

QUESTION TO: **BRIEFING SESSION – TUESDAY 9 FEBRUARY 2021**

QUESTION RECEIVED: **Sunday 7 February 2021; 6.16pm**

Mr R Repke, Kallaroo:

Re: Item 6 – Eight Year Review of Local Laws.

Q1 *Can we add a clause regulating movable and immovable fire using equipment like what kind of burning material can be used, at which times and how high chimneys have to be and that permanently fixed outdoor fire places, like Pizza ovens, need a chimney roof height unless they have a filter system that eliminates nuisance smoke for users, guests and neighbours?*

A1 Burning from an external solid fuel apparatus is already regulated both under the *Bush Fires Act 1961* and the *Health (Miscellaneous Provisions) Act 1911*. The suggested local law amendment is to consider nuisances associated with fire pits and will not consider elements such as construction methods as this is outside of the City's local law making power.

QUESTION TO: **BRIEFING SESSION – TUESDAY 9 FEBRUARY 2021**

QUESTION RECEIVED: **Sunday 7 February 2021; 9.23pm**

Ms G Lock, Ocean Reef:

Re: Item 19 – Ocean Reef Marina Business Plan.

Q1 What is the dollar value for the environmental, social and cultural loss?

A1 The Ocean Reef Marina Business Plan deals with the transfer of City owned land required for the development to the State Government.

Q2 The community is expecting the dollar value of the carbon footprint is included in the business plan, what will it be?

A2 Refer A1 above.

Q3 Why is there no dollar value for loss of recreational amenities for the community and tourists, this includes, a healthy living and alive snorkelling reef, the walk/cycle path up to Burns Beach, natural coastline, the indigenous flora and fauna of the area ?

A3 Refer A1 above.

Q4 Why is there no dollar value of the health benefits of a sustainable indigenous environment?

A4 Refer A1 above.

Q5 Can the City advise the community the value that is lost by this development on disrupting significant Aboriginal Heritage area for maintaining connection to traditional way of life on coast?

A5 In July 2019, the South West Aboriginal Land and Sea Council (SWALSC) reviewed and supported a heritage survey conducted in 2015 for the Ocean Reef Marina site. The heritage survey found no sites of cultural significance, and none are registered with the Department of Planning, Lands and Heritage. SWLASC issued an Activity Notice for the development in 2019 stating that no further surveys were required.

Since early 2020, DevelopmentWA have engaged Yunga Foundation, an Aboriginal owned and lead business, to work closely with local Whadjuk people to obtain their input to the Ocean Reef Marina project. Yunga Foundation have met with a dedicated reference group of Traditional Owners who can speak to the cultural significance and stories of the Ocean Reef area and also held meetings with the Whadjuk Working Party (a body that represents 43 Whadjuk families in Perth).

Yunga Foundation's role is not to provide approval or endorsement for a project. Their role is to facilitate engagement with Traditional Owners and Aboriginal people to ensure Ocean Reef Marina is a place where the Whadjuk culture is celebrated through landscape design, art, language, business, and interpretive spaces; where connection to country will be reflected through Aboriginal business and job opportunities.

QUESTION TO: **BRIEFING SESSION – TUESDAY 9 FEBRUARY 2021**

QUESTION RECEIVED: **Sunday 7 February 2021; 9.32pm**

Mr T Lock, Ocean Reef:

Re: Item 19 – Ocean Reef Marina Business Plan.

Q1 Where is the dollar value for each of the native plants before they were destroyed, Quandong, Tuart, habitat plant and rare plant?

A1 The Ocean Reef Marina Business Plan deals with the transfer of City-owned land parcels to the State Government.

Q2 Where is the dollar value for loss of a unique landscape, built structures can be replaced and replicated, unique landscapes destroyed cannot?

A2 Refer to A1 above.

Q3 What will the cost to taxpayers be to manage and monitor the damage to the marine environment outside of the break wall due to polluted waters and who will be responsible?

A3 The responsibility, and therefore the expenditure, to adhere to the conditions of the approvals rests with the proponent (DevelopmentWA).

Q4 Why is there no dollar value on the reef for its valuable service?

A4 Refer to A1 above.

Q5 What is the expected cost for maintenance dredging and sand transfer for erosion caused by the break wall that will interfere with the natural sand movement?

A5 Refer to A3 above.

QUESTION TO: BRIEFING SESSION – TUESDAY 9 FEBRUARY 2021

QUESTION RECEIVED: Sunday 7 February 2021; 9.55pm

Ms C Baldwin, Iluka:

Re: Item 19 – Ocean Reef Marina Business Plan.

Q1 By starting a development (which includes the breakwater and roadworks) without this agreement being advertised and approved and the agreement gazetted, is Council and DevelopmentWA in breach of various overriding state and local legislation?

A1 No.

Q2 Has this oversight been brought before the State Government Auditor General and the Department of Local Government as this concerns procurement and financial contracts and tenders that under the Local Government Act 1995 need to be advertised?

A2 No. The City has complied with relevant legislation.

Q3 Is Council aware that as this is a budget item using the City of Joondalup ratepayers money that each Councillor as they vote tonight will know that their name will be recorded and the community will be fully aware of their intention to represent their constituents is real and in the best interests?

A3 Yes.

Q4 Who prepared the report, City staff or consultants and if consultants, where are the costs and costs going forward?

A4 The Ocean Reef Marina Business Plan report was prepared by the City.

Q5 As the City of Joondalup uses the Halliwell system to place a monetary value on each tree that is removed, where is this costing in the report on each tree that has been removed please, in line with the City's planning policies?

A5 This is not relevant to the Ocean Reef Marina Business Plan.

QUESTION TO: **BRIEFING SESSION – TUESDAY 9 FEBRUARY 2021**

QUESTION RECEIVED: **Sunday 7 February 2021; 11.51pm**

Ms M Kwok, Ocean Reef:

Re: Item 19 – Ocean Reef Marina Business Plan.

Q1 According to Financial Evaluation - Overall Summary item 4.2, Table on Overall Cashflow Totals including Escalation - Scenario2 (realistic) states that the 50 year cash forecast is for a Net Present Value (NPV) breakeven situation, has it taken into account the \$5 million sunk costs of the City plus the Written Down Value (WDV) of the existing infrastructure which will be destroyed and written off under the development and the real market "value" of the two parcels of land owned by the City which will be part of the development?

A1 Sunk costs and asset values are excluded. It is standard approach for project evaluations and Net Present Value calculations to only take account of future cash flows.

Q2 Are you factoring in the growth of rates from surrounding properties which are expected to increase their Gross Rental Value (GRV) as a result of proximity to the marina?

A2 This issue is not a matter for the Ocean Reef Marina Business Case to consider.

Q3&4 Will it be taxpayers' money or ratepayers' money contributing to future coastal management costs due to climate change, coastal erosion and rising sea level? Has this been factored into your financial evaluation?

A3&4 Refer A2 above.

Q5 When the marina is developed, the area will be totally degraded. Have you factored this loss into to your financial evaluation?

A5 Refer A2 above.

QUESTION TO: **BRIEFING SESSION – TUESDAY 9 FEBRUARY 2021**

QUESTION RECEIVED: **Monday 8 February 2021; 7.34am**

Mr R Dickson, Kingsley:

Re: Item 3 – Proposed Seven Multiple Dwellings at Lot 472 (41) Twickenham Drive, Kingsley – Section 31 Reconsideration.

Q1 *Why is Council proceeding with infilling involving the building of multiple storey unit blocks when local residents are in the main opposed to such developments, whether it be in Kingsley or elsewhere?*

A1 In response to the State Government setting infill targets, the City considered a merit based approach and concluded that 10 areas should be considered for higher density rather than taking an ad hoc approach to such development throughout the City. The areas selected, including the subject site, were strategically chosen based on proximity to train stations, bus routes and activity centres as well as other criteria.

When considering proposals for multiple dwellings, Council is required to consider an application on its merits in relation to the current planning framework, including the current density and State planning framework for multiple dwellings. This is considered in detail in the report.

Q2 *Why does Council believe such developments will not cause severe traffic congestion and traffic safety issues for this area of Kingsley, particularly if multiple dwellings continue to be approved for this part of the suburb?*

A2 There is adequate capacity within the surrounding road networks to support the development without compromising the safety of those within the immediate streets and surrounding areas. The location of the access has been assessed by the City and considered to be acceptable. Vehicles visiting the development are capable of entering and exiting in forward gear.

QUESTION TO: **BRIEFING SESSION – TUESDAY 9 FEBRUARY 2021**

QUESTION RECEIVED: **Monday 8 February 2021; 8.53am**

Ms M O’Byrne, Kinross:

Re: Item 18 – Proposals for Skate, BMX and Mountain Bike Facilities in the City of Joondalup.

Q1 *When can the Kinross Community expect a firm, unalterable commitment to the placing of the required extra seating and shade cloth at the Kinross Skate Park?*

A1 Listed in the *2021-22 Capital Works Program*, which is subject to Council approval, is the installation of three bench seats in the vicinity of Kinross Skate Park. At this stage there is no proposal to install a shade shelter for Kinross Skate Park.

Q2 *Could the City supply the reasons for its not having already set up a Percy Doyle Reserve Fund years ago to provide for improvements to established infrastructure and provide for new infrastructure on the PDR site?*

A2 The City has two established reserves. The Strategic Asset Reserve which is used for the purposes of new or upgrade capital expenditure on major projects or other projects as determined by Council. The reserve is not to be used for asset renewal expenditure.

The Asset Renewal Reserve is to fund renewal of existing City Infrastructure, building assets and vehicle, plant and equipment to ensure that the City can continue to utilise these at service levels expected. The Asset Renewal Reserve will not be used to fund upgrades of existing assets or acquisition or construction of new assets. These reserves are to be used for facilities across the City including Percy Doyle Reserve.

Q3 *What would the City say to the argument that its failure to already have a well-provisioned Percy Doyle Reserve Fund to actively maintain and increase necessary infrastructure on the Percy Doyle site is a signal failure of Council regarding this site?*

A3 See response to question two. The City over the last few years has spent approximately \$4.5 million refurbishing and upgrading a number of facilities within Percy Doyle Reserve which were funded in part from funds held within reserves.

Q4 *The Councils failure to already have a well-established, well-provisioned Percy Doyle Reserve Fund – why would residents not conclude that this is one of the main reasons for the Council commissioned Dave Langfear Consulting to examine the need and feasibility of combining a number of separate community facilities within one building on the Percy Doyle Reserve?*

Q5 *What were the reasons for the Council commissioning Dave Langfear Consulting to examine the need and feasibility of combining a number of separate community facilities within one building on the Percy Doyle Reserve, if not because of the lack of an established Percy Doyle Reserve Fund?*

A4&5 The Council had agreed to the master plan Percy Doyle some time ago, and in accordance with the Councils adopted position statement relating to master planning examined facilities being developed under the shared use, multi-purpose principles.