Promotions \$258,683, Administration \$254,167 and Computing \$234,438. Necessary updates are included in the Mid-Year Budget Review.

**Opening Funds**

**\$9,094,789**



Variations in the actual results for 2021-22 compared to the budget estimate gave rise to a favourable variance of \$9,094,789 in opening funds. The drivers for the increased end of year surplus, after taking end of year reserve movements and other offsets into account, are reductions in capital and operating expenditure and an increase in operating revenue. Adjustment to opening funds will be reflected in the Mid Year Budget Review.

**Employee Costs****\$1,431,277**

Employee Costs expenditure is \$1,431,277 below budget. Favourable variances predominantly arose from the year to date impact of vacancies in various areas.

*It is therefore recommended that Council NOTES the Financial Activity Statement for the period ended 31 December 2022 forming Attachment 1 to Report CJ018-02/23.*

**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 December 2022 is appended as Attachment 1 to Report CJ018-02/23.

**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.

**10-Year Strategic Community Plan**

**Key theme** Leadership.

**Outcome** Responsible and financially-sustainable - you are provided with a range of City Services which are delivered in a financially responsible manner.

### 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

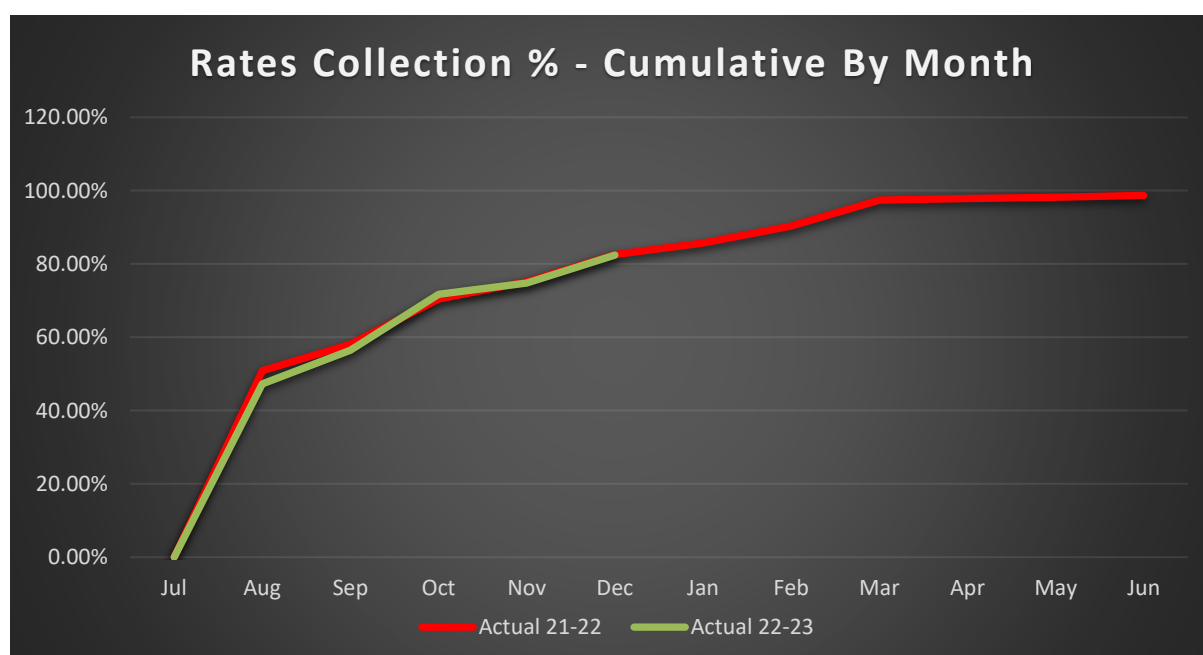
Expenditure has been incurred in accordance with adopted budget parameters, which have been structured on financial viability and sustainability principles.

### 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*.

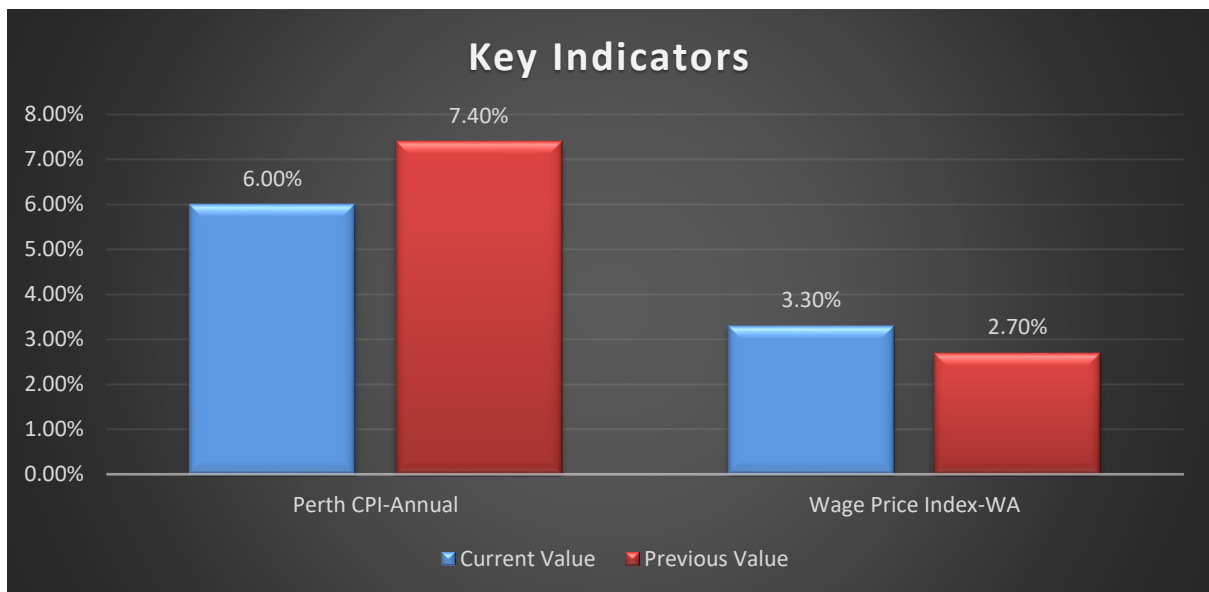
## KEY INDICATORS

### Rates Collection



Rates collections as a percentage of rates issued (debtors) is on par with the prior year at the end of December.

## **Economic Indicators**



During November, the Q3 Wage Price Index was released. Wages rose by 1.4% for the quarter in most states including Western Australia. Western Australian private wages growth accelerated 0.7ppts to 1.7% for the quarter to be 3.8% up through the year. CPI for the December quarter is expected to see a further rise in the annual Perth (All Groups) CPI figure.

### **COMMENT**

All expenditure included in the Financial Activity Statement is incurred in accordance with the provisions of the 2022-23 adopted budget (as amended) or has been authorised in advance by Council where applicable.

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED** Cr Jones, **SECONDED** Cr Thompson that Council **NOTES** the Financial Activity Statement for the period ended 31 December 2022 forming Attachment 1 to Report CJ018-02/23.

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwska, Raftis and Thompson.

*Appendix 17 refers*

To access this attachment on electronic document, click here: [Attach17brf230214.pdf](#)

**Disclosure of Interest affecting Impartiality**

<b>Name / Position</b>	<b>Cr John Logan.</b>
<b>Item No. / Subject</b>	CJ019-02/23 - Review of Senior Female Sporting use at Bramston Park, Burns Beach.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Logan is a member of West Perth Football Club which has used Bramston Park as a training ground for its women's teams and junior teams.

## CJ019-02/23      REVIEW OF SENIOR FEMALE SPORTING USE AT BRAMSTON PARK, BURNS BEACH

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBERS</b>	06383, 101515
<b>ATTACHMENT</b>	Attachment 1    Community    Consultation    Outcomes Report
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

**PURPOSE**

For Council to consider the outcome of a 12-month trial of women only senior sporting use of the playing fields at Bramston Park, Burns Beach.

**EXECUTIVE SUMMARY**

Community consultation was conducted during the development of the Bramston Park Community Sporting Facility in 2013 to determine support for the facility and the adjacent playing fields. Outcomes from the consultation showed that while the majority of those consulted supported the development, some concerns were raised about parking, noise, traffic and anti-social behaviour. As a result, Council agreed to restrict use of the playing fields to junior sport only.

The City received requests from local community sporting clubs to use Bramston Park playing fields for their senior teams since its opening in 2015. There is currently high demand for sporting facilities across the City, particularly for playing fields for winter season sports. As a result of a specific request from Kingsley Westside Football Club (KWFC) seeking consideration for its women's teams to access Bramston Park for games and training, at its meeting held on 14 December 2021 (C143-12/21 refers), Council received a Notice of Motion requesting a report be prepared reviewing the decision to restrict use of the playing fields at Bramston Park to junior sport.

Following the Notice of Motion, a report was presented to Council at its meeting held on 15 February 2022 (CJ024-02/22 refers) where Council agreed to approve a 12-month trial of senior female sporting use at Bramston Park, following which community consultation would be undertaken to determine future senior female use of the park.



The trial commenced in April 2022, with community consultation concluding in December 2022. Results of the consultation indicated that over three-quarters of respondents supported ongoing female senior sport at the park.

*It is therefore recommended that Council APPROVES the ongoing senior female sporting use of Bramston Park, Burns Beach from 1 April 2023.*

## **BACKGROUND**

At its meeting held on 13 July 2013 (CJ142-07/13 refers), Council considered a report on the proposed development of the Bramston Park Community Sporting Facility, Burns Beach.

The facility was proposed to be located adjacent to Bramston Park; a passive recreational park with no formal sporting use. With the introduction of the facility, the park was to be formalised into an active reserve, with playing fields suitable for cricket and soccer to cater for growing demand in the region.

The City undertook community consultation in 2012 as part of the development process, with the following stakeholders invited to participate:

- Residents living within a 200 metre radius of the site.
- Representatives from potential user groups.
- Representatives from the local resident's associations.

The City received 121 valid responses, or 34.6% of those invited to participate. A total of 43% of respondents supported the development of the community sporting facility and floodlighting at the site, while 52% were opposed. The most common concerns stated by those opposed were related to parking, noise, traffic and anti-social behaviour.

In considering the report and associated consultation outcomes, Council agreed, in part to:

*"2 REQUEST the Chief Executive Officer to arrange for further community consultation as detailed in this Report for the Bramston Park development project to be conducted in July - August 2013 using Attachments 6, 7 and 8 to Report CJ142-07/13, noting that the facility would not be hired for functions that create risk for anti-social behaviour (such as 18th and 21st birthdays) and the intended use of the playing fields is for junior sports;"*

As a result, the use of the playing fields to senior sporting clubs at Bramston Park was restricted to use only by junior sporting clubs, while the community facility at the site is available for use by both junior and senior sporting clubs.

Further consultation was conducted in July and August 2013, which provided invited participants with more detailed information about the site layout, facility design and proposed venue usage and management. The City received a total of 125 responses, or 34.6% of those invited to participate. A total of 52% of respondents supported the development of the community facility, while 44.6% were still opposed. The most common concerns stated by those opposed were again related to parking, noise, traffic and anti-social behaviour. With the increase in community support, at its meeting held on 24 September 2013 (CJ175-09/13 refers), Council approved the proposed development at Bramston Park.

At its meeting held on 14 December 2021 (CJ143-12/21 refers), Council received a Notice of Motion requesting a report be prepared reviewing the decision to restrict use of the playing fields at Bramston Park to junior sport. This Notice was as a result of a specific request from Kingsley Westside Football Club (KWFC) to grant access to Bramston Park for its senior women's teams.

The motion was adopted by Council as follows:

*“That the Council REQUESTS the Chief Executive Officer to prepare a report to be presented to the 2022 February Ordinary meeting of Council that reviews its decision of 13 July 2013 (CJ142-07/13 refers) that restricts the use of the playing fields at Bramston Park, Burns Beach for junior use only.”*

Reasons for the Notice of Motion were as follows:

- A request has been received from the local soccer club (Kingsley Westside FC) to grant access for their senior women’s teams to play matches at Bramston Park.
- Demand for senior sporting fields, especially those with supporting amenities (for example change rooms) that cater for female sport are at a premium across the City.
- Female soccer is a rapidly growing sport, especially as Perth is a host city for the 2023 FIFA Women’s World Cup.
- The park and facility has been operating for a number of years with no issues raised by local community (indicative of good venue stewardship by the soccer club).
- If supported, any review would be subject to community consultation, including the option for a trial period of 12 months.

Following the Notice of Motion, a report was presented to Council at its meeting held on 15 February 2022 (CJ024-02/22 refers) where Council agreed to the following:

- “1 *APPROVE a 12-month trial of women only senior sporting use of Bramston Park, Burns Beach;*
- 2 *REQUEST the Chief Executive Officer to arrange for community consultation to be undertaken following the trial to determine future women only senior sporting use of Bramston Park, Burns Beach.”*

## **DETAILS**

### Consultation

The 12-month trial period for senior female use at Bramston Park commenced on 1 April 2022 and will conclude on 31 March 2023. The following stakeholders were notified of the trial in March 2022:

- Residents living within a 200m radius of the site.
- Regular user groups.
- Local resident’s associations.
- Burns Beach Primary School.

The same stakeholders were invited to participate in community consultation regarding the trial between 24 November 2022 and 14 December 2022. The consultation was also advertised on the City’s website, social media and e-newsletter publications, in addition to signage at the park.

As the sporting clubs that use the park commence their winter season activities in April 2023, the City conducted the community consultation prior to the end of the trial period. Had the consultation occurred after the trial, an outcome on the ongoing senior female use of the park would not have been decided until at least mid-way through the winter sporting season, potentially disrupting the activities of the clubs.

As the trial period prior to the consultation covered the full winter season and a part of the summer season, it was determined that this would provide respondents with an adequate representation of the level of use that would be expected over a full year.

The survey sought feedback from respondents about their use of the venue, their relationship to the regular hirers of the venue, and level of support for the continuation of senior female sporting use of the park. The City also took the opportunity to seek input from the community regarding a proposed shared use arrangement between the City and the Burns Beach Primary School. A copy of the survey form is attached within the Community Consultation Outcomes Report (Attachment 1 refers).

### Park usage

Prior to the trial, Bramston Park playing fields were used by Joondalup Kinross Junior Cricket Club during summer season, and Kingsley Westside Football Club (KWFC) during the winter season.

While KWFC have both junior and senior teams, Bramston Park is used as a base for its junior teams, with senior teams playing home games at Chichester Park, Woodvale. The community facility at Bramston Park is used by KWFC for a number of junior, senior and whole-club events and functions due to the capacity limitations at the Chichester Park facility. The club expressed a desire to use the playing fields at Bramston Park for their women's senior teams and did so during the trial period.

During the trial period, the West Perth Football Club's (WPFC) junior and adult women's teams used the park for training on a regular basis. A number of other non-sport related community groups also use the community facility at Bramston Park, in addition to it being a popular choice for casual hire by the general public.

### Consultation outcomes

The City collected a total of 139 valid responses during the consultation period for an overall response rate of 12.5%. Of the 278 residents within a 200 metres radius of Bramston Park, Burns Beach, 35 submitted feedback. None of the sporting clubs contacted submitted feedback, whilst two of the 15 resident / ratepayer groups provided feedback.

Approximately one quarter of respondents indicated they were a parent of a child who attends Burns Beach Primary School, while 14% indicated they were a member of or affiliated with KWFC. Almost two-thirds of respondents indicated they currently use the park for leisure, sport or recreation.

Of the total respondents, 77.7% support or strongly support the use of the park for female senior sport. Of the total respondents, 21.6% provided comment on the matter indicating their general support for increased utilisation of the park, and support for opportunities to increase female participation and physical activity. There were also comments that the park should be available for all users regardless of gender.

Of the total respondents, 13% opposed or strongly opposed the use of the park for senior female sport. Comments opposing female senior sporting use were mainly related to increased issues around parking and traffic, and reduced access to the park for informal resident use such as dog walking. There were also a number of comments where respondents indicated they felt junior sporting teams will have reduced opportunities for access, that WPFC and other AFL teams should not be permitted to use the park, and that the park should be exclusively available to soccer clubs.

The remaining 9.4% of respondents were neutral, with a number of respondents commenting that they had not noticed a change in use of the park, or that the changes had not impacted them.

### Issues and Options Considered

Option 1 Remove the restriction on senior female sporting use at Bramston Park. This option is preferred.

The trial period captured senior women's sporting use over both summer and winter sporting seasons, providing the community with a comprehensive understanding of the full impact of senior women sporting use at the facility prior to providing feedback. The community consultation outcomes support this option.

Option 2 No action.

Council may decide to maintain the current restriction on senior sporting club use at Bramston Park. This option is not preferred.

### Legislation / Strategic Community Plan / Policy Implications

**Legislation** *City of Joondalup Local Planning Scheme No. 3.*

#### 10-Year Strategic Community Plan

**Key theme** Place.

**Outcome** Functional and accessible – you have access to quality community facilities that are functional and accessible.

**Policy** *Asset Management Policy.*  
*High Risk Bookings in Community Facilities.*  
*Alcohol Management Policy.*  
*Facility Hire Subsidy Policy.*

### Risk Management Considerations

The following risks may arise should Council decide not to approve women's senior sporting club use of Bramston Park in an ongoing capacity:

- Existing City facilities may be unable to meet the growing demand for senior sporting club use.
- Increased expenditure for significant turf repairs may be required at existing facilities due to high usage levels.
- Inability of residents to access sporting activities in their local area.

The following risks may arise should Council decide to approve women's senior sporting club use of Bramston Park in an ongoing capacity:

- Increased costs for general turf maintenance due to increase in use.
- Adverse reactions from men's senior clubs preventing them access due to limitations they face with existing venues.
- Impact on local residents from increased activity, including traffic, parking and noise associated with sporting activities.

While the risk from allowing ongoing senior female use are still possible, the outcomes of the community consultation suggest that they are unlikely to occur.

### **Financial / Budget Implications**

Junior sporting clubs operating on City property currently receive a 100% subsidy on hire fees under the *Facility Hire Subsidy Policy*, while senior sporting clubs receive a 50% subsidy. Allowing women only senior sporting use of Bramston Park may require increased expenditure for ground maintenance at the venue, however income from hire fees would also increase.

### **Regional Significance**

Not applicable.

### **Sustainability Implications**

The *Property Management Framework* aims to support the equitable, efficient and effective management of City owned and managed properties. The Framework also aims to protect and enhance the City's property assets for the benefit of the community and for future generations.

### **Consultation**

The consultation was conducted in accordance with the City's *Community Consultation Policy* and Protocol.

### **COMMENT**

The demand for active sporting facilities in the City is increasing, however there are currently no opportunities to develop new facilities. This demand is noticeably higher among winter season sport, particularly soccer and AFL, where there is growing demand for access to sporting infrastructure outside traditional sporting season timeframes. In addition, an increase in participation in female sport in recent years has further increased pressure on existing facilities.

Enabling ongoing women's senior sporting club use at Bramston Park would contribute to increasing the availability of sporting infrastructure to the wider Joondalup community. While there were some respondents who opposed senior female sporting use of the park, the community consultation results were generally supportive of the idea.

These results, combined with the high demand for sporting infrastructure in the City support ongoing female senior sporting use at Bramston Park.

### **VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Hill, SECONDED Cr McLean that Council APPROVES the ongoing female senior sporting use of Bramston Park, Burns Beach from 1 April 2023.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 18 refers*

*To access this attachment on electronic document, click here: [Attach18brf230214.pdf](#)*

## **CJ020-02/23      REQUEST FOR ADDITIONAL SUBSIDIES AND WAIVERS OF FEES FOR ANNUAL HIRE GROUPS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	101271, 101515
<b>ATTACHMENTS</b>	Nil
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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### **PURPOSE**

For Council to consider applications for additional subsidies and waivers of fees for the hire of City facilities by annual user groups in 2023.

### **EXECUTIVE SUMMARY**

At its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted a *Property Management Framework* which guides the City management act of all property under the City's ownership, care and control. At its meeting held on 15 November 2022 (CJ193-11/22 refers), Council undertook a review of the *Property Management Framework*. It contains specific requirements for the classifying of property and its usage.

Supporting the *Property Management Framework*, the *Facility Hire Subsidy Policy* allows for various levels of subsidisation of the hire fees for certain community groups. The policy states that where a community group wishes for further subsidisation, application must be made to the City with a report presented to Council for its consideration for requests over \$5,000.

The City has recently completed the booking process for use of its facilities during the 2023 annual booking period. Consequently, the following groups have sought further subsidisation or waiver of fees in accordance with the policy:

- Northern Lights Music WA Inc.
- Grandparents Rearing Grandchildren.
- University of the Third Age (U3A) Inc. – Joondalup Region.
- Burns Beach Primary School.
- Whitford Senior Citizens Club Inc.

*It is therefore recommended that Council:*

- 1 *DOES NOT AGREE to the request for an additional subsidy of hire fees for Northern Lights Music WA Inc. for the use of the Guy Daniels Clubroom in 2023;*
- 2 *AGREES to extend the 100% subsidised use for Grandparents Rearing Grandchildren WA Inc. for the use of the Grove Child Care facility in 2023 to a maximum of 33 hours average per week and a value of \$33,059.98;*

- 3 *DOES NOT AGREE to the request for an additional subsidy of hire fees for the University of the Third Age (U3A) Inc – Joondalup Region for the use of Rob Baddock Community Hall and Heathridge Community Centre in 2023;*
- 4 *AGREES to waive part of the hire fees for Burns Beach Primary School to the value of \$3,417.25 and charge Burns Beach Primary School a minimum of \$3,076.50 for its 2023 bookings of Bramston Park, Burns Beach;*
- 5 *AGREES to extend the 100% subsidised use for the Whitford Senior Citizens Club Inc. for the use of the Whitford Senior Citizens Centre in 2023 to a maximum of 99 hours average per week and a value of \$16,248.80.*

## **BACKGROUND**

At its meeting held on 20 November 2012 (CJ234-11/12 refers), Council adopted the *Property Management Framework* which is intended to provide a consistent and concise methodology of property management. Council adopted the *Facility Hire Subsidy Policy* which provides direction relating to subsidised use of City facilities, that is to:

- provide guidance on determining the extent of subsidy to be offered to groups hiring City-managed facilities
- ensure facility hire subsidies are applied in a consistent, transparent, and equitable manner.

Since the original adoption of both the *Property Management Framework* and *Facility Hire Subsidy Policy*, the Council has undertaken various reviews of both. On 16 August 2022 (CJ139-08/22 refers), the Council agreed to repeal the existing *Facility Hire Subsidy Policy* and replace it with a *Venue Hire Fees and Charges Policy*, to be effective from 1 January 2024. The Council also undertook a review of the *Property Management Framework* at its 15 November 2022 Council Meeting (CJ193-11/22 refers).

The policy applies to all local not-for-profit community groups and groups from educational institutions hiring City facilities on a regular or casual basis, excluding facilities contained within the City of Joondalup Leisure Centre, Craigie. The policy applies to organised groups only and does not apply to individuals.

The policy allocates a level of subsidy to user groups. The City will subsidise the cost of venue hire charges for City-managed facilities for local not-for-profit community groups and groups from educational institutions if the group is able to demonstrate that at least 50% of its active members / participants reside within the City of Joondalup. These groups are categorised within the policy based on the nature of the group - groups that provide recreational, sporting activities and / or targeted services exclusively for people aged 55 years and over.

Notwithstanding the above, the City reserves the right that if a group is booking a facility at a subsidised rate and it is not being utilised it may charge that group for the unutilised booking of that venue at the full community rate.

Regarding dealing of requests for additional subsidies over and above what is permitted within the policy, the policy states:

*“A group may apply for an additional subsidy under special circumstances. Applications must be made in a written submission to the Chief Executive Officer. The Chief Executive Officer will determine such requests where the value of the additional subsidy is below \$5,000. Requests for additional subsidies above \$5,000 will be addressed by the Chief Executive Officer and referred to Council for determination.*

*Additional subsidies will be provided for the following:*

- *Any group who has provided recent, significant cash or in-kind contribution(s) towards the total value of the construction of a hire facility.*
- *Any group who is experiencing significant financial difficulties.*
- *Any other group who can provide reasonable justification for receiving an additional subsidy.*

*Submissions for additional subsidies will be assessed on a case-by-case basis and will apply for one year / season. A new application must be made each following year / season."*

## **DETAILS**

The City has recently completed the booking process for use of its facilities during the 2022 annual booking period. Consequently, some groups have sought further subsidisation or waiver of fees in accordance with the policy.

An additional subsidy is considered to be an extension of an existing subsidy afforded to a group. This may be in the form of additional free-use hours or an extension of the subsidy percentage. A request for a waiver of hire fees occurs where a group is not currently eligible for a subsidy but is requesting hire fees be waived due to their unique circumstances.

### Northern Lights Music WA Inc.

<b>Facility hired</b>	<b>Classification within the policy</b>	<b>Current extent of subsidy</b>	<b>Average hours booked per week</b>	<b>Hours exceeding subsidy per week</b>
Guy Daniel Clubroom	Other not-for-profit community groups	50%	7	Not applicable

Northern Lights Music WA (NLM) currently hires the Guy Daniels Clubroom for delivery of its musical activities for all ages and skill levels. The group has booked 384 hours for 2023, averaging seven hours per week to undertake its activities. The group has been assessed as being eligible for a subsidy.

NLM formed in August 2020 and is a not for profit, run by volunteers, with 60% of members residing in the City of Joondalup. It should be noted that this orchestra was part of the Joondalup Symphony Orchestra (JSO). In early 2021, JSO approached the City seeking a venue with large storage and the capacity to support a rapidly growing membership. JSO, with the City's assistance, was offered a venue free of charge for six months. Northern Lights Music Inc was formed by a number of members from JSO who did not agree with the direction the group was taking.

NLM currently receive 50% subsidy under the Facility Hire Subsidy Policy. Being a relatively new group, NLM have implicated they have not accumulated sufficient surplus funds and have indicated they are not able to pay the remaining fees.

The City has received NLM current membership numbers, cost per member and financial statements. As of November 2022, NLM's membership was roughly 120 members, with fees structuring at \$200 for a 6-month individual, \$300 for family membership and no charge for members over the age of 70. NLM provided their 2021/22 financial report, which displayed a total income of \$21,315, made up of membership fees, performances, and concerts. Total expenditure for NLM was \$33,019, which consisted of instruments, equipment, instructor fees and licensing. As of 30 June 2022, NLM closing balance was \$19,443.



As the financial statement provided by NLM shows sufficient funds to cover the hire fees for the 2023 bookings, it is recommended that Council does not agree to the request for an additional subsidy of hire fees for Northern Lights Music for the use of Guy Daniels Clubroom in 2023 to the value of \$6,336.

Total Booking Cost	Current		Requested		Recommended	
	Subsidy value	Group payment	Subsidy value	Group payment	Subsidy value	Group payment
\$12,672	\$6,336	\$6,336	\$12,672	\$0	\$6,336	\$6,336

#### Grandparents Rearing Grandchildren WA Inc.

Facility hired	Classification within the policy	Current extent of subsidy	Average hours booked per week	Hours exceeding subsidy per week
Grove Child Care	Community service and charitable group	100% up to a maximum of 10 hours per week	33	23

Grandparents Rearing Grandchildren WA Inc. (GRG) are an incorporated not-for-profit registered charity providing support services to grandparents raising their grandchildren on a full-time basis. Currently, GRG assists 154 grandparents and 232 children, an 83% increase in the past 11 months.

GRG have booked 1,690 hours for 2023, averaging 33 hours per week, which enables the organisation to undertake its activities and events. The group have been assessed as being eligible for a subsidy under the policy. As a charitable organisation, the policy allocates the group up to 10 hours of 100% subsidised use per week. GRG have indicated it is not in a financial position to afford the cost to hire the Grove Child Care facility without the additional subsidy. GRG have requested Council consider an additional subsidy for the organisation to continue to deliver its services to the community in 2023.

As the hirer meets the eligibility criteria for an additional subsidy under the policy, it is recommended that Council agrees to extend the 100% subsidised use for Grandparents Rearing Grandchildren WA inc. for the use of the Grove Child Care facility in 2023 to a maximum of 33 hours average per week and a value of \$46,813.

Total Booking Cost	Current		Requested		Recommended	
	Subsidy value	Group payment	Subsidy value	Group payment	Subsidy value	Group payment
\$46,813	13,753.02	\$33,059.98	\$46,813	\$0	\$46,813	\$0

#### University of the Third Age (U3A) Inc – Joondalup Region.

Facility hired	Classification within the policy	Current extent of subsidy	Average hours booked per week	Hours exceeding subsidy per week
Rob Baddock Community Hall	Other not-for-profit community groups	50%	8	Not applicable

The University of the Third Age (U3A) Inc – Joondalup Region currently hires the Rob Baddock Community Centre for delivery of its activities and events. The group has booked 404 hours for 2023, averaging 8 hours per week to enable it to undertake its activities and events and has been assessed as being eligible for a subsidy.

It should be noted that prior to 2019, the group was provided a 100% subsidy of hire fees as it was classified a 'Senior Citizens Recreational and Sporting Group' within the policy. A requirement of this classification is that the group offers its services exclusively to persons aged over 55 years. During 2018, the City identified that the group's constitution had changed and no longer reflected the requirements for members to be of retirement age (or over 55 years of age). As such, the group has been reassessed as being an 'Other Not-for-Profit Group' and is only eligible to receive a 50% subsidy of hire fees.

The group has advised that despite the change to its constitution, all current members are over 55 years of age and has requested Council consider waiving the remaining 50% of hire fees to enable the group to continue to service the community.

As the group does not meet the eligibility criteria to be classified as a 'Senior Citizens Recreational and Sporting Group' within the policy, it is recommended that Council does not agree to the request for an additional subsidy of hire fees for the University of the Third Age (U3A) Inc – Joondalup Region for the use of Rob Baddock Community Hall in 2023.

At its meeting held on 15 February 2022 (CJ023-02/22 refers), Council agreed to waive the remaining 50% of hire fees for University of the Third Age (U3A) Inc – Joondalup Region in 2023 to the maximum value of \$8,120.

Total Booking Cost	Current		Requested		Recommended	
	Subsidy value	Group payment	Subsidy value	Group payment	Subsidy value	Group payment
\$10,840.80	\$5,420.40	\$5,420.40	\$10,840.80	\$0	\$5,420.40	\$5,420.40

#### Burns Beach Primary School

Facility hired	Classification within the policy	Current extent of subsidy	Average hours booked per week	Hours exceeding subsidy per week
Bramston Park	Educational institution groups	100%	35	27

The Burns Beach Primary School adjacent to Bramston Park, Burns Beach, opened in January 2022 and does not have an oval on the school grounds. As a result, the school requires use of Bramston Park for its activities during school hours.

The school has booked 1,351 hours for 2023, averaging 35 hours per week. This waiver request is an extension of the waiver approved by Council at its meeting held on 17 January 2022 (CJ068-05/22 refers).

The City's management order over Bramston Park prevents the City from entering into a lease or licence agreement, including a shared use agreement (SUA) with the Department of Education (DoE) for school use of the park. The City is in discussions with the Department of Planning, Land and Heritage (DoPLH) to change the management order to allow the City to licence the park, with the intent for the City to enter into a SUA with the DoE for use of the park by the Burns Beach Primary School. Once a SUA is in place, the park booking will conclude from the date the SUA comes into effect, however the timeline for this to be completed is currently unknown.

Under the City's Facility Hire Subsidy Policy, educational institutions are entitled to a 100% subsidy for park use up to eight hours per week per term, with any additional hours charged at the regular community hire rate. The Burns Beach Primary School currently book Bramston Park for an average of 35 hours per week. The total cost payable by the school for its 2023 booking after the subsidy has been applied is \$6,493.75. The school has requested that this cost be waived.

If the DoE were to have a shared use agreement with the City for use of Bramston Park by the Burns Beach Primary School, the DoE would be required to pay 25% of the total costs incurred by the City to maintain the park. The cost to the City in 2021-22 to maintain the park was \$12,306, which would make the school's contribution under a shared use agreement \$3,076.50. The difference between what the school is currently required to pay as part of its booking and what it would be expected to pay under a shared use agreement is \$3,417.25.

Following the partial approval of waiver of hire fees in 2022 it is recommended that Council agrees to partially waive part of the hire fees for Burns Beach Primary School to the value of \$3,417.25 and charge Burns Beach Primary School a minimum of \$3,076.50 for its 2023 bookings.

Total Booking Cost	Current		Requested		Recommended	
	Subsidy value	Group payment	Subsidy value	Group payment	Subsidy value	Group payment
\$15,005.05	\$8,511.30	\$6,493.75	\$15,005.05	\$0	\$11,928.55	\$3,076.50

#### Whitford Senior Citizens Club Inc.

Facility hired	Classification within the policy	Current extent of subsidy	Average hours booked per week	Hours exceeding subsidy per week
Whitford Senior Citizens Centre	Senior Citizens Recreational and Sporting Group	100% up to a maximum of 80 hours per week	99	19

The Whitford Senior Citizens Club currently hires rooms within the Whitford Senior Citizens Centre for its delivery of activities and events targeted at people over 55 years of age.

The club has booked 5,179.5 hours for 2023, averaging 99 hours per week to enable the group to undertake its activities and events for its membership. The club has been assessed as being eligible for a subsidy under the policy. As a 'Senior Citizen Recreational or Sporting Group' with over 100 members the policy allocates the club up to 80 hours of subsidised use per week. It is noted that the club also holds a licence over an office space, games room, two craft rooms and courtyard which affords the club use of these spaces during the calendar year.

At its meeting held on 15 February 2022 (CJ023-02/22 refers), Council agreed to extend the 100% subsidised use for the Whitford Senior Citizens Club's 2021 bookings to a maximum of 96 hours average per week and a total value of \$138,784.55.

The club has requested Council consider an additional subsidy of hire fees for the hours required to deliver its activities and events during 2023. As the club meets the eligibility criteria for an additional subsidy under the policy, it is recommended that Council agrees to extend the 100% subsidised use for the Whitford Senior Citizens Club for the use of the Whitford Senior Citizens Centre in 2023 to a maximum of 99 hours average per week and a value of \$16,248.11.

Total Booking Cost	Current		Requested		Recommended	
	Subsidy value	Group payment	Subsidy value	Group payment	Subsidy value	Group payment
\$138,672.47	\$122,423.67	\$16,248.80	\$138,672.47	\$0	\$138,672.47	\$0

## Issues and options considered

Council may agree or not agree to each of the requests for additional subsidies and waiver of fees on a case-by-case basis.

## Legislation / Strategic Community Plan / policy implications

**Legislation** *Local Government Act 1995.*

### 10-Year Strategic Community Plan

**Key theme** Leadership.

**Outcome** Accountable and financially sustainable - you are provided with a range of City services which are delivered in a financially responsible manner.

**Policy** *Facility Hire Subsidy Policy.*

## Risk management considerations

The following risks may arise pending the consideration of the additional requests for subsidised use of City facilities:

- The user groups may not have the financial capacity to meet the costs proposed by the City for the additional use above the group's allocated subsidy.
- The City compromises its strategic initiative in examining alternative revenue streams.
- Making exceptions for groups may set a precedent and cause complications when determining subsidies for other groups.

## Financial / budget implications

The cost to the City across all levels of subsidised use of City managed community facilities is approximately \$1.4 million each year.

In 2022, Council approved approximately \$80,000 of additional subsidies and waivers of fees for venue bookings. A summary of those 2021 additional subsidies and waivers of fees more than \$5,000 has been provided below:

<b>Group</b>	<b>Request type</b>	<b>Amount approved</b>
Grandparents Rearing Grandchildren	Additional Subsidy	\$33,170.48
Joondalup Symphony Orchestra	Additional Subsidy	\$5,658.90
University of the Third Age (UWA) Inc – Joondalup Region	Waiver of hire fees	\$8,120
Whitford Senior Citizens Club	Additional subsidy	\$14,784.55

If Council approves the requested additional subsidies and waivers of fees requested by these groups for 2023, the City will lose approximately \$67,559 in income from the annual venue bookings.

## Regional significance

Not applicable.

## **Sustainability implications**

The *Property Management Framework* aims to support the equitable, efficient and effective management of City-owned and managed properties. The framework recognises the value and community benefit of activities organised and provided for by community groups, by subsidising such groups where appropriate. The framework also aims to protect and enhance the City's property assets for the benefit of the community and for future generations.

## **Consultation**

Not applicable.

## **COMMENT**

The intent of the *Facility Hire Subsidy Policy* is to achieve more equitable and greater use of City facilities. It is important that the classification of groups within the policy for levels of subsidisation remains consistent. However, if a group requires further consideration relating to fees, Council has the option to waiver those fees.

The City's Venue Hire Fees and Charges Policy (VHFCP) will be effective from 1 January 2024, replacing the existing Facility Hire Subsidy Policy. Under the VHFCP, requests for waivers of hire fees will only be considered for hirers experiencing financial hardship and will be subject to terms and conditions as determined by the City. These requests will not be presented to Council for consideration.

## **VOTING REQUIREMENTS**

Simple Majority.

## **OFFICER'S RECOMMENDATION**

That Council:

- 1 DOES NOT AGREE to the request for an additional subsidy of hire fees for Northern Lights Music WA Inc. for the use of the Guy Daniels Clubroom in 2023;
- 2 AGREES to extend the 100% subsidised use for Grandparents Rearing Grandchildren WA Inc. for the use of the Grove Child Care facility in 2023 to a maximum of 33 hours average per week and a value of \$33,059.98;
- 3 DOES NOT AGREE to the request for an additional subsidy of hire fees for the University of the Third Age (U3A) Inc – Joondalup Region for the use of Rob Baddock Community Hall and Heathridge Community Centre in 2023;
- 4 AGREES to waive part of the hire fees for Burns Beach Primary School to the value of \$3,417.25 and charge Burns Beach Primary School a minimum of \$3,076.50 for its 2023 bookings of Bramston Park, Burns Beach;
- 5 AGREES to extend the 100% subsidised use for the Whitford Senior Citizens Club Inc. for the use of the Whitford Senior Citizens Centre in 2023 to a maximum of 99 hours average per week and a value of \$16,248.80.

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

- 1 DOES NOT AGREE to the request for an additional subsidy of hire fees for Northern Lights Music WA Inc. for the use of the Guy Daniels Clubroom in 2023;**
- 2 AGREES to extend the 100% subsidised use for Grandparents Rearing Grandchildren WA Inc. for the use of the Grove Child Care facility in 2023 to a maximum of 33 hours average per week and a value of \$33,059.98;**
- 3 AGREES to waive part of the hire fees for the University of the Third Age (U3A) Inc – Joondalup Region for the use of Rob Baddock Community Hall and Heathridge Community Centre in 2023 to a maximum value of \$5,420.20;**
- 4 AGREES to waive part of the hire fees for Burns Beach Primary School to the value of \$3,417.25 and charge Burns Beach Primary School a minimum of \$3,076.50 for its 2023 bookings of Bramston Park, Burns Beach;**
- 5 AGREES to extend the 100% subsidised use for the Whitford Senior Citizens Club Inc. for the use of the Whitford Senior Citizens Centre in 2023 to a maximum of 99 hours average per week and a value of \$16,248.80.**

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

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

**Disclosure of Interest affecting Impartiality**

<b>Name / Position</b>	<b>Cr Adrian Hill.</b>
<b>Item No. / Subject</b>	CJ021-02/23 - Request for Funding - Joondalup Brothers Rugby Union Football Club.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hill has met with a number of Joondalup Brothers Rugby Union Football Club (JBRUFC) Committee Members and also attended the JBRUFC Annual Ball and presented some awards in his capacity as a North Ward Councillor.

## CJ021-02/23      REQUEST FOR FUNDING – JOONDALUP BROTHERS RUGBY UNION FOOTBALL CLUB

<b>WARD</b>	North
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	103318, 101515, 101400
<b>ATTACHMENTS</b>	Attachment 1      Financial statements - Joondalup Brothers Rugby Union Football Club  <i>(Please Note: Attachment 1 is Confidential and will appear in the official Minute Book only).</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

**PURPOSE**

For the Council to consider providing a financial contribution to the Joondalup Brothers Rugby Union Football Club (JBRUFC).

**EXECUTIVE SUMMARY**

At its meeting held on 16 August 2022 (Notice of Motion No. 1 refers), Council resolved as follows:

*“That Council REQUESTS the Chief Executive Officer prepare a report on the options to provide ongoing financial support (through annual Sponsorship or through annual financial contributions) to Joondalup Brothers Union Football Club, noting that the City currently provides ongoing annual financial support to a significant number of other sporting clubs in the City of Joondalup.”*

The JBRUFC is a member of the Arena Community Sport and Recreation Association (ACSRA), now trading as Joondalup Sports Club (JSC) and is based at HBF Arena. HBF Arena is managed by VenuesWest on behalf of the State Government. Initial members of ACSRA other than JBRUFC were:

- Joondalup Netball Association
- Joondalup Little Athletics Association
- Joondalup Giants Rugby League Club.

The Joondalup Giants Rugby League Club are no longer based at HBF Arena and currently base themselves from Admiral Park, Heathridge.

In 2010, the City (\$710,000) in partnership with the State Government (\$550,000) constructed playing fields and clubrooms for ACSRA members. In addition to the initial capital contributions, the City made it conditional as part of its \$4 million contribution to the redevelopment of HBF Arena in 2018, to include a second rugby playing field which at the time was a barrier for JBRUFC to achieve Premier League status.

The clubrooms located at HBF Arena are leased by ACSRA from Venues West. ACSRA are responsible for all outgoings and receive all income. JBRUFC pay an annual fee per player to be a member of ACSRA which allows them to book the clubrooms when required. JBRUFC hire the playing fields direct with VenuesWest.

The City is not part of the lease, however it established a Deed of Agreement in 2009 for 20 years with the WA Sports Centre Trust (WASCT) that contains certain clauses relating to ACSRA occupying the clubrooms and playing fields and courts. Such clauses are as follows:

- The City will pay an amount of \$7,500 per annum (indexed to Perth CPI currently \$10,030 in 2022) towards a renewal fund for the clubrooms (this renewal fund was accessed a few years ago to undertake remedial works to the facility).
- The City will pay 50% of the total maintenance costs of the playing fields occupied by ASCRA (2022 the City's contribution was \$54,306 excluding GST).
- The City pay certain amounts in the event ASCRA defaults on its lease.

The report canvasses several options based on if the JBRUFC was to occupy a City managed facility (either leased or hired) and hire the grounds from the City under the current fee structure and the Facility Hire Subsidy Policy. Based on 2021, JBRUFC booked 869.5 hours of venue hire and 890.5 hours of ground hire (with part of these hours requiring flood lights). Based on both scenarios, JBRUFC are in a better financial position with their current arrangement at HBF Arena.

The report further canvasses the same options under the proposed fee structure and the proposed Venue Hire Fees and Charges Policy which will be applicable as from 1 January 2024. Under the leased venue / ground hire scenario JBRUFC remain better off under the current arrangement with VenuesWest, however under the hired venue / ground hire scenario they would be better off within a City managed venue.

The City offers the Community Funding Program and the Corporate Sponsorship Program as various funding opportunities to community groups. JBRUFC have been successful in two applications under the former community funding program; in 2014-15 (\$3,102 – safety equipment for training purposes) and in 2017-18 (\$10,000 – coaching development program).

In addition, the current Facility Hire Subsidy Policy allows members of ACSRA to claim 50% of their ground hire fees for junior use. JBRUFC last claimed their junior subsidy rebate in 2016. The primary reason for JBRUFC not recently applying is based primarily on the group not being able to satisfy the criteria that states 50% of their members must reside within the City of Joondalup.



It is to be noted that the City received a sponsorship application from the JBRUFC in April 2022, however the application did not meet corporate sponsorship criteria and was declined. Following this, the City met with representatives of the Club to educate them about the Corporate Sponsorship Program with the intention of the club submitting a revised application. No subsequent application has been received.

There are numerous community groups that occupy (including groups located at HBF Arena) third party managed facilities that receive no financial assistance from the City. These groups face similar cost pressures to JBRUFC while accessing the HBF Arena and other non-managed City facilities. Except for the Joondalup Wolves who receive sponsorship and the junior subsidy applied to ACSRA members (under the current FHSP but not under the proposed VHFPCP), no other venue hirers of the HBF Arena or externally managed venues receive any form of financial assistance from the City.

*It is therefore recommended that the Council*

- 1 *DOES NOT AGREE to provide a financial contribution to the Joondalup Brothers Rugby Union Football Club;*
- 2 *AGREES to provide the Joondalup Brothers Rugby Union Football Club with information regarding the Corporate Sponsorship Program for them to identify potential opportunities that meet the City's sponsorship criteria;*
- 3 *REQUESTS the Chief Executive Officer to negotiate with VenuesWest a reduction of venue hire fees applied to members of the Arena Community Sporting and Recreation Association due to the City's annual contribution to maintenance costs for the western playing fields and netball courts at HBF Arena.*

## **BACKGROUND**

At its meeting held on 16 August 2022 (Notice of Motion No. 1 refers), Council resolved as follows:

*That Council REQUESTS the Chief Executive Officer prepare a report on the options to provide ongoing financial support (through annual Sponsorship or through annual financial contributions) to Joondalup Brothers Union Football Club, noting that the City currently provides ongoing annual financial support to a significant number of other sporting clubs in the City of Joondalup.*

The resolution was a result of a Notice of Motion from Councillor Hill who included the following reasons for support:

*"The Joondalup Brothers Rugby Union Football Club:*

- 1 *is a Premier Grade Club based in the City of Joondalup;*
- 2 *delivers significant, large scale, positive community outcomes through creation of an inclusive and positive social and sporting environment underpinned by respect and integrity;*
- 3 *does not have access to City-operated sporting facilities and has to pay commercial rates to VenuesWest for use of HBF Arena facilities for training and matches;*
- 4 *does not currently benefit from any ongoing financial support from the City;*
- 5 *faces ongoing financial sustainability issues due to points (3) and (4) above."*

Joondalup Brothers Rugby Union Football Club (JBRUFC) was formed in 1998 and was initially based at the HBF Arena, before spending a short period at Iluka Open Space until 2011-12 when it relocated back to the HBF Arena.

In 2004, the Arena Community Sport and Recreation Association (ACSRA), now trading as Joondalup Sports Club (JSC) was formed which included JBRUFC, Joondalup Giants Rugby League Club, Joondalup Netball Association and Joondalup Little Athletics Association. The Joondalup Giants Rugby League Club left ACSRA and are now based at Admiral Park, Heathridge.

ACSRA occupy the netball courts and the active playing areas on the western side of HBF Arena. The City contributed \$284,000 towards the construction of the western playing fields and netball courts. The clubrooms were constructed and opened in 2011, which were funded through contributions from the State Government (\$550,000 - CSRFF), the City of Joondalup (\$710,000) and the member clubs (\$426,000), with a total project cost of \$1,685,000. The clubrooms were extended in late 2018 at an estimated cost of \$750,000, funded by the State Government. The extension included the following:

- Additional change rooms.
- Storage.
- Netball Office.
- Medical room.
- Limestone tiered seating and additional paving.

In addition to the initial capital contributions, the City contributed \$4 million towards the redevelopment of the HBF Arena in 2018 with this contribution going toward the construction of a second rugby playing field, additional netball courts, a netball administration building, basketball stadium for the Wanneroo Basketball Association, and clubroom facilities for the West Perth Football Club.

The clubrooms located on the western side of HBF Arena are leased to ACSRA by the WA Sports Centre Trust (WASCT) which VenuesWest manages on its behalf; and the playing fields are hired on an individual basis by the respective members of ACSRA including JBRUFC.

The City is not part of the lease, however it established a Deed of Agreement in 2009 for 20 years with the WASCT that contains certain clauses relating to ACSRA occupying the clubrooms and playing fields and courts. Such clauses are as follows:

- The City will pay an amount of \$7,500 per annum (indexed to Perth CPI currently \$10,030 in 2022) towards a renewal fund for the clubrooms (this renewal fund was accessed a few years ago to undertake remedial works to the facility).
- The City will pay 50% of the total maintenance costs of the playing fields occupied by ASCRA (2022 the City's contribution was \$54,306 excluding GST).
- The City pay certain amounts in the event ASCRA defaults on its lease.

## **DETAILS**

JBRUFC has approximately 490 members, split between 182 senior (over 18 years of age) and 308 juniors (between the ages of six years and 18 years). The club also has 42 non-playing / social members along with several coaches, managers, match officials and off field volunteers. This data is based on the 2021 season.

JBRUFC fields teams in the following grades / competitions:

- Premier male.
- Second grade male.
- Colts male.
- Third grade male.
- Ancient (veterans / masters).
- Juniors from under 6 to under 18 male.

A female junior team was initially established but did not progress however remains a focus for the club.

### Issues and options considered

ACSRA is a not-for-profit organisation and manages the leased clubrooms from WASCT at what is currently an annual figure of \$7,558 per annum. ACSRA pays all outgoings and receives all income from the operations of the clubrooms; and in addition, each member club pays ACSRA an annual fee of \$10 per member (exclusive of GST). JBRUFC had 490 registered members in 2021 and therefore paid \$4,900 to ACSRA. This grants them access to the clubrooms.

JBRUFC hires the playing fields directly with VenuesWest at the following rates and are charged \$37 per hour per pitch (they are afforded a \$9.00 discount on the gazetted community rate; they are not charged the commercial rate). Since 2018, JBRUFC have paid the following amounts for hire of active reserves:

- 2018: \$21,724.
- 2019: \$20,985.
- 2020: \$32,017.
- 2021: \$29,201.

Therefore, in 2021 for access to club rooms and hire of playing fields, JBRUFC paid approximately \$34,101 with the club operating from January to November, which includes a period of pre-season prior to the season proper.

The following table depicts various scenarios for the JBRUFC if they were to occupy a City managed facility versus their current arrangement at HBF Arena for 2021 (rates are excluding GST):

	<b>Status Quo - HBF Arena/ACSRA</b>	<b>Scenario 1 - Leased City Facility - Hire Ground - current policy</b>	<b>Scenario 2 - Leased City Facility - Hire Ground - proposed policy (Jan 2024)</b>	<b>Scenario 3 - Hire facility - hire ground (current policy)</b>	<b>Scenario 4 - Hire facility - hire ground (proposed policy Jan 2024)</b>
Lease fee	\$0	\$2,958	\$2,958	\$0	\$0
Venue operating costs - estimates	\$0	\$26,060	\$26,060	\$0	\$0
Facility hire	\$4,900	\$0	\$0	\$31,328 (890.5 hrs @ \$35.18 per hr)	\$6,812 (890.5 hrs @ \$7.65 per hr)

	<b>Status Quo - HBF Arena/ACSRA</b>	<b>Scenario 1 - Leased City Facility - Hire Ground - current policy</b>	<b>Scenario 2 - Leased City Facility - Hire Ground - proposed policy (Jan 2024)</b>	<b>Scenario 3 - Hire facility - hire ground (current policy)</b>	<b>Scenario 4 - Hire facility - hire ground (proposed policy Jan 2024)</b>
Ground hire fee	\$29,201 (includes pre season and floodlight costs)	\$10,054 (5 senior teams; 23 junior teams; 103 pre season hrs)	\$5,243 (869.5 hrs @ \$6.03 per hr)	\$10,054 (5 senior teams; 23 junior teams; 103 pre season hrs)	\$5,243 (869.5 hrs @ \$6.03 per hr)
Floodlight hire	\$0	\$0	\$1,532 (652 hrs @ \$2.35 per hr)	\$0	\$1,532 (652 hrs @ \$2.35 per hr)
<b>Total costs</b>	<b>\$34,101</b>	<b>\$39,072</b>	<b>\$35,793</b>	<b>\$41,292</b>	<b>\$13,587</b>

Please note the following assumptions have been made in the above table:

- For the leased scenarios the costs have been based on a similar sized clubroom and club membership to the Sorrento Football Club based at Percy Doyle Reserve. The venue operating costs estimates include cleaning, maintenance, staff costs, contents insurance, gas and electricity, liquor licence, and communications. JBRUFC would be responsible for these costs if they leased a City facility whereas under current arrangements ACSRA covers these costs. Noting each club operates differently and managing operational costs may vary.
- Calculation on ground hire fees for Scenarios 1 and 3 are based on the provision of the current FHSP and that JBRUFC do not meet the 50% resident requirements and therefore not eligible for any subsidy.
- The ground hire fees:
  - Scenarios 1 and 3 are based on the City's current fee structure at a per team base for in-season bookings and an hourly rate for pre-season bookings. For 2021 JBRUFC fielded five senior teams and 23 junior teams. Senior teams are calculated at \$5.70 per team and juniors at \$2.85 per team, with preseason rates set at \$6.30 per hour
  - are based on 869.5 hours as per VenuesWest hire arrangements – with 75% (652 hours) requiring use of floodlights at 50 lux at \$2.59 per hour (as proposed under the VHCFP) as an estimate
  - The 103 hours for preseason as provided by Venues West (ground hire hours before first Saturday full booking in April 2021).
- Facility bookable hours based on 890.5 in 2021 as provided by ACSRA.

Based on the above:

- Scenario 1 reveals that JBRUFC would be better off by \$4,071 if they were to remain at the HBF Arena rather than occupying a City of Joondalup leased facility, ground hire arrangement under the current Facility Hire Subsidy Policy (FHSP)
- Scenario 2 reveals that JBRUFC would be better off by \$1,692 if they were to remain at the HBF Arena rather than occupying a City of Joondalup leased facility, ground hire arrangement under the proposed Venue Hire Fees and Charges Policy (VHFCP)
- Scenario 3 reveals that JBRUFC would be better off by \$7,191 if they were to remain at the HBF Arena rather than occupying City of Joondalup ground hire and facility hire arrangement under the current FHSP

- Scenario 4 reveals that JBRUFC are worse off by \$20,514 if they were to remain at the HBF Arena rather than occupying a City of Joondalup ground hire and facility under the proposed VHFCP.

There are numerous other community and sporting groups that occupy non-City of Joondalup, third party facilities and do not enjoy the level of subsidisation of those groups that do occupy City facilities, nor seek any financial contributions from the City to assist with operating costs.

The following details a small cross section of the numerous sporting / community groups that do not occupy City facilities and an estimation of what they pay in venue hire per annum.

<b>Group</b>	<b>Estimated Annual Venue Hire Expense</b>
Basketball Association (22 venues)	\$600,000
Swim Club	\$150,000
Hockey Club (HBF Arena only)	\$ 22,500
Local Orchestra	\$15,000 - \$20,000
Local Arts Society	\$3,000 - \$6,000

It should also be noted that the City's current facility hire subsidy policy does not apply at the Craigie Leisure Centre (CLC), therefore any community group who may be eligible for a subsidy accessing other City facilities does not receive it if hiring part of CLC. This is based on the Council's adopted Strategic Position Statement:

*"Leisure Centre operations overall should aim to be self-sufficient and meet all operating costs."*

### **Community Funding**

The Council has recently revised its community funding guidelines with the intent of making funds more accessible to a wider section of community and sporting clubs. The Community Funding Program provides financial support to incorporated community groups to conduct projects, programs, events or activities that benefit the City of Joondalup community.

The program provides two levels of funding, with large grants (greater than \$10,000) offered annually and small grants (\$10,000 and lower) offered bi-annually.

Funding applications to assist with operating costs are not permissible, however where clubs have initiatives that they are planning to undertake and expend operational funds, these could be considered as part of the program.

JBRUFC have been successful in two applications under the former community funding program, in 2014-15 (\$3,102 – safety equipment for training purposes) and in 2017-18 (\$10,000 – coaching development program).

### **Sponsorship**

The City of Joondalup has a strategic vision to become a bold, creative and prosperous City on the global stage. In achieving this vision, the City recognises the importance of attracting and supporting events and programs that deliver economic benefit to the region and contribute to a vibrant and dynamic community atmosphere.

Through the Corporate Sponsorship Program, the City is able to provide support to external organisations and community groups that are assisting the City to achieve its strategic vision by delivering events, programs and activities within the region.

This program aims to achieve the following objectives:

- Attracting, hosting or supporting a wide range of events, programs and activities that enhance the liveability of the City for the community and promote Joondalup as a destination for visitors to the region.
- Providing positive exposure for the City's brand and image locally and regionally.
- Providing support to local organisations / community groups / sporting clubs.
- Stimulating economic development and providing benefits to local businesses.
- Increasing visitors to the region.
- Creating long-term value to the City and its residents by building sustainable partnerships or relationships.

All sponsorship agreements entered by the City are to provide an adequate return on investment by overseeing and managing the sponsorship program, process and outcomes.

The City has partnership agreements with the following community / sporting groups:

<b>Group</b>	<b>Financial Support</b>	<b>Amount – 2022-2023 FY</b>	<b>Benefits</b>
Joondalup Wolves – NBL1 Team sponsorship	Sponsorship	\$20,000	<ul style="list-style-type: none"> <li>• Attracts and supports a wide range of events, programs and activities that enhance the liveability of the City for the community and promote Joondalup as a destination for visitors to the region.</li> <li>• Provides positive exposure for the City's brand and image locally and regionally.</li> <li>• Increases visitors to the region.</li> <li>• Providing support to local organisations / community groups / sporting clubs.</li> <li>• Stimulating economic development and providing benefits to local businesses.</li> </ul>
Sorrento Tennis Club - Junior and Open Hardcourt Tournament	Sponsorship	\$2,500	<ul style="list-style-type: none"> <li>• Attracts and supports a wide range of events, programs and activities that enhance the liveability of the City for the community and promote Joondalup as a destination for visitors to the region.</li> <li>• Provides positive exposure for the City's brand and image locally and regionally.</li> <li>• Providing support to local organisations / community groups / sporting clubs.</li> </ul>
Joondalup Athletics Centre	Sponsorship	\$300	<ul style="list-style-type: none"> <li>• Provides positive exposure for the City's brand and image locally and regionally.</li> <li>• Providing support to local organisations / community groups / sporting clubs.</li> </ul>

<b>Group</b>	<b>Financial Support</b>	<b>Amount – 2022-2023 FY</b>	<b>Benefits</b>
Kingsley Football Club - Bali Bombings 20 <sup>th</sup> Anniversary	Sponsorship	\$3,000	<ul style="list-style-type: none"> <li>• Provides positive exposure for the City's brand and image locally and regionally.</li> <li>• Providing support to local organisations/community groups/sporting clubs.</li> </ul>
Churches of Christ Sport and Recreation Association – Under 16 National Basketball Championships	Sponsorship	\$5,000	<ul style="list-style-type: none"> <li>• Attracts and supports a wide range of events, programs and activities that enhance the liveability of the City for the community and promote Joondalup as a destination for visitors to the region.</li> <li>• Provides positive exposure for the City's brand and image locally and regionally.</li> <li>• Increases visitors to the region.</li> <li>• Providing support to local organisations / community groups / sporting clubs.</li> <li>• Stimulating economic development and providing benefits to local businesses.</li> </ul>
Team XTR Tri Club Inc. – Triathlon Series (4 events)	Sponsorship	\$15,000	<ul style="list-style-type: none"> <li>• Attracts and supports a wide range of events, programs and activities that enhance the liveability of the City for the community and promote Joondalup as a destination for visitors to the region.</li> <li>• Provides positive exposure for the City's brand and image locally and regionally.</li> <li>• Increases visitors to the region.</li> <li>• Providing support to local organisations / community groups / sporting clubs.</li> <li>• Stimulating economic development and providing benefits to local businesses.</li> </ul>

It is to be noted that the City has previously received a sponsorship application from the Joondalup Brothers Rugby Union Football Club in April 2022, however the application did not meet corporate sponsorship criteria and was declined. Following this, the City met with representatives of the Club to educate them about the corporate sponsorship program with the intention of the club submitting a revised application. No subsequent application has been received.

### **Contributions**

The City makes contributions to groups to assist them from an operational perspective for services or maintenance that the City would likely be required to undertake. The contribution is made in lieu of the City undertaking the works or services.

The City has ongoing arrangements with the following community / sporting groups by way of providing a contribution to assist them to operate:

<b>Group</b>	<b>Financial Support</b>	<b>Amount – 2021-22</b>	<b>Reason</b>
Sorrento and Mullaloo Surf Clubs; Ocean Reef Sea Rescue	Contribution	\$60,000 including GST	<p>The City holds three-year agreements with these three groups – the intent of this contribution is because these groups provide life preserving services on a volunteer basis that may be required to be performed by the City if these groups did not exist.</p> <p>Between both surf clubs a total of approximately 18,000 volunteer surf patrol hours were undertaken between October 2021 and March 2022.</p>
Joondalup, Sorrento and Warwick Bowling Clubs	Contribution - \$5,441 per grass green \$2,720 per synthetic green.	Joondalup - \$22,671; Sorrento - \$34,007; Warwick - \$19,837	<p>These groups provide activities on City managed land with the quality of the playing surfaces over and above what could be provided by the City. The Council agreed to offer a contribution to assist with the ongoing maintenance of these bowling greens.</p> <p>If the club did not maintain these, there would be expectation that the City would be required to.</p>
Whitford District; Joondalup District; and Ocean Ridge Cricket Clubs	Contribution - \$6,495.60 per turf wicket	Whitford - \$27,064; Joondalup - \$64,955; Ocean Ridge - \$21,651	<p>These clubs play cricket on City managed parks with the level of cricket undertaken being played on turf / grass wickets rather than the community style synthetic wicket.</p> <p>In the past, the City had maintained these wickets however with costs increasing and the needs of the clubs not being able to be met by the City (wicket preparation on weekends), the City agreed to contribute to these clubs and not be involved with the maintenance of turf wickets.</p> <p>If the clubs did not maintain the turf wickets, there would be an expectation that the City would.</p>



## Legislation / Strategic Community Plan / Policy implications

**Legislation** Not applicable.

### 10-Year Strategic Community Plan

**Key theme** Community.

**Outcome** Active and Social – you enjoy quality local activities and programs for sport, learning and recreation.

**Policy** *Facility Hire Subsidy Policy* (current). The current FHSP allows for a 50% subsidy to be paid to ACSRA members for junior rates levied from VenuesWest for their use of the HBF Arena.

One of the criteria to be eligible for the subsidy is that 50% of members reside within the City of Joondalup. The JBRUFC have not claimed this subsidy since 2016 as they fail to meet the 50% criteria.

The Council has agreed to implement a Venue Hire Fees and Charges Policy as from 1 January 2024 which removes all the current subsidies and applies a cost contribution model for community groups accessing City facilities.

### Risk management considerations

There are two risks if the Council agrees or does not agree to provide financial assistance to JBRUFC in that:

- 1 If there is not support for financial assistance, the JBRUFC may fall into financial challenges and potentially realign to a more community-based model, or may cease to exist  
or
- 2 If there is financial support provided to JBRUFC, this could set a precedent for all other sporting / community groups who occupy non-City of Joondalup managed facilities to seek similar contributions from the Council which could lead to a liability for the City of millions of dollars.

### Financial / budget implications

There are no funds within the 2022-23 budget for any form of contribution to sporting / community groups.

The profit and loss statement provided by JBRUFC for period ending August 2021 showed a closing bank balance of \$37,420. Copy of financial statements from JBRUFC are attached.

Major income sources are:

Item	Sept 2021 to August 2022	Sept 2020 to August 2021	Sept 2019 to August 2020	Sept 2018 to August 2019
Players Rego and Merchandise sales	115,710	\$101,151	\$62,761	\$95,529
Sponsorship and Donations	\$35,944	\$65,591	\$21,600	\$20,368
100 club	\$17,770	\$21,320	\$20,059	\$30,754

Major expenditure items are:

Item	Sept 2021 to August 2022	Sept 2020 to August 2021	Sept 2019 to August 2020	Sept 2018 to August 2019
Player Payments	\$16,008	\$4,070	\$0	\$10,614
Purchase of jerseys / socks / shorts	\$66,736	\$82,197	\$25,833	\$37,352
Ground Hire	\$27,838	\$29,201	\$32,017	\$20,985
First aid and Physio	\$19,375	\$19,439	\$10,140	\$9,670
Rugby WA expenses	\$121	\$11,881	\$5,387	\$16,518
Coaching Services	\$40,000	\$15,000	\$19,000	\$12,000

### Regional significance

The JBRUFC is one of two rugby clubs located within the northern corridor, the other being Wanneroo Rugby Union Club, based at Kingsway Open Space. Given the distances between the clubs, the JBRUFC attracts players beyond the City of Joondalup district.

### Sustainability implications

The playing of sport has several social benefits, including building community.

### Consultation

Not applicable.

### COMMENT

The JBRUFC are better off under their current arrangements at Joondalup Arena under three of the four scenarios; with them being better off under the proposed new VHFPC due to become operational as from 1 January 2024. However, they are not the only sporting or community group that has to access non-City of Joondalup venues at higher venue charges for them to perform their programs and activities.

There are other members of ACSRA and other user groups of HBF Arena who face similar cost pressures as JBRUFC while accessing the HBF Arena. Except for the Joondalup Wolves who receive sponsorship and the junior subsidy applied to ACSRA members (under current FHSP but no longer under the proposed VHFPC), no other venue hirers of the HBF Arena or externally managed venues receive any form of financial assistance from the City.

The City has a total of 63 active reserves of which only some have associated facilities that support the activities on the reserve and these are all occupied by existing users. For the City to be able to house JBRUFC on one of its reserves it would more than likely require an existing user to be relocated and an adjoining facility would need to be constructed which would be at an estimated construction cost of \$5 million (based on the recent development of the facility at Chichester Park, Woodvale)

To try and alleviate some of the cost pressures, it is suggested that the City engages with VenuesWest to negotiate that part or all of the City's contributions made towards the maintenance of the western playing fields goes towards subsidising the hourly rate for members of ACSRA. While it is acknowledged that if the rates are further subsidised by VenuesWest, they may never reach the same levels as what the City applies; but it will go some way to bridging the gap.

## VOTING REQUIREMENTS

Simple Majority.

## OFFICER'S RECOMMENDATION

That Council:

- 1 DOES NOT AGREE to provide a financial contribution to the Joondalup Brothers Rugby Union Football Club;
- 2 AGREES to provide the Joondalup Brothers Rugby Union Football Club with information regarding the Corporate Sponsorship Program for them to identify potential opportunities that meet the City's sponsorship criteria;
- 3 REQUESTS the Chief Executive Officer to negotiate with VenuesWest a reduction of venue hire fees applied to members of the Arena Community Sporting and Recreation Association due to the City's annual contribution to maintenance costs for the western playing fields and netball courts at HBF Arena.

## MOVED Cr Hill, SECONDED Cr McLean that Council by an ABSOLUTE MAJORITY:

- 1 **AUTHORISES the Chief Executive Officer to make a one-off contribution of \$20,000 (excluding GST) to the Joondalup Brothers Rugby Union Club Inc. for the 2023 playing season subject to the Joondalup Brothers Rugby Union Club Inc. providing documentary evidence on what the City's contribution was spent on, by 31 December 2023;**
- 2 **AGREES to amend the 2022-23 Budget by increasing account 443.A4405.3291.0000 by \$20,000 to reflect the payment in Part 1 above;**
- 3 **REQUESTS the Chief Executive Officer to:**
  - 3.1 **negotiate with VenuesWest a reduction of venue hire fees applied to members of the Arena Community Sporting and Recreation Association due to the City's annual contribution to maintenance costs for the western playing fields and netball courts at HBF Arena;**
  - 3.2 **convene a meeting with all parties to discuss options for a long-term solution to improving the financial sustainability of Joondalup Brothers Rugby Union Football Club.**

*The Director Planning and Community Development left the Chamber at 7.45pm and returned at 7.47pm.*

*The Manager Planning Services left the Chamber at 7.47pm and returned at 7.49pm.*

*Cr May left the Chamber at 7.51pm.*

*The Manager Planning Services left the Chamber at 7.51pm.*

**C010-02/23                      EXTENSION OF TIME TO SPEAK**

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

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*The Manager Planning Services entered the Chamber at 7.52pm.*

*Partner, McLeods Lawyers entered the Chamber at 7.52pm.*

*The Manager Governance left the Chamber at 7.54pm.*

*Partner, McLeods Lawyers left the Chamber at 7.55pm.*

*Cr May entered the Chamber at 7.55pm.*

*The Manager Governance entered the Chamber at 7.56pm.*

*Partner, McLeods Lawyers entered the Chamber at 7.57pm.*

*The Governance Officer left the Chamber at 8.04pm and returned at 8.06pm.*

*It was requested that Part 3 be voted on separately.*

**MOVED Cr Hill, SECONDED Cr McLean that Council by an ABSOLUTE MAJORITY:**

- 1        AUTHORIZES the Chief Executive Officer to make a one-off contribution of \$20,000 (excluding GST) to the Joondalup Brothers Rugby Union Club Inc. for the 2023 playing season subject to the Joondalup Brothers Rugby Union Club Inc. providing documentary evidence on what the City's contribution was spent on, by 31 December 2023;**
- 2        AGREES to amend the 2022-23 Budget by increasing account 443.A4405.3291.0000 by \$20,000 to reflect the payment in Part 1 above;**

**The Motion was Put and**

**CARRIED (10/2)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Logan, May, McLean, Raftis and Thompson.

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

**MOVED Cr Hill, SECONDED Cr McLean that Council by an ABSOLUTE MAJORITY:**

- 3        REQUESTS the Chief Executive Officer to:**
  - 3.1        negotiate with VenuesWest a reduction of venue hire fees applied to members of the Arena Community Sporting and Recreation Association due to the City's annual contribution to maintenance costs for the western playing fields and netball courts at HBF Arena;**
  - 3.2        convene a meeting with all parties to discuss options for a long-term solution to improving the financial sustainability of Joondalup Brothers Rugby Union Football Club.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

**Reason required for departure from Officer's recommendation.**

In accordance with Regulation 11 (da) of the *Local Government (Administration) Regulations 1996*, the reason Council made its decision which was significantly different to what the administration recommended is to provide modest interim financial support to Joondalup Brothers Rugby Union Football Club and to facilitate discussions with key stakeholders regarding the financial terms that are currently applied to the Arena Community Sport and Recreation Association (ACSRA) clubs.

## **CJ022-02/23 INVITATION TO JOIN THE PANEL OF PRE-QUALIFIED SUPPLIERS 041/22 SUPPLY, DELIVERY AND INSTALLATION OF TURF**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	110435, 101515
<b>ATTACHMENTS</b>	Attachment 1 Schedule of Items Attachment 2 Summary of Submissions Attachment 3 Confidential Summary  <i>(Please Note: Attachment 3 is Confidential and will appear in the official Minute Book only).</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### **PURPOSE**

For Council to accept the offers submitted by the Trustee for Hackshaw Family Trust and the Trustee for HJS Trust trading as Allwest Turfing, Saratoga Holdings Pty Ltd as Trustee for the JPD Trust trading as West Coast Turf, and Profounder Turfmaster Pty Ltd (Turfmaster Facility Management) to join the panel of pre-qualified suppliers for the supply, delivery and installation of turf.

### **EXECUTIVE SUMMARY**

Invitations were advertised on 26 October 2022 through state-wide public notice and published by Tenderlink for the supply, delivery and installation of turf. Invitations closed on 10 November 2022. A submission was received from each of the following:

- The Trustee for Hackshaw Family Trust and the Trustee for HJS Trust trading as Allwest Turfing.
- Saratoga Holdings Pty Ltd as Trustee for the JPD Trust trading as West Coast Turf.
- Profounder Turfmaster Pty Ltd (Turfmaster Facility Management).

The submissions from the Trustee for Hackshaw Family Trust and the Trustee for HJS Trust trading as Allwest Turfing, Saratoga Holdings Pty Ltd as Trustee for the JPD Trust trading as West Coast Turf, and Profounder Turfmaster Pty Ltd (Turfmaster Facility Management) represent best value to the City. All companies demonstrated experience in supplying, delivering and installing turf to local government agencies, have the capacity in terms of personnel and equipment to carry out the works, and provided a methodology which showed understanding of the required tasks.

*It is therefore recommended that Council ACCEPTS the offers submitted by:*

- 1 *The Trustee for Hackshaw Family Trust and the Trustee for HJS Trust trading as Allwest Turfing;*
- 2 *Saratoga Holdings Pty Ltd as Trustee for the JPD Trust trading as West Coast Turf;*
- 3 *Profounder Turfmaster Pty Ltd (Turfmaster Facility Management);*

*to join the panel of pre-qualified suppliers for the supply, delivery and installation of turf as specified in Invitation 041/22, for a period of three years, at the submitted schedule of rates, with prices fixed for the first 12 months.*

## **BACKGROUND**

The City has a requirement for the supply, delivery and installation of turf.

The scope of works is for the supply, delivery and installation of turf inclusive of preparation and soil amendments to streetscapes and parks locations within the City. Site condition can vary from denuded sandy area to lush, healthy turf areas requiring removal and returfing. The works shall include all labour, materials, tools, equipment, delivery costs, and any other items that may be needed in order to meet the specified requirements.

A panel of Pre-qualified Suppliers (Panel) is therefore required to provide goods on an 'as and when' required basis. The City does not make any representation that it will procure or seek to procure the goods and / or services, or any particular volume of goods and / or services from the contractor(s).

A minimum of two panel members will be invited to join the Panel.

The City has an existing Panel contract in place with The Trustee for Hackshaw Family Trust and the Trustee for HJS Trust trading as Allwest Turfing and Profounder Turfmaster Pty Ltd (Turfmaster Facility Management) which will expire on 23 February 2023.

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

## **DETAILS**

The Invitation for the supply, delivery and installation of turf was advertised through state-wide public notice and published by Tenderlink on 26 October 2022. The invitation period was for two weeks, and invitations closed on 10 November 2022.

### **Submissions**

A submission was received from each of the following:

- The Trustee for Hackshaw Family Trust and the Trustee for HJS Trust trading as Allwest Turfing.
- Saratoga Holdings Pty Ltd as Trustee for the JPD Trust trading as West Coast Turf.
- Profounder Turfmaster Pty Ltd (Turfmaster Facility Management).

The schedule of items listed in the invitation is provided in Attachment 1 to Report CJ022-02/23.

A summary of the submissions including the location of each supplier is provided in Attachment 2 to Report CJ022-02/23.

A confidential summary is provided in Attachment 3 to Report CJ022-02/23.

### **Evaluation Panel**

The evaluation panel comprised three members:

- one with contract preparation skills
- two 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.

### **Evaluation Method and Weighting**

The qualitative weighting method of invitation evaluation was selected to evaluate the offers for this requirement. Prior to assessment of individual submissions, a determination was made, based on the selection criteria, of what would be an acceptable qualitative score that would indicate the ability of the supplier to satisfactorily deliver the services.

The standard minimum acceptable qualitative score for invitations at the City is 50%, but the specific circumstances of invitation 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. The predetermined minimum acceptable pass score was set at 50%.

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

<b>Qualitative Criteria</b>		<b>Weighting</b>
1	Capacity	35%
2	Demonstrated experience in providing similar services	30%
3	Demonstrated understanding of the required tasks	30%
4	Social and economic effects on the local community	5%

### **Compliance Assessment**

Two responses received were assessed as partially compliant and remained for further consideration on the basis that clarification could be sought should they qualify for stage two assessment as follows:

- The Trustee for Hackshaw Family Trust and the Trustee for HJS Trust trading as Allwest Turfing has no quality assurance or quality management system in place. It does, however, have a Health, Safety and Environment management system and an Inspection and Test Plan for the installation of turf which addressed many elements of the operations.
- Saratoga Holdings Pty Ltd as Trustee for the JPD Trust trading as West Coast Turf has no quality assurance or quality management system in place. It does, however, have procedures in place to manage the turf installation and is accredited to ISO 45001:2018 Occupational Health and Safety management systems.

The Submission from Profounder Turfmaster Pty Ltd was deemed fully compliant.

Based upon the above findings, all three offers from the Trustee for Hackshaw Family Trust and the Trustee for HJS Trust trading as Allwest Turfing, Saratoga Holdings Pty Ltd as Trustee for the JPD Trust trading as West Coast Turf, and Profounder Turfmaster Pty Ltd (Turfmaster Facility Management) remained for further consideration.



## **Qualitative Assessment**

West Coast Turf scored 64.4% and was ranked third in the qualitative assessment. It is a family owned and run business operating turf farms, with the ability to deliver and install turf across the Perth metropolitan area. Summary information was provided for its employees including years of experience, their proposed role and relevant qualifications. It has employed an apprentice and two trainees to supplement staffing arrangements and will sub-contract if required. It has an extensive list of plant and machinery which is suitable for the City's proposed contract. After hours emergency contact details were omitted. It demonstrated very good experience providing similar services with contracts held with the Cities of Wanneroo, Belmont and Perth for equivalent scopes of works. It demonstrated a thorough understanding of the required tasks with process steps for boxing out and installation articulated. The expected timelines for completion of the works were clearly defined.

Turfmaster Facility Management scored 65.4% and was ranked second in the qualitative assessment. It has 28 years' experience and provided brief information for five staff nominated for turf installation which included their years of service, qualifications and responsibility. It has allocated adequate plant and equipment to the City's scope of works and has a fully equipped workshop which will minimise any downtime due to breakdowns. After hours emergency contact details were omitted. The company demonstrated substantial experience in providing similar services supplying, delivering and installing turf comparable to the City's requirements for local governments Cities of Albany, Mandurah, Gosnells, Wanneroo, Vincent, Perth, and Town of Port Hedland. It demonstrated a very good understanding of the required tasks providing an explanation of the process that it will follow, the quality of product that will be installed, and results of nematode testing that had been undertaken.

Allwest Turfing scored 74.9% and was ranked first in the qualitative assessment. It has been operating for 30 years and employs a team of experienced and suitably qualified supervisory staff and installers to service the City's proposed contract. Its fleet of machinery and specialised equipment was sufficient to undertake the scope of works at multiple sites and it has the ability to draw upon additional operational staff if required. After hours emergency contact details were sighted. It demonstrated extensive experience in providing similar services as it has been supplying and installing turf equivalent to the City's needs for the Cities of Stirling and Subiaco. It is the incumbent supplier to the City under the existing panel arrangement. It demonstrated a sound understanding of the required tasks, explaining how it will schedule the works, and the timeframes associated with this, and how it will use its Inspection Test Plan to ensure project requirements are met.

Given the minimum acceptable qualitative score of 50%, Allwest Turfing, West Coast Turf and Turfmaster Facility Management qualified to progress to the stage two assessment.

## **Price Assessment**

The panel carried out a comparison of the rates offered from Allwest Turfing, West Coast Turf and Turfmaster Facility Management in order to assess value for money to the City.

The estimated expenditure over a 12-month period will vary based upon demand and is subject to change in accordance with operational requirements. For the purposes of comparison of the financial value of the offers, the indicative rates submitted by each supplier have been applied to actual historical usage data of 22 scheduled items.

This provides a value of each offer for comparative evaluation purposes based on the assumption that this pattern of usage is maintained. There is no guarantee that this will transpire, with any future mix of requirements being based upon demand and subject to change in accordance with the operational needs of the City.

The rates are fixed for the first 12 months of the Panel. This is subject to change in years two and three when panel members will be requested to submit their revised rates. For estimation purposes, a 4.5% CPI increase was applied to the rates in years two and three.

### Separable Portion 1 (excluding Jumbo Rolls)

Respondent	Estimated Comparative Price (Excluding GST)			
	Year 1	Year 2	Year 3	Total Years 1-3
Allwest Turfing	\$265,969	\$277,938	\$290,445	\$834,352
Turfmaster Facility Management	\$471,329	\$492,539	\$514,703	\$1,478,571
West Coast Turf	\$270,543	\$282,717	\$295,440	\$848,700

### Separable Portion 2 (including Jumbo Rolls)

Respondent	Estimated Comparative Price (Excluding GST)			
	Year 1	Year 2	Year 3	Total Years 1-3
Allwest Turfing	\$478,575	\$500,112	\$522,617	\$1,501,304
Turfmaster Facility Management	\$661,190	\$690,944	\$722,037	\$2,074,171
West Coast Turf	\$486,125	\$508,001	\$530,861	\$1,524,987

During 2021-22, the City incurred \$422,781 for the supply, delivery and installation of turf.

As one product was not available across all Respondents, the estimated contract prices for year one of the proposed contract, and 2021-22 expenditure, have been adjusted to remove this item.

The proposed new panel rates for Separable Portion 2 (including Jumbo Rolls) when compared against the City's existing rates (including Jumbo Rolls) represent a 13% increase (Allwest Turfing), a 56.5% increase (Turfmaster Facility Management), and 15% increase (West Coast Turf) when compared to the City's existing contracted rates.

As part of the panel arrangement, rates are fixed for the first 12-months with quotes obtained on each 12-month anniversary.

### Evaluation Summary

The following table summarises the result of the qualitative and price evaluation as assessed by the evaluation panel.

Offer	Weighted Percentage Score	Qualitative Ranking	Estimated Total Comparative Price	Price Rank
Allwest Turfing	74.9%	1	\$1,501,304	1
West Coast Turf	64.4%	3	\$1,524,987	2
Turfmaster Facility Management	65.4%	2	\$2,074,171	3

While Profounder Turfmaster Pty Ltd (Turfmaster Facility Management) was \$572,867 more expensive over the three-year term of the turf panel, it has rates which are competitive for some schedule of rate items.

The panel therefore concluded that there was merit in including this offer, alongside the offers submitted from the Trustee for Hackshaw Family Trust and the Trustee for HJS Trust trading as Allwest Turfing, and Saratoga Holdings Pty Ltd as Trustee for the JPD Trust trading as West Coast Turf, in the panel of pre-qualified suppliers for the supply, delivery and installation of turf, as they all provide value for money for the City.

It is therefore recommended that all three companies be appointed to the Panel of Pre-qualified Suppliers for the supply, delivery and installation of turf.

### Issues and options considered

The City has a requirement for the supply, delivery and installation of turf. The City does not have the internal resources to provide the goods / services and requires an 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.

### 10-Year Strategic Community Plan

**Key Theme** Place.

**Outcome** Attractive and leafy – you have access to quality public open spaces and enjoy appealing streetscapes.

**Policy** Not applicable.

### Risk Management Considerations

Should the panel not proceed, the risk to the City will be high as the City would have difficulty providing quality turf on playing surfaces for the sporting clubs and user groups.

It is considered that the Panel will represent a low risk to the City as the recommended panel members are well-established suppliers with sufficient industry experience and capacity to provide the services to the City.

### Financial / Budget Implications

#### Current financial year impact

<b>Account no.</b>	Various accounts.
<b>Budget Item</b>	Supply and installation of turf.
<b>Budget amount</b>	\$300,000 plus capital.
<b>Proposed cost</b>	Not applicable.
<b>Balance</b>	Not applicable.

No contracts have been entered into at this time. Contracts will be established on the basis of prices quoted from panel members during the term of the panel. Maximum spend in 2022-23 is dictated by the budget available.

All amounts quoted in this report are exclusive of GST.

**Regional Significance**

Not applicable.

**Sustainability Implications**

The provision of turf enhances the appearance of the City's streetscapes, parks and open spaces and ensures playing surfaces meet the safety standards required of sporting groups.

**Consultation**

Not applicable.

**COMMENT**

The evaluation panel carried out the evaluation of the submissions in accordance with the City's evaluation process and concluded that the offers submitted by the Trustee for Hackshaw Family Trust and the Trustee for HJS Trust trading as Allwest Turfing, Saratoga Holdings Pty Ltd as Trustee for the JPD Trust trading as West Coast Turf, and Profounder Turfmaster Pty Ltd (Turfmaster Facility Management) represent best value to the City.

**VOTING REQUIREMENT**

Simple Majority.

**MOVED Cr Jones, SECONDED Cr Thompson that Council ACCEPTS the offers submitted by:**

- 1 The Trustee for Hackshaw Family Trust and the Trustee for HJS Trust trading as Allwest Turfing;**
- 2 Saratoga Holdings Pty Ltd as Trustee for the JPD Trust trading as West Coast Turf;**
- 3 Profounder Turfmaster Pty Ltd (Turfmaster Facility Management);**

**to join the panel of pre-qualified suppliers for the supply, delivery and installation of turf as specified in Invitation 041/22, for a period of three years, at the submitted schedule of rates, with prices fixed for the first 12 months.**

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 19 refers*

*To access this attachment on electronic document, click here: [Attach19brf230214.pdf](#)*

## **CJ023-02/23 TENDER 043/22 PROVISION OF TREE PLANTING, MAINTENANCE AND TRUCK WATERING WITHIN THE CITY OF JOONDALUP AS PART OF THE CITY'S LEAFY CITY PROGRAM**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	110443, 101515
<b>ATTACHMENT</b>	Attachment 1 Schedule of Items Attachment 2 Summary of tender Submissions Attachment 3 Confidential Tender Summary  <i>(Please Note: Attachment 3 is Confidential and will appear in the official Minute Book only).</i>
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

### **PURPOSE**

For Council to accept the tender submitted by Total Landscape Redevelopment Service Pty Ltd for the provision of tree planting, maintenance and truck watering within the City of Joondalup as part of the City's Leafy City Program.

### **EXECUTIVE SUMMARY**

Tenders were advertised on 12 November 2022 through state-wide public notice and published by Tenderlink for the provision of tree planting, maintenance and truck watering within the City of Joondalup as part of the City's Leafy City Program. Tenders closed on 29 November 2022. A submission was received from each of the following:

- Baroness Holdings Pty Ltd (Tree Planting and Watering).
- Environmental Industries Pty Ltd.
- Pinochle Holdings Pty Ltd (Landscape Australia Construction).
- Total Landscape Redevelopment Service Pty Ltd.

The submission from Total Landscape Redevelopment Service Pty Ltd represents best value to the City. The company demonstrated experience providing tree planting and watering services to a number of local governments including the Cities of Stirling, Canning, Cockburn and Fremantle. It demonstrated a thorough understanding of the required tasks and has the capacity in terms of personnel and equipment to carry out this project.

*It is therefore recommended that Council ACCEPTS the tender submitted by Total Landscape Redevelopment Service Pty Ltd for the provision of tree planting, maintenance and truck watering within the City of Joondalup as part of the City's Leafy City Program as specified in Tender 043/22, for a period of 27 months, with an option to extend the term of the contract by one year, at the submitted schedule of rates.*

## **BACKGROUND**

The City has a requirement for the planting, maintenance, and truck watering services for the City of Joondalup's Leafy City Program. The requirement set out the programmed and ad hoc planting (May 2023-August 2024) and watering and maintenance (September 2024-August 2025) of trees during the initial Contract period.

The City currently has a single contract for the maintenance and watering service with Baroness Holdings Pty Ltd (Tree Planting and Watering), which will expire on 31 July 2023.

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 provision of tree planting, maintenance and truck watering within the City of Joondalup as part of the City's Leafy City Program was advertised through state-wide public notice and published by Tenderlink on 12 November 2022. The tender period was for two weeks, and tenders closed on 29 November 2022.

### **Tender Submissions**

A submission was received from each of the following:

- Baroness Holdings Pty Ltd (Tree Planting and Watering).
- Environmental Industries Pty Ltd.
- Pinochle Holdings Pty Ltd (Landscape Australia Construction).
- Total Landscape Redevelopment Service Pty Ltd.

The schedule of items listed in the tender is provided in Attachment 1 to Report CJ023-02/23.

A summary of the tender submissions including the location of each tenderer is provided in Attachment 2 to Report CJ023-02/23.

A confidential tender summary is provided in Attachment 3 to Report CJ023-02/23.

### **Evaluation Panel**

The evaluation panel comprised three members:

- one with tender and contract preparation skills
- two 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.

### **Evaluation Method and Weighting**

The qualitative weighting method of tender evaluation was selected to evaluate the offers for this requirement. Prior to assessment of individual submissions, 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. This is a high-profile capital works project. The contractor appointed must be able to clearly demonstrate their capacity and ability to deliver the services.

The predetermined minimum acceptable pass score was set at 60%.

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

Qualitative Criteria		Weighting
1	Demonstrated understanding of the required tasks	35%
2	Capacity	30%
3	Demonstrated experience in providing similar services	30%
4	Social and economic effects on the local community	5%

### Compliance Assessment

The following offers were assessed as compliant:

- Baroness Holdings Pty Ltd (Tree Planting and Watering).
- Environmental Industries Pty Ltd.
- Total Landscape Redevelopment Service Pty Ltd

The offer received from Landscape Australia Construction was assessed as partially compliant. It did not include the cost for traffic plans, fees or implementation in its offer and did not provide rates for hard digging - removal and disposal of excavated spoil material and supply and install of backfilling of screeded topsoil and removal and disposal of contaminated soil but was included for further consideration on the basis that clarification could be sought should the tenderer be recommended as the preferred tenderer at the conclusion of the tender evaluation.

Based upon the above findings, all offers remained for further consideration.

### Qualitative Assessment

Environmental Industries Pty Ltd scored 62% and was ranked fourth in the qualitative assessment. Environmental Industries Pty Ltd demonstrated an acceptable understanding of the required tasks, The response addressed traffic management, tree planting and locations, source of trees and quantities, a tree planting methodology, tree watering during planting and the maintenance period, tree maintenance activities and reporting for tree planting and the maintenance period. It has sufficient capacity in terms of key personnel and equipment to deliver the services. It demonstrated experience undertaking landscape maintenance in a variety of settings including estates and roadworks. Works have included the planting of large volumes of tubestock, and trees and truck watering. Clients include the Cities of Belmont and Wanneroo.

Landscape Australia Construction scored 66.9% and was ranked third in the qualitative assessment. It demonstrated an adequate understanding of the City's requirements. The response briefly addressed the tasks to be during contract commencement, traffic management, tree planting, watering, mulch and tree maintenance including electronic reporting and chemical application contract.

It demonstrated its capacity in terms of personnel and equipment to undertake the services. The company demonstrated experience in landscape maintenance and construction services. Three examples of current contracts were supplied as evidence supporting this statement.

The examples are maintenance of Seaside Estate Madora Bay, Brabham Estate Brabham and Jindalee Foreshore reserve. Each included maintenance of landscapes including tree maintenance and monitoring and some hand watering of trees. Seaside Estate also included the planting of 200 trees.

Total Landscape Redevelopment Service Pty Ltd scored 73.8% and was ranked second in the qualitative assessment. It demonstrated thorough understanding of the City's requirements, addressing planning, tree installation, the watering schedule including use of an App for scheduling and the equipment and vehicles to be used. It also included relevant information on the sizes and capacity of its trucks and its approach to different types of watering. It demonstrated good experience completing similar work for local governments. The examples of work include street tree watering and revegetation watering for the City of Cockburn, tree planting and street tree watering for the City of Stirling, and street tree watering for the Cities of Canning and Fremantle. For each example the client, value, a description of the work, similarities, period and dates and outcomes were provided. The company has the capacity to deliver the service.

Tree Planting and Watering scored 78.3% and was ranked first in the qualitative assessment. It demonstrated a comprehensive understanding and appreciation of the City's requirements. It provided a detailed contract management plan in its Submission, addressing how it will carry out the entire works. It covered all the requirements of relevant legislation, key contract dates, the location of trees to be planted, water sources, excavation, methods of planting and reporting. It also covered traffic management and plant and equipment to be used for this project. Tree Planting and Watering demonstrated extensive experience providing tree installation, watering and maintenance services to the Cities of Melville, Stirling and the Town of Victoria Park. It is the current provider of the City's tree watering and maintenance services and installed the City's trees in 2021. Dates, periods and referee contracts of all contracts were provided. The company has the capacity in terms of equipment, fleet and personnel to meet the City's requirements.

Given the minimum acceptable qualitative score of 60%, all tenderers qualified to progress to the stage two assessment.

### **Price Assessment**

Following the qualitative assessment, the panel carried out a comparison of the rates offered by each tenderer qualified for stage two in order to assess value for money to the City.

The estimated expenditure may vary and is subject to change in accordance with operational needs of the Leafy City Program. For the purposes of comparison, the tendered rates offered by the tenderer have been applied to an estimate of the total number of trees intended to be planted (May 2023-August 2024), then watered and maintained (September 2024-August 2025). This provides a value for comparative evaluation purposes based on the assumption that the program schedule is maintained.

The rates are fixed for the Contract term and are not subject to change.



Tenderer	Installation of trees (May 2023 to August 2024 )	Watering and maintenance of trees (September 2024 to August 2025)	Total Estimated Contract Price
Total Landscape Redevelopment Service Pty Ltd	\$570,717	\$191,482	\$758,609
Tree Planting and Watering	\$825,958	\$314,670	\$1,112,378
Landscape Australia Construction	\$1,240,289	\$462,571	\$1,700,860*
Environmental Industries Pty Ltd	\$1,269,636	\$505,532	\$1,758,218

\* Note – The estimated contract price from Landscape Australia Construction excludes traffic plan costs and hard digging and removal and disposal of contaminated soil.

During the last financial year 2022-23 the City incurred \$31,072 for the maintenance and truck watering services for the City of Joondalup's Leafy City Program and is expected to incur in the order of \$758,609 over the two years and three months Contract period and \$836,127 should the one-year extension be exercised.

### Evaluation Summary

The following table summarises the result of the qualitative and price evaluation as assessed by the evaluation panel.

Tenderer	Weighted Percentage Score	Qualitative Ranking	Estimated Contract Price	Price Ranking
Total Landscape Redevelopment Service Pty Ltd	73.8%	2	\$758,609	1
Tree Planting and Watering	78.3%	1	\$1,112,378	2
Landscape Australia Construction	66.9%	3	\$1,700,860	3
Environmental Industries Pty Ltd	62%	4	\$1,758,218	4

Based on the evaluation result the panel concluded that the offer from Total Landscape Redevelopment Service Pty Ltd provides best value to the City and is therefore recommended.

### Issues and options considered

The City has a requirement for the planting, maintenance and truck watering services for the City of Joondalup's Leafy City Program. The City does not have the internal resources to supply the required goods/services and as such requires an appropriate external service provider.

### 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.

## 10-Year Strategic Community Plan

<b>Key theme</b>	Place.
<b>Outcome</b>	Attractive and leafy – you have access to quality open spaces and enjoy appealing streetscapes.
<b>Policy</b>	Not applicable.

### Risk management considerations

Should the contract not proceed, the risk to the City will be medium as the City will not be able to progress with the City of Joondalup's Leafy City Program.

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

### Financial / budget implications

#### Current financial year impact

<b>Account no.</b>	SSE2057.
<b>Budget Item</b>	Leafy City Program.
<b>Budget amount</b>	\$ 500,000
<b>Amount spent to date</b>	\$ 31,072
<b>Proposed cost</b>	\$ 135,506
<b>Balance</b>	\$ 333,422

The balance does not represent a saving at this time, the projected expenditure on these services is subject to contingencies for damage due to vandalism, adverse weather conditions or other reasons and currently ongoing tree planting and watering activities.

### Regional significance

To reduce the environmental impact of climate change and rapid urban growth, the City's Leafy City Program aims to increase its overall canopy cover, and create cooler, inviting green urban spaces that will improve the comfort of pedestrian movement and reduce the 'urban heat island' effect generated by existing hardstand surfaces.

### Sustainability implications

#### Environmental

Increasing canopy cover throughout the City will create cooler, inviting green urban spaces that will improve the comfort of pedestrian movement and reduce the 'urban heat island' effect generated by existing hardstand surfaces.

#### Social

Outdoor activity is encouraged, and the provision of shaded spaces combined with other sun protection practices contributes to a healthier environment for the community.

#### Economic

Capital and on-going maintenance costs for enhanced urban forest initiatives will have the potential to be a large financial impact for the City.

## Consultation

Information about the Leafy City Program is available on the City's website.

Residents will be informed of the tree planting four weeks prior to works commencing. Approximately one week prior to the installation date, the proposed location of the tree will be marked on site. This will give residents the opportunity to remove any plants they would like to keep.

## COMMENT

The evaluation panel carried out the evaluation of the submissions in accordance with the City's evaluation process and concluded that the offer submitted by Total Landscape Redevelopment Service Pty Ltd represents best value to the City.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED** Cr Jones, **SECONDED** Cr Thompson that Council **ACCEPTS** the tender submitted by Total Landscape Redevelopment Service Pty Ltd for the provision of tree planting, maintenance and truck watering within the City of Joondalup as part of the City's Leafy City Program as specified in Tender 043/22, for a period of 27 months, with an option to extend the term of the contract by one year, at the submitted schedule of rates.

**The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ024-02/23, page 177 refers.**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Appendix 20 refers*

To access this attachment on electronic document, click here: [Attach20brf230214.pdf](#)

## REPORT OF THE CHIEF EXECUTIVE OFFICER

### CJ024-02/23 MID-YEAR REVIEW OF THE ANNUAL BUDGET FOR THE 2022-23 FINANCIAL YEAR

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mat Humfrey Corporate Services
<b>FILE NUMBER</b>	109072, 101515
<b>ATTACHMENTS</b>	Attachment 1 Mid Year Budget Statement and Notes for the 2022-23 Financial Year
<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

The purpose of this report is for Council to consider and adopt the Mid Year review of the Annual Budget for the 2022-23 financial year.

#### EXECUTIVE SUMMARY

The review of the 2022-23 annual budget has been completed. A number of variations to existing budget allocations have been identified and included in the revised budget. Below is a summary of material variances within the Budget Review as attached:

- **Surplus Carried Forward** from 2021-22 was \$9,094,789 higher than budget (Note 22- Attachment 1 refers). After adjusting for non-cash items, this surplus comprised higher operating surplus \$23,323,474, reduced capital revenue \$559,989 and reduced capital expenditure \$8,008,512 offset by reduced net funding requirements \$21,677,207.
- **Operating activities**, after adjusting for non-cash movements, show a cash surplus expected to be \$5,239,299 higher than budget (Note 1 to 13 - Attachment 1 refers). This arises mainly from higher interest earnings \$4,461,732, other revenue \$777,290 and grants and subsidies \$432,164 and general rates \$156,284 as well as lower materials and contracts expenditure \$300,673, partly offset by reduced fees and charges \$1,083,453.
- **Capital revenue** is \$898,611 lower than budget (Note 14 to 17 Attachment 1 refers), comprising lower grants and subsidies \$1,063,612, lower capital contributions \$2,023,476 as well as higher Equity Distribution-TPRC \$2,000,000 and other non-operating revenue \$188,477.
- **Capital expenditure** is \$12,644,524 lower than budget (Notes 18 to 20 - Attachment 1 refers). Expenditure is lower on motor vehicle replacements \$990,722 and capital works \$12,250,635, partially offset by higher capital projects expenditure \$596,833.

- **Reserves transfers** net transfer from reserves has decreased by \$14,593,794 (Notes 24 to 25 – Attachment 1 refers). This comprises decreased transfers from reserves \$10,346,433 mainly arising from reduced transfers out of the Strategic Asset reserve \$4,360,557, Capital Works Carried Forward reserve \$2,944,858, Asset Renewal Reserve \$3,037,403. These are partly offset by increased transfers to reserves \$4,247,361 mainly comprising increased transfers to reserves overall in relation to additional interest earnings \$2,192,505, Tamala Park \$2,000,000 and Waste Management Reserve \$764,663, which are partly offset by lower transfers to Parking Facility Reserve \$497,819 and Asset Renewal Reserve \$211,988.

*It is therefore recommended that Council by an ABSOLUTE MAJORITY:*

- 1 *APPROVES the Mid-Year Review of the Budget for the 2022-23 Financial Year as at Attachment 1 to Report CJ024-02/23;*
- 2 *In accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996 PROVIDES a copy of the 2022-23 annual budget review and determination to the Department of Local Government, Sport and Cultural Industries;*
- 3 *NOTES that the Mid-Year Review includes \$210,000 expenditure in relation to the Arts Development Scheme to fund the Perth Festival 2023;*
- 4 *NOTES that the Mid-Year Review has removed \$300,000 capital expenditure in relation to the second Multi Storey Car Park project;*
- 5 *NOTES that the Moolanda Boulevard Pedestrian footbridge was considered during the 2022-23 Mid-Year Review with an estimated expenditure reduction of \$100,000 to reflect Main Roads WA now undertaking the design work;*
- 6 *APPROVES the transfer of \$183,105 from the Marmion Car Park Reserve to the Strategic Asset Reserve, being the balance including interest accrued;*
- 7 *APPROVES the closure of the Marmion Car Park Reserve;*
- 8 *Approves the transfer of \$9,900,000 to the Strategic Asset Reserve.*

## **BACKGROUND**

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* provides that the City is required to conduct a review of its approved annual budget after considering the changes in its operating environment since the beginning of the financial year with a view to forecasting the financial impacts likely to arise for the remainder of the year.

## **DETAILS**

### **Issues and options considered**

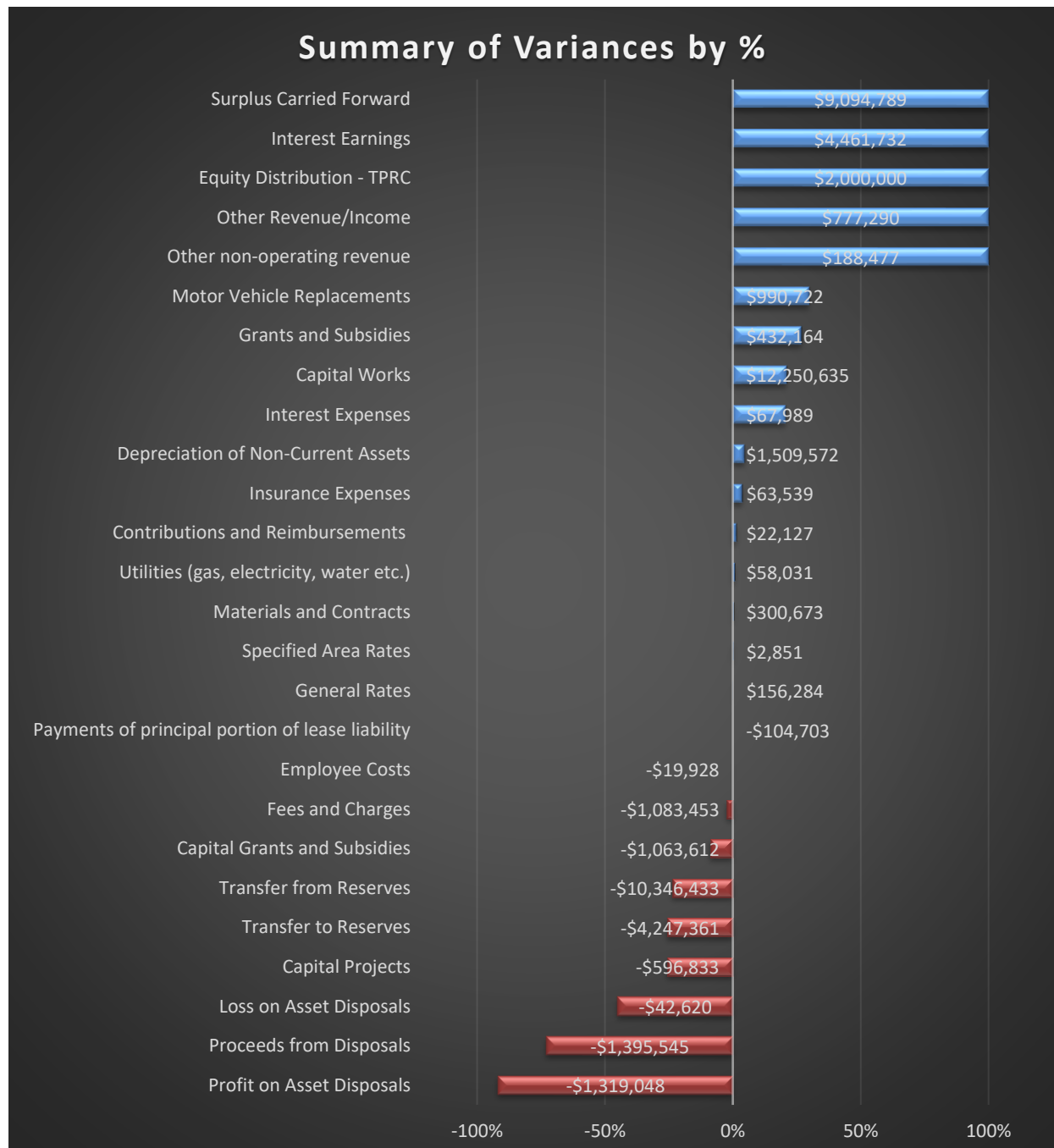
The budget review has comprised:

- a review of the adopted budget (as amended) and an assessment of actual results to date against that budget
- an assessment and projection of likely results over the remainder of the financial year against the adopted budget
- consideration of any issues not provided for in the adopted budget (as amended) that may need to be addressed.

The review of the adopted budget (as amended) has taken into account what has transpired in the first half of the year, the likely operating environment over the remaining part of the year under prevailing economic conditions and the most likely impact on the City's financial position.

The focus in this review has been on ensuring that there is sufficient operating capacity to deliver the services and budget programs as set out in the adopted 2022-23 Budget (as amended) and to accommodate events and issues that have arisen since budget adoption.

The key elements of the variance are summarised below:



The most significant variations between the adopted budget and the revised budget are as follows:

### Surplus Carried Forward

The actual surplus brought forward from 2021-22 was \$9,094,789 higher than the budget estimate. This was reported to Council with the 2021-22 Annual Financial Report at its meeting held on 7 February 2023 (JSC05-02/23 refers).

### Interest Earnings

This favourable variance arose from Interest from Other Financial Institutions \$4,461,732 due to an increase in interest revenue following the recent upward movements in the interest rates.

### Capital Contributions

The decrease in capital contribution arises primarily from MPP2082 Ocean Reef Marina (\$1,750,000) which is deferred to future years. Other changes relate to PDP2350 Sorrento Bowling Synthetic Turf (\$154,622) which has been delayed until 2023-24. In addition, in respect of the Insurance reimbursement for the Iluka Sports Complex (\$48,010) expenditure on the restoration works are lower than estimated and resulting insurance claim is correspondingly lower.

### Capital Works

The decrease in capital works of \$12,250,635 arises primarily due to projects being carried forward into the next financial year due to construction works not expected to progress as previously estimated or estimated costs expected to be lower, including the following:

- Ocean Reef Marina Club and Commercial Development \$3,500,000.
- Joondalup Dr/Hodges Dr Intersection Upgrade \$2,568,720.
- Hillarys Cycle Network Expansion \$1,400,000.
- Sorrento Surf Life Saving Club Redevelopment \$804,000.
- Chichester Park Clubrooms Redevelopment \$602,897.
- Boas Avenue Intersection Upgrade \$576,264.
- Cafes/Kiosks/Restaurants-Pinnaroo Point \$563,000.
- Ocean Reef Rd and Gwendoline Dr \$495,575.
- Burns Beach Coastal Node Redevelopment \$482,000.
- Cafes/Kiosks/Restaurants - Burns Beach \$450,000.
- Civic Centre Slab Waterproofing \$400,000.
- Pinnaroo Point Parking Improvements \$381,572.

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

#### **Legislation**

Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, requires the local government to carry out a review of its annual budget for that year.

*“33A Review of budget*

*(1) Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*

*(2A) The review of an annual budget for a financial year must –*

*(a) consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*

- (b) *consider the local government's financial position as at the date of the review; and*
  - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after the review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
- \* Absolute majority required*
- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department."*

## **10-Year Strategic Community Plan**

**Key theme** Leadership.

**Objective** Accountable and financially sustainable - you are provided with a range of City services which are delivered in a financially responsible manner.

### **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 decision of Council.

### **Financial / budget implications**

The anticipated revised budget surplus is \$9,902,101. Additional financial details are provided in Attachment 1.

The Rate Setting Statement detailed in Attachment 1 to Report CJ024-02/23 includes year to date actuals to the end of December 2022. While the year to date surplus appears significant, the majority of this is driven by additional surplus funds at 30 June 2022, as well as variances in both revenue and expenditure as outlined in this report.

All amounts quoted in this report are exclusive of GST.

### **Regional significance**

Not applicable.

### **Sustainability implications**

Budget parameters are structured on financial viability and sustainability principles.

### **Consultation**

Extensive internal consultation with the executive and all business units has been undertaken and a mid-year budget review workshop conducted with Elected Members to prepare the revised budget.



## COMMENT

Council is required to consider the budget review submitted to it (regulation 33A of the *Local Government (Financial Management) Regulations 1996*) and make a determination in relation to the outcomes and recommendations.

## VOTING REQUIREMENTS

Absolute Majority.

*Cr Kingston left the Chamber at 8.12pm and returned at 8.15pm.*

**MOVED Mayor Jacob, SECONDED Cr Logan that Council by an ABSOLUTE MAJORITY:**

- 1 APPROVES the Mid-Year Review of the Budget for the 2022-23 Financial Year as at Attachment 1 to Report CJ024-02/23;**
- 2 In accordance with Regulation 33A of the *Local Government (Financial Management) Regulations 1996* PROVIDES a copy of the 2022-23 annual budget review and determination to the Department of Local Government, Sport and Cultural Industries;**
- 3 NOTES that the Mid-Year Review includes \$210,000 expenditure in relation to the Arts Development Scheme to fund the Perth Festival 2023;**
- 4 NOTES that the Mid-Year Review has removed \$300,000 capital expenditure in relation to the second Multi Storey Car Park project;**
- 5 NOTES that the Moolanda Boulevard Pedestrian footbridge has been considered during the 2022-23 Mid-Year Review with an estimated expenditure reduction of \$100,000 to reflect Main Roads WA now undertaking the design work;**
- 6 APPROVES the transfer of \$183,105 from the Marmion Car Park Reserve to the Strategic Asset Reserve, being the balance of the reserve including interest accrued;**
- 7 APPROVES the closure of the Marmion Car Park Reserve;**
- 8 APPROVES the transfer of \$9,900,000 to the Strategic Asset Reserve.**

**The Motion was Put and**

**CARRIED (11/1)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Logan, May, McLean, Poliwka, Raftis and Thompson.

**Against the Motion:** Cr Kingston.

*Appendix 21 refers*

*To access this attachment on electronic document, click here: [Attach21agn230228.pdf](#)*

**C011-02/23                    COUNCIL DECISION – ADOPTION BY EXCEPTION RESOLUTION**

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

**CJ001-02/23, CJ002-02/23, CJ006-02/23, CJ007-02/23, CJ008-02/23, CJ009-02/23, CJ010-02/23, CJ013-02/23, CJ014-02/23, CJ015-02/23, CJ016-02/23, CJ017-02/23, CJ018-02/23, CJ022-02/23 and CJ023-02/23.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

## **URGENT BUSINESS**

**C012-02/23                    MOTION TO CLOSE MEETING TO MEMBERS OF THE PUBLIC**

**MOVED** Mayor Jacob, **SECONDED** Cr Hamilton-Prime that Council:

- 1** in accordance with Section 5.23(2)(d) of the *Local Government Act 1995* and clause 5.2(2) of the *City’s Meeting Procedures Local Law 2013*, **RESOLVES** to close the meeting to members of the public to consider the following item:
  - 1.1** **CJ025-02/23 - Confidential – 252 – 254 Camberwarra Drive, Craigie – Shalom House – Consideration of Council Direction;**
  
- 2** **PERMITS** the following employees to remain in the Chamber during discussion on Item CJ025-02/23 - Confidential – 252 – 254 Camberwarra Drive, Craigie – Shalom House – Consideration of Council Direction while the meeting is sitting behind closed doors as detailed in Part 1.1 above:
  - 2.1** **Chief Executive Officer, Mr James Pearson;**
  - 2.2** **Director Corporate Services, Mr Mat Humfrey;**
  - 2.3** **Director Governance and Strategy, Mr Jamie Parry;**
  - 2.4** **Director Planning and Community Development, Mr Chris Leigh;**
  - 2.5** **Director Infrastructure Services, Mr Nico Claassen;**
  - 2.6** **Manager Planning Services, Cathrine Temple;**
  - 2.7** **Manager Governance, Mrs Kylie Bergmann;**
  - 2.8** **Coordinator Governance, Mrs Vivienne Stampalija;**
  - 2.9** **Governance Officer, Mrs Deborah Gouges;**
  - 2.10** **Governance Officer, Mrs Susan Hateley**
  - 2.11** **Partner, McLeods Lawyers, Mr Peter Wittkuhn.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Members of the staff (with the exception of the Chief Executive Officer, Director Corporate Services, Director Governance and Strategy, Director Planning and Community Development, Director Infrastructure Services, Manager Planning Services, Manager Governance, Coordinator Governance, Governance Officers and Partner, McLeods Lawyers) and members of the public left the Chamber at this point; the time being 8.20pm.*

*The Media Advisor left the Chamber at 8.20pm.*

**C013-02/23**

**PROCEDURAL MOTION - URGENT BUSINESS**

**MOVED** Mayor Jacob, **SECONDED** Cr May that Council in accordance with clause 4.7(1) of the *City of Joondalup Meeting Procedures Local Law 2013*, **ACCEPTS** Item CJ025-02/23 - Confidential – 252 – 254 Camberwarra Drive, Craigie – Shalom House – Consideration of Council Direction as Urgent Business.

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

**CJ025-02/23      CONFIDENTIAL – 252 – 254 CAMBERWARRA  
DRIVE, CRAIGIE – SHALOM HOUSE –  
CONSIDERATION OF COUNCIL DIRECTION**

<b>WARD</b>	Central
<b>RESPONSIBLE DIRECTOR</b>	Mr Chris Leigh Planning and Community Development
<b>FILE NUMBER</b>	101515
<b>ATTACHMENTS</b>	Attachment 1      Site Plan Attachment 2      Shalom House request for planning advice Attachment 3      City response to request for planning advice Attachment 4      WAPC advice to Shalom House
<b>AUTHORITY / DISCRETION</b>	Administrative - Council administers legislation and applies the legislative regime to factual situations and circumstances that affect the rights of people. Examples include town planning applications, building licences and other decisions that may be appealable to the State Administrative Tribunal.

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

*(d) legal advice obtained, or which may be obtained, by the local government and relates to a matters to be discussed at the meeting.*

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

*The Governance Coordinator left the Chamber at 9.08pm and returned at 9.11pm.  
The Manager Governance left the Chamber at 9.11pm and returned at 9.16pm.  
The Governance Officer left the Chamber at 9.18pm and returned at 9.21pm.  
Cr Raftis left the Chamber at 9.30pm and returned at 9.32pm.  
Mayor Jacob left the Chamber at 9.34pm, The Deputy Mayor took the Chair.  
Cr Fishwick and Cr Thompson left the Chamber at 9.34pm and returned at 9.36pm.  
Mayor Jacob entered the Chamber at 9.37pm and resumed the Chair.  
Cr Poliwka left the Chamber at 9.38pm  
Cr Logan left the Chamber at 9.39pm.  
Cr Kingston left the Chamber at 9.39pm  
Cr Poliwka entered the Chamber at 9.40pm.  
Cr Kingston entered the Chamber at 9.41pm.  
Cr Logan entered the Chamber at 9.43pm.*

**OFFICER'S RECOMMENDATION**

That Council REQUESTS that the Chief Executive Officer:

- 1 WRITES to Shalom House and requests that detailed information is provided to substantiate its position that its proposed operations meet the land use definition of Community Purpose under the *City of Joondalup Local Planning Scheme No. 3* and further demonstrates how its view it is exempt from the need to obtain planning approval under the Local Planning Scheme for the intended use of 252 – 254 Camberwarra Drive, Craigie;
- 2 WRITES to the Minister for Planning and the Western Australian Planning Commission to express that the City is of the view that the Western Australian Planning Commission has erred in its interpretation of the Metropolitan Region Scheme and to request that it reviews its advice in relation to the Shalom House matter;
- 3 ENGAGES with Shalom House to investigate opportunities to incorporate particular management measures and strategies in its operation at 252 – 254 Camberwarra Drive, Craigie to directly address a range of community concerns that have been communicated to the City with respect to the proposed use.

**MOVED Cr Poliwka, SECONDED Cr May that Council REQUESTS that the Chief Executive Officer:**

- 1 **WRITES to Shalom House and requests that detailed information is provided to substantiate its position that its proposed operations meet the land use definition of Community Purpose under the *City of Joondalup Local Planning Scheme No. 3* and further demonstrates how its view it is exempt from the need to obtain planning approval under the Local Planning Scheme for the intended use of 252 – 254 Camberwarra Drive, Craigie;**
- 2 **WRITES to the Minister for Planning and the Western Australian Planning Commission to express that the City is of the view that the Western Australian Planning Commission has erred in its interpretation of the Metropolitan Region Scheme and to request that it reviews its advice in relation to the Shalom House matter;**
- 3 **ENGAGES with Shalom House to investigate opportunities to incorporate particular management measures and strategies in its operation at 252 – 254 Camberwarra Drive, Craigie to directly address a range of community concerns that have been communicated to the City with respect to the proposed use;**
- 4 **WRITES to the Western Australian Local Government Association to advocate on behalf of the local government sector to request the Minister for Planning urgently progress an amendment to the relevant State Planning Instruments to impose state wide a land use definition for Community Purpose to exclude rehabilitation facilities from being considered under this land use definition and prepare a separate land use definition that more appropriately captures rehabilitation facilities.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

C014-02/23

**MOTION TO OPEN MEETING TO MEMBERS OF THE PUBLIC**

**MOVED Mayor Jacob, SECONDED Cr Hamilton-Prime that in accordance with clause 5.2(3)(b) of the *City of Joondalup Meeting Procedures Local Law 2013*, the Council meeting now be REOPENED TO THE PUBLIC.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Doors opened at 9.45pm.*

*The Media Advisor entered the Chamber at 9.45pm.*

*The Manager Planning Services and the Partner, McLeods Lawyers, Mr Peter Wittkuhn left the Chamber at 9.45pm.*

*Cr McLean left the Chamber at 9.45pm.*

In accordance with Clause 5.2(6)(a) of the City's *Meeting Procedures Local Law 2013*, Mayor Jacob read aloud the motions in relation to:

- CJ025-02/23 - Confidential – 252 – 254 Camberwarra Drive, Craigie – Shalom House – Consideration of Council Direction.

## MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

### C015-02/23 NOTICE OF MOTION NO. 1 – CR CHRISTOPHER MAY – NUCLEAR POLICY

In accordance with Clause 4.6 of the *City of Joondalup Meeting Procedures Local Law 2013*, Cr Christopher May has given notice of his intention to move the following Motion at the Council meeting to be held on 28 February 2023:

***That Council AMENDS BY AN ABSOLUTE MAJORITY its decision of 18 July 2006 (C44-07/06 refers) to read as follows:***

***MOVED Cr Corr, SECONDED Cr Magyar that the following policy be ADOPTED:***

***“The City of Joondalup accepts that ~~inappropriate use of radioactive substances may pose a risk~~ the transport, storage, treatment and use of radioactive substances could involve potential threats to the health and safety well-being of the City’s residents and visitors, while acknowledging that the use of existing and emerging nuclear technology for the purposes of emissions free energy generation and medical purposes is the jurisdiction of State and Federal Governments, of the City and declares:***

- 1 that approval will not be given for the building of any nuclear power stations, enrichment plants, weapons plants, or radio-active storage facilities within the City of Joondalup’s boundaries;***
- 2 that approval will not be given for the storage of uranium, or nuclear waste, or other materials connected with the nuclear power industry within the City’s boundaries or transportation through the City;***
- 3 that the responsible use of radioactive material nuclear technology for peaceful purposes such as in hospitals, health facilities, and within smoke detectors continues to provide benefits to the health and wellbeing of the community is acceptable as the benefits to residents far outweigh the risks to the community at large;***
- 4 that the City of Joondalup be designated a ‘Nuclear-Free City’.”***

### REASON FOR MOTION

Within the City of Joondalup’s boundaries is a large hospital, and many specialist medical centres which utilise nuclear technology on a daily basis. To declare the City of Joondalup a “nuclear free zone” serves as symbolism to encourage fearmongering about safe nuclear technology, and in practice, being a “nuclear free zone” would mean our hospital and health facilities could not function.

The Officer’s comments on the previous motion from 2006 already state that “*the District Planning Scheme 2 does not allow heavy industry of any type to establish itself within the City’s Jurisdiction, this includes nuclear power stations (as well as coal or gas power stations), nuclear weapons and enrichment plants*”.

Currently, the use of nuclear technology in Australia is limited to medical purposes only, other than nuclear powered submarines being purchased in coming years. The Australian Defence Force does not produce or store nuclear weapons, nor does the Federal Government permit allies to permanently store nuclear weapons on Australian territory.

There is a range of emerging nuclear technology that is seen to be even safer, lower cost and produce less waste than existing nuclear power generation technology. Any future policy toward nuclear energy in Australia is the jurisdiction of State and Federal Governments, not Local Government.

The proposed motion seeks to tidy up the wording from the 2006 motion and remove any issues around double standards, while still confirming that the City would not approve a nuclear power station, weapons facilities, etc, within its boundaries (which is already addressed within existing planning policy).

The motion seeks to future proof the City's current position should, over coming years, the Federal and/or State Government decide to incorporate improved nuclear technology, such as small modular reactors, into Australia's energy mix, given the current energy crisis facing the world. While the City would not be home to a future nuclear power station, there may be justifiable reason for the safe transport of radioactive material through the City boundaries, such as the Mitchell Freeway, related to medical or energy generation.

### **Call for One-Third Support**

In accordance with regulation 10 of the *Local Government (Administration) Regulations 1996*, one-third support of the number of offices of members of the Council was given by the following Elected Members:

- 1 Mayor Albert Jacob, JP.
- 2 Cr Nige Jones.
- 3 Cr Christopher May.
- 4 Cr John Logan.
- 5 Cr Russell Poliwka.

### **OFFICER'S COMMENT**

Whether or not a land use can be established in the City is controlled by the City of Joondalup Local Planning Scheme No. 3 (LPS3).

The City's Scheme does through allocating a zone (or reserve) to each part of the City on a scheme map. Certain land uses are permissible in different zones as a way to ensure amenity is appropriately managed which is defined by the Scheme's zoning table which categorises uses as being permitted, discretionary or not permitted in a zone.

Some light industry and service commercial land uses are permissible in certain zones, however LPS3 does not allow heavy industry of any type to establish itself in the City, which would include uses like nuclear power stations or enrichment and weapons plants.

Within Western Australia the principal legislation regulating waste management, including medical waste, is the *Environmental Protection Act 1986* and related regulations. Medical facilities within the City of Joondalup must also comply with the requirements of the *Environmental Protection Controlled Waste Regulations (2004)*, which set standards for transportation and disposal of controlled waste. In addition, specific legislation applies to the management of radiological wastes under the *Radiation Safety Act 1975*.



*Cr McLean entered the Chamber at 9.47pm.*

**MOVED Cr May, SECONDED Cr Poliwka that Council AMENDS BY AN ABSOLUTE MAJORITY its decision of 18 July 2006 (C44-07/06 refers) to read as follows:**

***“MOVED Cr Corr, SECONDED Cr Magyar that the following policy be ADOPTED:***

***“The City of Joondalup accepts that inappropriate use of radioactive substances may pose a risk to the health and safety of the City’s residents and visitors, while acknowledging that the use of existing and emerging nuclear technology for the purposes of emissions free energy generation and medical purposes is the jurisdiction of State and Federal Governments, and declares:***

- 1 that approval will not be given for the building of any nuclear power stations, enrichment plants, weapons plants, or radio-active storage facilities within the City of Joondalup’s boundaries;***
- 2 that approval will not be given for the storage of uranium, or nuclear waste, within the City’s boundaries;***
- 3 that the responsible use of nuclear technology for peaceful purposes such as in hospitals, health facilities, and within smoke detectors continues to provide benefits to the health and wellbeing of the community.***

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

C016-02/23

**NOTICE OF MOTION NO.2 – CR SUZANNE THOMPSON –  
PROPERTY MANAGEMENT FRAMEWORK**

In accordance with Clause 4.6 of the *City of Joondalup Meeting Procedures Local Law 2013*, Cr Suzanne Thompson has given notice of her intention to move the following Motion at the Council meeting to be held on 28 February 2023.

**That Council, acknowledging the ongoing implementation of the *Property Management Framework* by the City following the Council decision of 15 November 2022 (CJ193-11/22 refers), requests the Chief Executive Officer to prepare a report for future discussion at a Strategy Session that:**

- 1 Provides an update on the implementation of the *Property Management Framework*;**
- 2 Considers a mechanism that encourages organisations to enter into hire arrangements in place of leases;**
- 3 Outlines how community use of leased facilities can be maximised;**
- 4 Reviews lease payment arrangements, in particular special rents, to ensure City revenues are maximised while consider each lessee's capacity to pay;**
- 5 Considers a mechanism to provide 14 days' notice to Elected Members prior to the City entering into any lease negotiations for community facilities.**

**REASON FOR MOTION**

To make further improvements so that the document may make good on its stated aims of:

- preferencing hire arrangements over the establishment of leases or licences
- promoting occupancy arrangements that maximise access to the property by the wider community
- promoting occupancy arrangements that contribute to the financial viability of the City and reflect an occupant's capacity to pay.

**OFFICER'S COMMENT**

A report can be prepared.

**MOVED Cr Thompson, SECONDED Cr Fishwick that Council, acknowledging the ongoing implementation of the *Property Management Framework* by the City following the Council decision of 15 November 2022 (CJ193-11/22 refers), requests the Chief Executive Officer to prepare a report for future discussion at a Strategy Session that:**

- 1 Provides an update on the implementation of the *Property Management Framework*;**
- 2 Considers a mechanism that encourages organisations to enter into hire arrangements in place of leases;**
- 3 Outlines how community use of leased facilities can be maximised;**
- 4 Reviews lease payment arrangements, in particular special rents, to ensure City revenues are maximised while consider each lessee's capacity to pay;**
- 5 Considers a mechanism to provide 14 days' notice to Elected Members prior to the City entering into any lease negotiations for community facilities.**

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

C017-02/23

**MOTION TO CLOSE MEETING TO MEMBERS OF THE PUBLIC****MOVED Mayor Jacob, SECONDED Cr May that Council:**

- 1 in accordance with Section 5.23(2)(d) of the *Local Government Act 1995* and clause 5.2(2) of the City's *Meeting Procedures Local Law 2013*, RESOLVES to close the meeting to members of the public to consider the following item:
  - 1.1 CJ012-02/23 - Sponsorship of Significant Event: Joondalup Festival of Motoring,
- 2 PERMITS the following employees to remain in the Chamber during discussion on Item CJ012-02/23 - Sponsorship of Significant Event: Joondalup Festival of Motoring while the meeting is sitting behind closed doors as detailed in Part 1.1 above:
  - 2.1 Chief Executive Officer, Mr James Pearson;
  - 2.2 Director Corporate Services, Mr Mat Humfrey;
  - 2.3 Director Governance and Strategy, Mr Jamie Parry;
  - 2.4 Director Planning and Community Development, Mr Chris Leigh;
  - 2.5 Director Infrastructure Services, Mr Nico Claassen;
  - 2.6 Manager Governance, Mrs Kylie Bergmann;
  - 2.7 Coordinator Governance, Mrs Vivienne Stampalija;
  - 2.8 Governance Officer, Mrs Deborah Gouges;
  - 2.9 Governance Officer, Mrs Susan Hateley.

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

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

*Members of the staff (with the exception of the Chief Executive Officer, Director Corporate Services, Director Governance and Strategy, Director Planning and Community Development, Director Infrastructure Services, Manager Governance, Coordinator Governance, Governance Officers) and members of the public left the Chamber at this point; the time being 9.53pm.*

*The Media Advisor left the Chamber at 9.53pm.*

**Disclosure of Interest affecting Impartiality**

<b>Name / Position</b>	<b>Cr Christine Hamilton-Prime, JP.</b>
<b>Item No. / Subject</b>	CJ012-02/23 - Sponsorship of Significant Event: Joondalup Festival Of Motoring.
<b>Nature of Interest</b>	Interest that may affect impartiality.
<b>Extent of Interest</b>	Cr Hamilton-Prime and her husband are members of the AMG Club of Perth Car Group.

## CJ012-02/23      SPONSORSHIP      OF      SIGNIFICANT      EVENT: JOONDALUP FESTIVAL OF MOTORING

<b>WARD</b>	All	
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy	
<b>FILE NUMBER</b>	109022, 101515	
<b>ATTACHMENT</b>	Attachment 1	Post Event Report
	Attachment 2	Confidential – Independent Auditor’s Report
	Attachment 3	Confidential – Sponsorship Agreement – Festival of Motoring
	<i>(Please Note:</i>	Attachment 2 and 3 are Confidential and will appear in the official Minute Book only).
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting, and amending budgets.	

**PURPOSE**

For Council to consider the continuation of the sponsorship agreement for years two and three of the Joondalup Festival of Motoring with an increase of \$50,000 in the per annum sponsorship amount for both the 2023 and 2024 events.

**EXECUTIVE SUMMARY**

At its meeting held on 15 February 2022 (CJ016-02/22 refers), Council resolved as follows:

*“That Council AGREES to:*

- 1      *Sponsor the Festival of Speed two-day event delivered by Justin Hunt Management for 2022 with the option for a second and third-year agreement based on Key Performance Indicators being met in year one;*
- 2      *LIST FOR CONSIDERATION as part of the City’s budget development process, an amount of \$350,000 over a three-year period commencing 2022-2023 budget year.”*

Following the Council's endorsement of the event, a sponsorship agreement was entered into between the City and event owners, Justin Hunt Management for a three year period, subject to the below KPI's being met:

- Attendance
  - See a minimum of 15,000 people in attendance at the event over the two-day period for year one, with increases to be seen over future years. These increases are to be determined annually with consultation between the City and Justin Hunt Management.

Outcome:

KPI achieved with over 15,000 people in attendance over the three days.

- Customer Satisfaction Levels
  - Achieve a minimum of 85% customer satisfaction rating to be gauged through onsite and post event feedback.

Outcome:

KPI achieved with 85% customer satisfaction rating based on 270 responses conducted online post event with competitors, officials, attendee businesses and residents feedback.

- Marketing and Media Coverage
  - To gain a minimum of \$50,000 advertising space rate (unpaid media) throughout Western Australia for the event to start to be recognised amongst the identified target markets.

Outcome:

KPI achieved with over \$100,000 worth of free media coverage obtained through a wide range of media channels including Channel 7, Perth Now and Carsales.

- Stakeholder Engagement
  - Approach key stakeholders in the region to be a part of the event including but not limited to local businesses, Edith Cowan University (ECU), North Metro TAFE (NMTAFE), Motor Trade Association (MTA). and provide the City with details of the outcome for each stakeholder.

Outcome:

Extensive consultation conducted with key stakeholders (ECU, NM TAFE, MTA) as well as local businesses unfortunately resulted in limited outcomes. Joondalup Health Campus was engaged for medical support, although not required over the weekend of the event.

- Financial Economic Impact
  - Based on the attendance of 15,000 people over the two days, with a spend of between \$50 - \$100 per person, achieve an estimated financial economic impact of between \$750,000 - \$1,500,000.

Outcome:

Although no formal dollar spend data was collected based on an attendance of 15,916 people, with each person spending \$63.20, it is estimated that the economic benefit from this event was in excess of \$1,005,000. This is equivalent to 8.4 annual local jobs across a range of industries.\*source: [National Institute of Economic and Industry Research \(NIEIR\)](#) ©2021. Compiled and presented in economy.id by [.id \(informed decisions\)](#).

The below businesses indicated a significant benefit over the weekend of the Joondalup Festival of Motoring:

- Quest was fully booked for the event
- Lakeside Joondalup Shopping Centre indicated an 18% increase in Sunday foot traffic with their food and beverage outlets reporting an increase in trade.

Refer Attachment 1 for the detailed post event report.

The event organiser has indicated they are wanting to continue with the event and build on year one, however they require additional funding to support this. The initial budget proposed during the Expression of Interest (EOI) process is almost two years old. With increases in all expenditure items since this budget, and the growth of the event from a single day event to a three day event, Justin Hunt Management have requested a funding increase of \$50,000 including GST per annum to continue to deliver the expanded event in 2023 and 2024.

*It is therefore recommended that the Council AGREES to:*

- 1 *Commit to the sponsorship agreement for the Joondalup Festival of Motoring for a two year period (2023 and 2024) based on an exclusive arrangement with the event organiser, Justin Hunt Management and a post event report being provided outlining outcomes based on Key Performance Indicators;*
- 2 *LIST FOR CONSIDERATION as part of the City's budget development process, an amount of \$400,000 per annum over a two year period commencing 2023-24 Budget.*

## **BACKGROUND**

The Council has adopted a Strategic Position Statement regarding significant events which provides as follows:

*The City will attract and support significant events that are unique to Joondalup and enhance its image as an attractive destination for residents, visitors, tourists, and businesses. These significant events will deliver economic development benefits for local businesses whilst promoting Joondalup's reputation state-wide, nationally, and internationally as the cultural, civic and entertainment CBD of the Northwest region of the Perth metropolitan area.*

A key non-capital project/activity outlined in the City's *Corporate Business Plan 2022- 2026* involves positioning Joondalup as a destination city where unique tourism opportunities and activities provide drawcards for visitors and residents, specifically:

- attract and support significant events that are unique to Joondalup to enhance its image as an attractive destination for visitors, tourist and businesses.

At its meeting held on 18 August 2020 (C78-08/20 refers), Council resolved as follows:

*"That Council REQUESTS the Chief Executive Officer to submit a report to Council for its consideration on the potential for the conduct of a major event based on the Joondalup Speed Classic held in October 1998."*

Following this resolution, a report was presented to Council at its meeting held on 17 November 2020 (CJ173-11/20 refers) to seek endorsement for the City to invite Expression of Interest (EOI) from suitably qualified event management groups to host a vintage car speed classic within the City of Joondalup based on a 'Round the Houses' style format with both non-fee and fee-paying options being explored.

Further to the Council decision of November 2020, the City issued (in May 2021) an EOI for the provision of Event Management Services to successfully own, develop, manage, plan, and deliver a Joondalup Classic Car Racing Event in the Joondalup City Centre, with the City being a key stakeholder and sponsor of the event.

Following the close of submissions on 25 June 2021, three submissions were received with one candidate, Justin Hunt Management, identified as suitable to deliver the event, although in a slightly different format to that of the initial proposal and with the requirement for an additional budget.

The EOI submission provided for the following:

Justin Hunt Management proposed a 'Festival of Speed' noting that this is a different format to the proposed Classic Car Round the House format outlined in the EOI. This would be an event that encapsulates a variety of motoring, motorsport and associated targeted events as part of a community festival event. The race would be a series of sprint events that could involve a greater range of motor vehicles.

In addition to the racing component, car displays, competitions, hospitality, VIP / corporate hospitality, partnerships with local accommodation venues, a golf day, traffic, and public transport were also proposed. Ticketing was not addressed.

This revised format and programming was presented to Council at its meeting held on 15 February 2022 (CJ016-02/22 refers), and Council resolved as follows:

*"That the Council AGREES to:*

- 1 *Sponsor the Festival of Speed two-day event delivered by Justin Hunt Management for 2022 with the option for a second and third-year agreement based on Key Performance Indicators being met in year one;*
- 2 *LISTS FOR CONSIDERATION as part of the City's budget development process, an amount of \$350,000 over a three-year period commencing 2022-2023 budget year."*

## **DETAILS**

With a slight name change, 2022 saw the inaugural Joondalup Festival of Motoring (JFOM), held from 28 to 30 October 2022 in the Joondalup City Centre.

The event saw over 15,000 attendees experience over 1,000 cars on static display, and 150 cars compete in the inaugural Joondalup City Sprint.

### ***Event Programming***

The three days saw the following elements delivered across the City Centre.

#### **Friday 28 October**

- Powerplay Corporate Go Kart Challenge: where 32 competitors fought for the corporate challenge trophy.
- Mega Motoring Movie Marathon: three iconic motoring movies were hosted at Grand Cinemas, Joondalup.



Saturday 29 October

- Coffee and Cars: approximately 450 vehicles were on display in the Lotterywest Car Park, Joondalup.
- Cars and Cocktails: Central Park hosted Cars and Cocktails on Saturday afternoon.
- Shannon's Sundowner: Corporate Villa hosted for 120 event sponsors and guests.

Sunday 30 October

- Automotive Worlds: five distinct precincts were spread throughout the City Centre with static vehicle displays grouped by origin.
- JFOM Corporate Hospitality: Central Park hosted a fully catered villa for up to 225 guests to watch the sprint course action and network.
- Joondalup City Sprint: saw over 150 competitors vying for the title of inaugural winner.

In addition to the above programming the JFOM held a photography competition where people could submit photos taken across the weekend to win a \$250 prize and a People's Choice Award for the favourite vehicle on display in the Automotive Worlds.

**Wins**

- Social media reach was positive with the JFOM Facebook page reaching more than 142,000 people and growing to over 2,300 followers.
- The JFOM website reached over 81,000 users over the five month life of the website.
- Sponsorship received (beyond the City's contribution) was over \$137,000 in cash and in-kind support.
- The Joondalup City Sprint was new and unique for competitors and a course that had never been raced before, making it an attractive sprint for competitors.

**Challenges**

- Lead time for the event planning was too tight, especially for an event that had never been undertaken before.
- Cold and rainy weather on the Saturday impacted attendance and exhibitors' numbers.
- The event footprint was too large and resulted in stretched resources and some precincts feeling isolated.
- Engagement with key stakeholders and local businesses in the lead up to the event was extensive for little or no return.
- Traffic management needs to see a greater focus on pedestrian movement.

**Sponsorship Benefits Received by the City**

As the Host City sponsor, the City received the below outlined benefits:

<b>Promotional and Branding Benefits</b>	
Host City Sponsorship rights to the event (Joondalup Festival of Motoring held in the City of Joondalup)	✓
Logo on promotional material	✓
Logo on local, regional, and state-wide advertising	✓
Logo on event, program, and activity signage	✓
Logo and hyperlink on event website	✓

<b>Promotional and Branding Benefits</b>	
Logo on signage displayed at the event	✓
Recognition on radio advertising, such as Joondalup Festival of Motoring	✓
Recognition on media releases	✓
Recognition and link/tag on social media promotion (paid and organic)	✓
Digital marketing, (for example; Inclusion in e-newsletters, emails, and other digital promotions undertaken)	✓
Opportunity to include advertisement in publication or program	✓
Verbal acknowledgement throughout the event	✓
Opportunity to set up a promotional display	✓
Merchandise distribution, (for example; City merchandise in participant packs)	✓
<b>Economic and Tourism Benefits</b>	
Economic development, for example will the program or event provide an opportunity for local organisations to be involved or will it bring visitors to the region who will utilise current businesses such as hospitality (dining and accommodation)	✓
Tourism, (for example increase visitors to the region, people will travel to attend the event program)	✓
<b>Other Benefits</b>	
Corporate hospitality to a wide range of events held throughout the three days	✓
Opportunity for the City representative to present/speak	✓
<b>Attendance</b>	
Over 15,000	✓

### Issues and options considered

Council may choose to:

- endorse the sponsorship of the Joondalup Festival of Motoring for a further two year period (2023 and 2024) at \$400,000 per year
- endorse the sponsorship of the Joondalup Festival of Motoring with amendments to funding and/or conditions such as; funding requirement at \$350,000 per year for 2023 and 2024)  
or
- not endorse the event and cease the continuation of the Joondalup Festival of Motoring sponsorship.

### Legislation / Strategic Community Plan / Policy Implications

**Legislation** Not applicable.

### 10-Year Strategic Community Plan

**Key theme** Economy.

**Outcome**                      Appealing and Welcoming - you welcome residents, and local and international visitors to the City.

**Policy**                         Not applicable.

### **Risk Management Considerations**

The future events will continue to pose many risks, particularly in and around the safety of drivers, officials and spectators and will be subject to individual specific risk management plans that will be endorsed by Motorsport Australia and the Australian Auto Sport Alliance who are empowered to approve such events.

The event risk mitigation and management will be the responsibility of the event owner, Justin Hunt Management. The City will be consulted during the development of a risk management plan and will sight a final version of the plan at least eight weeks prior to the event.

Should the Council not endorse the increase in sponsorship funds there is a likelihood the event will not proceed, or elements of the event would need to be scaled back.

### **Financial / Budget Implications**

As part of its annual budgeting process, the Council allocates an amount of \$350,000 to attract significant events to the City to meet its strategic objectives.

For 2023 and 2024 the Joondalup Festival of Motoring requires a commitment of \$400,000 per annum for the City to secure the Host City Sponsorship.

### **Regional Significance**

The event is unique in that this format for a motoring event does not exist elsewhere in Western Australia or Australia currently.

Indications from relevant car club associations is that they will continue to support the event in future years.

### **Sustainability Implications**

Such an event should continue to be well supported by the community, both locally and beyond the City boundaries, while also providing a strong stimulus for the local economy.

Following the success and learnings from year one, the event has a history and data to enable the event organiser to “sell” the event to third parties more effectively.

### **Consultation**

Post event surveys and feedback received online indicates that attendees and competitors are enthusiastic to see it return in 2023.

Some comments received include:

*“Congratulations everyone! Can I just say that this was such a fantastically run event, well done to all those involved. I really hope it becomes a yearly thing because it was such a great turnout for Perth’s Motorsport this weekend”*

N Mac

*“As a ratepayer I think this was absolutely superb. Finally good to see COJ being a little innovative in City run events. Looking forward to next year”*

G Ellis

*“Well organised Joondalup Festival of Motoring and Well done for keeping spectators safe. Was great to have a vibe back in Joondalup! Hope it will be back soon”*

C Riddings

*“Brilliant event, Family of 5 we absolutely loved it. Can't wait for next year. Well done to all involved.”*

C Cowgill

*“Great event. Hopefully it becomes a regular one.”*

R Edwards

## **COMMENT**

The Joondalup Festival of Motoring would continue to meet the objectives of the *Strategic Community Plan* attracting and hosting significant events in the City; and based on the learnings from the 2022 event, 2023 and 2024 could become an iconic national event held annually in the region.

To encourage this growth and development, guaranteed support from the City for both the 2023 and 2024 events would allow the event organiser, Justin Hunt Management, to plan and manage resources more efficiently.

Other local governments have indicated a level of interest in hosting the event. Committing to 2023 and 2024 would see the City exclusively secure the event for the region.

## **VOTING REQUIREMENTS**

Simple Majority.

## **OFFICER'S RECOMMENDATION**

That Council AGREES to:

- 1 Commit to the sponsorship agreement for the Joondalup Festival of Motoring for a two year period (2023 and 2024) based on an exclusive arrangement with the event organiser, Justin Hunt Management and a post event report being provided outlining outcomes based on Key Performance Indicators;
- 2 LIST FOR CONSIDERATION as part of the City's budget development process, an amount of \$400,000 per annum over a two-year period commencing 2023-2024 Budget.

## **CALL FOR ONE-THIRD SUPPORT**

Regulation 10 of the *Local Government (Administration) Regulations 1996* prescribes the following procedure for dealing with revoking or changing decisions made at Council or Committee Meetings:

*“If a decision has been made at a Council meeting, then any motion to revoke or change the decision must be supported by at least one-third of the number of officers (whether vacant or not) of members of the Council.*

*If supported by one-third of the members, then any decision to revoke a resolution of the Council is required to be passed by an Absolute Majority.”*

One-third support has been given by the following Elected Members:

- 1 Cr Raftis.
- 2 Cr Thompson.
- 3 Cr Logan.
- 4 Cr Poliwka.
- 5 Cr Jones.

*Cr May left the Chamber at 9.55pm and returned at 9.58pm.*

**MOVED Cr Raftis, SECONDED Cr Jones that Council:**

- 1 **BY AN ABSOLUTE MAJORITY REVOKES** the decision of 15 February 2022 regarding CJ016-02/22 Provision of Sponsorship for a Significant Event – Festival of Speed 2022, as outlined below:

*“That Council AGREES to:*

- 1 *Sponsor the Festival of Speed two-day event delivered by Justin Hunt Management for 2022 with the option for a second and third-year agreement based on Key Performance Indicators being met in year one;*
- 2 *LISTS FOR CONSIDERATION as part of the City’s budget development process, an amount of \$350,000 over a three-year period commencing 2022-2023 budget year.”*
- 2 **NOTES** the 2022 Joondalup Festival of Motoring post event report outlining outcomes based on Key Performance Indicators;
- 3 **DECLINES** to conduct and sponsor the Festival of Motoring event for 2023 and 2024;
- 4 **LIST FOR CONSIDERATION** as part of the City’s budget development process, an amount of \$350,000 in the 2023-2024 budget year for a significant event;
- 5 **REQUESTS** the Chief Executive Officer undertake an Expression of Interest for organisations to submit ideas to own, develop, manage, plan, and deliver a significant event to be held within the City of Joondalup in 2023-2024.

**C018-02/23                    EXTENSION OF TIME TO SPEAK**

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

**The Motion was Put and**

**CARRIED (12/0)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Hamilton-Prime, Hill, Jones, Kingston, Logan, May, McLean, Poliwka, Raftis and Thompson.

**C019-02/23                    PROCEDURAL MOTION - THAT THE ITEM BE REFERRED BACK**

**MOVED Cr May, SECONDED Cr Fishwick that Item CJ012-02/23 - Sponsorship of Significant Event: Joondalup Festival of Motoring be DEFERRED to the next Ordinary Meeting of Council to allow the Chief Executive Officer to obtain further legal advice in relation to Clause 2.4 of the Deed.**

**The Motion was Put and**

**TIED (6/6)**

**In favour of the Motion:** Mayor Jacob, Crs Fishwick, Kingston, May, Raftis and Thompson.

**Against the Motion:** Crs Hamilton-Prime, Hill, Jones, Logan, McLean and Poliwka.

There being an equal number of votes, the Presiding Member exercised his casting vote and declared the Procedural Motion **CARRIED (7/6)**

*Appendix 11 refers*

*To access this attachment on electronic document, click here: [Attach11agn230228.pdf](#)*

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

Nil.

## **CLOSURE**

There being no further business, the Mayor declared the meeting closed at 10.40pm the following Elected Members being present at that time:

HON. ALBERT JACOB, JP  
CR TOM MCLEAN, JP  
CR ADRIAN HILL  
CR NIGE JONES  
CR DANIEL KINGSTON  
CR RUSSELL POLIWKA  
CR CHRISTOPHER MAY  
CR SUZANNE THOMPSON  
CR RUSS FISHWICK, JP  
CR JOHN RAFTIS  
CR CHRISTINE HAMILTON-PRIME, JP  
CR JOHN LOGAN