

agenda

Policy Committee

A MEETING WILL BE HELD IN CONFERENCE ROOM 2
JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP

ON

TUESDAY, 23 NOVEMBER 2010

COMMENCING AT

6.00 pm

GARRY HUNT
Chief Executive Officer
19 November 2010

TABLE OF CONTENTS

Item	Title	Page
	Declaration of Opening	4
	Apologies/Leave of absence	4
	Confirmation of Minutes	4
	Declarations of Interest	4
	Identification of matters for which the meeting may sit behind closed doors	4
	Reports	
1	Setting of Meeting Dates – 2011	5
2	Draft Streetlight Shade Policy	6
3	Draft Dedicated Car Parking for Parents with Prams Policy	11
	Motions of which previous notice has been given	18
	Requests for Reports for future consideration	18
	Closure	18

Note:**Clause 77 of the City's Standing Orders Local Law 2005 states:**

"Unless otherwise provided in this local law, the provisions of this local law shall apply to meetings of committees with the exception of:

- (a) Clause 29 (Members seating); and
- (b) Clause 54 (Limitation on members speaking)."

CITY OF JOONDALUP

Notice is hereby given that a meeting of the **Policy Committee** will be held in Conference Room 2, Joondalup Civic Centre, Boas Avenue, Joondalup on **Tuesday, 23 November 2010** commencing at **6.00pm**.

GARRY HUNT
Chief Executive Officer
19 November 2010

Joondalup
Western Australia

AGENDA

Committee Members

Members

Cr Kerry Hollywood

Cr John Chester

Mayor Troy Pickard

Cr Trona Young

Cr Liam Gobbert

Cr Christine Hamilton-Prime

Cr Fiona Diaz

Presiding Person

Deputy Presiding Person

Deputies

Cr Tom McLean

Cr Brian Corr

-

Cr Philippa Taylor

Cr Geoff Amphlett

Cr Mike Norman

Cr Russ Fishwick

Quorum for meetings (4):

The quorum for a meeting is to be at least 50% of the number of offices (whether vacant or not) of member of the committee.

Simple Majority:

A simple majority vote is to be more than 50% of those members present at the meeting.

Absolute Majority (4):

An absolute majority vote is to be more than 50% of the number of offices (whether vacant or not) of the committee.

Casting vote:

In the event that the vote on a motion is tied, the presiding person must cast a second vote.

Terms of Reference:

- (a) *To make recommendations to Council on the development and review of strategic (Council) policies to identify the direction of the Council;*
- (b) *To Initiate and formulate strategic (Council) policies;*
- (c) *To devise and oversee the method of development (level and manner of community consultation) for the development of strategic (Council) policies;*
- (d) *To review the Council Policy Governance Framework in order to ensure compliance with provisions of the Local Government Act 1995.*

DECLARATION OF OPENING**APOLOGIES/LEAVE OF ABSENCE****Leave of Absence previously approved**

Cr Young 19 to 28 November 2010 inclusive

CONFIRMATION OF MINUTES**MINUTES OF THE POLICY COMMITTEE HELD ON 24 AUGUST 2010****RECOMMENDATION**

That the minutes of the meeting of the Policy Committee held on 24 August 2010 be confirmed as a true and correct record.

DECLARATIONS OF INTEREST**REPORTS**

ITEM 1 SETTING OF MEETING DATES - 2011**WARD:** All**RESPONSIBLE:** Mr Jamie Parry, Director Governance and Strategy**FILE NUMBER:** 26176**ATTACHMENTS:** Nil.

PURPOSE

To provide a schedule of meeting dates for the Policy Committee for 2011.

BACKGROUND

At its meeting held on 16 November 2010, Council resolved to:

“7 AGREES that meetings for designated Council Committees be scheduled to occur on Mondays or Wednesdays of weeks 1, 2 or 3 of any month to minimise potential conflicts with other Council activities.”

DETAILS

It is suggested that quarterly meetings of the Policy Committee be set for 2011.

The meeting dates are based on the schedule of Council meeting dates, adopted by Council at its meeting held on 16 November 2010. The proposed meeting dates are as follows:

6.00pm on Monday, 7 February 2011;
6.00pm on Monday, 9 May 2011;
6.00pm on Monday, 8 August 2011;
6.00pm on Monday, 14 November 2011.

VOTING REQUIREMENTS

Simple majority.

RECOMMENDATION

That the Policy Committee APPROVES the following meeting dates for 2011:

**6.00pm on Monday, 7 February 2011;
6.00pm on Monday, 9 May 2011;
6.00pm on Monday, 8 August 2011;
6.00pm on Monday, 14 November 2011.**

ITEM 2 DRAFT STREETLIGHT SHADING POLICY**WARD:** All**RESPONSIBLE** Mr Martyn Glover, Director Infrastructure Services**FILE NUMBER:** 06009, 18058**ATTACHMENTS:** Attachment 1 - Draft Streetlight Shading Policy

PURPOSE

To provide the Draft Streetlight Shading Policy for consideration.

EXECUTIVE SUMMARY

This report outlines the content of the Draft Streetlight Shading Policy (as detailed in Attachment 1). This draft policy has been developed to provide guidance on the provision of shading for streetlights on roads in the City of Joondalup.

BACKGROUND

Streetlights are provided in all areas of the City. Approximately 70% of these lights are owned, installed, and maintained by the State Government Agency, Western Power. The other 30% of streetlights within the City are owned, installed and maintained by the City of Joondalup.

Streetlight lamps provided by Western Power are replaced every three to four years as part of their bulk lamp replacement program. In addition, dim and faulty lamps are replaced on an 'as required' basis as part of Western Power's general maintenance program. As lamps are replaced, the wattage is generally unchanged; however, as light output of lamps gradually dims over time, new lamps may appear brighter when first installed.

Shading for streetlights may be requested by residents due to their preference for less light intrusion through property windows, bedroom curtains and/or screens. The provision of such shading is provided by Western Power on request from the City of Joondalup, and the full cost of installation is charged to the City.

The City receives approximately four requests per month for streetlight shading from residents and there is some uncertainty surrounding the financial obligations involved in installation. The Draft Streetlight Shading Policy (as detailed in Attachment 1) addresses this uncertainty.

DETAILS

The cost for shading installation varies depending on the type of shading, and the type and location of the streetlight. Between 2004 and 2010, actual costs for installing streetlight shading have ranged between \$155 and \$935 (excluding GST). Quotations up to \$1,750 (excluding GST) have also been received; however, these installations have not been progressed. In addition, since 2005, Western Power has charged local governments a \$500 (excluding GST) non-refundable upfront quotation fee (this fee is subtracted from the final cost if the installation goes ahead; otherwise the fee is retained by Western Power).

Western Power has recently advised that they are currently reviewing their processes to reduce street light shading installation costs. Costs are expected to be approximately \$260 (excluding GST) in the Perth metropolitan area.

Currently, residents requesting streetlight shading are informed that they will be charged the full cost of the installation. City Officers have advised that few residents progress with the installation after being informed of this cost. However, there is, no formal policy position to articulate this and it is recommended that such a policy be adopted.

Issues and Options Considered:

The City has developed a Draft Streetlight Shading Policy, (as detailed in Attachment 1). In developing the policy, the City contacted numerous local governments in the Perth Metropolitan Area to identify a consistent approach to the provision of streetlight shading. Of the 15 responses received, only two local governments (City of Stirling and Town of Claremont) responded that they did not support the provision of shading for streetlights; the 13 other local governments responded that they did support the provision of streetlight shading. With regard to cost, only two local governments (Towns of Cambridge and Cottesloe), fund the entirety of the installation, with the remaining local governments (Cities of Belmont, Gosnells, Mandurah, Melville, Perth, Rockingham and South Perth, and Towns of Bassendean, Mosman Park, Victoria Park and Vincent) charging the full cost of installation to the resident.

It is therefore recommended that the City does support the provision of shading for streetlights upon request from residents, but only where:

- additional streetlights have been installed as a result of road or other works;
- additional streetlights have caused a significant change to illumination levels; and
- Western Power has advised the City that streetlight shading is appropriate.

It is recommended that the City does not consider requests for streetlight shading where:

- a change to illumination levels is due to lamp replacement by Western Power;
- carriageway, path and verge illumination or safety would be compromised;
- amenity to neighbouring properties would be negatively affected; and/or
- Western Power has advised the City that streetlight shading is inappropriate and/or cannot be installed.

The City believes that the installation of shading is a service provided 'above and beyond' the general provision of streetlights. As such, it is recommended that a 'user pays' approach be adopted with equal contribution being made by the resident and the City, that is:

- 50% of the cost borne is by the City; and
- 50% of the cost borne is by the resident.

If the resident is a pensioner, it is recommended that the City meets the full cost of installing the shading, that is:

- 100% of the cost borne is by the City.

Legislation/Strategic Plan/Policy Implications:

Legislation

Not applicable

Strategic Plan

Mission - *"To undertake all our activities with the endeavour of meeting community expectations and achieving sustainable lifestyles".*

Policy

As detailed above, the City has developed a Draft Streetlight Shading Policy for the Policy Committee's consideration (as detailed in Attachment 1).

Risk Management Considerations:

Potential risks associated with the adoption of the Draft Streetlight Shading Policy (as detailed in Attachment 1) are financial risks and have been articulated in the 'Financial/Budget Implications' section below.

Financial/Budget Implications:

As detailed above, the City receives approximately four requests for streetlight shading per month; however, the majority of these requests are not progressed as residents are not prepared to bear the cost of installation. On average, one streetlight shade is installed per year, costing between \$500 and \$1,750 (excluding GST).

The following table details the estimated financial implications for the installation of one streetlight shade, and 12 streetlight shades per year:

Number of installation of streetlight shading in one year	Minimum cost City:		Maximum cost to:	
	Normal resident (50%)	Pensioner (100%)	Normal resident (50%)	Pensioner (100%)
One	\$ 250	\$ 500	\$ 875	\$ 1,750
12 (one per month)	\$3,000	\$6,000	\$10,500	\$21,000

Therefore, the financial implications for this policy are dependent on whether the resident wishes to proceed with the installation of streetlight shading and whether that resident is a pensioner. If only one streetlight shade was installed in a year for example (which is currently the number of streetlight shade installed), the City would face a cost of between \$250 and \$1,750 (excluding GST). It is believed that if the policy is approved by Council, this could increase to one streetlight shade per month being installed, meaning the City would face a cost of between \$3,000 and \$21,000 (excluding GST).

These costs would be significantly reduced if, as a result of the review of its processes, Western Power reduces its street light shading costs to \$260 (excluding GST) per streetlight shade as has been recently indicated.

Funds will be available for the installation of streetlight shades in the budget currently used for street lighting maintenance.

Financial/Budget Implications:

Account No:	R3008-3359-TBA
Budget Item:	Street Lighting
Budget Amount:	\$3,036,610
Amount Spent To Date:	\$ 877,818
Proposed Cost:	TBA
Balance:	TBA

Regional Significance:

Not applicable

Sustainability Implications:

Not applicable

Consultation:

The City has consulted with other local governments in the development of this policy.

COMMENT

Street lighting is a major part of the road and pedestrian traffic network and it is the City's responsibility to illuminate this network according to Australian Standard 1158. Although the streetlights are owned, installed and maintained by Western Power, it is the City's responsibility to ensure a safe thoroughfare which is properly illuminated.

This draft policy has been developed to provide the City with appropriate guidance on the provision of shading for streetlights on roads in the City of Joondalup.

VOTING REQUIREMENTS

Simple Majority

RECOMMENDATION

That the Policy Committee RECOMMENDS that Council ADOPTS the Draft Streetlight Shading Policy as detailed in Attachment 1 to this Report.

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1agnPolicy231110.pdf](#)

ITEM 3 DRAFT DEDICATED CAR PARKING FOR PARENTS WITH PRAMS POLICY

WARD:	All
RESPONSIBLE	Ms Dale Page, Director Planning and Development
FILE NUMBER:	29136
ATTACHMENTS:	Attachment 1 Draft Dedicated Car Parking for Parents with Prams Policy

PURPOSE

To provide the Draft Dedicated Car Parking for Parents with Prams Policy for consideration in relation to the provision of parking bays set aside for the exclusive use of seniors and parents with prams.

EXECUTIVE SUMMARY

This report identifies the City's current obligations in regard to the provision of parking bays exclusively for the use of specific user groups, and the enforcement thereof.

The report also:

- raises difficulties associated with provision of parking for the exclusive use of seniors;
- outlines options for provision of parking for the exclusive use of parents with prams;
- recommends a preferred approach to provision of parking for the exclusive use of parents with prams;
- provides a Draft Dedicated Car Parking for Parents with Prams Policy for consideration by the Policy Committee.

BACKGROUND

At its meeting held on 29 September 2009, the Policy Committee requested a report in relation to dual use car parking bays that can be utilised exclusively by both seniors and parents with prams.

Current requirements and obligations

District Planning Scheme No. 2 (DPS2) requires the provision of an overall number of car parking bays for any development, based on the proposed land uses. The Scheme does not however require any of these bays to be set aside for specific user groups.

All developments, whether these be City buildings or privately constructed developments, are required to provide parking for people with disabilities in accordance with the Building Code of Australia (BCA) and the Australian Standard for off-street car parking (AS/NZS 2890.1 – 2004) (the Australian Standard).

The City currently provides parking for persons with disabilities at all of its facilities in accordance with the requirements of the BCA and the relevant Australian Standard. The City also requires that all private developments comply with these requirements through the planning and building approval processes.

ACROD permits are issued to persons who cannot access regular parking either as a passenger or driver because of their functional mobility limitations. All applications of ACROD permits are audited by an Occupational Therapist.

It is considered that the provision of parking bays for people with disabilities is accepted within the development industry and supported by the general community, as there is an identified physical need and the permit system ensures fairness and rigour to its application. In addition, it is applied equally across the state, which avoids confusion for users and regulators across local government boundaries.

There are no legal requirements to set aside parking for any other purpose, including for seniors or parents with prams. Where this parking is provided the correct usage of the bays is generally reliant on patrons being considerate and utilising the restricted bays only if they meet the relevant criteria.

The City currently provides six parking bays for exclusive use by parents with prams at its leisure centre in Craigie. These bays are set aside for safety reasons due to the number of young families utilising the centre. The six marked bays are those closest to the building and adjacent to the crèche, which minimises the requirement for parents with several young children to cross the car park. No other City facilities have parking bays set aside for parents with prams or for seniors.

Some shopping centres within the City do provide bays for parents with prams; however, this is currently done at the discretion of the shopping centre management.

DETAILS

Issues and options considered:

Parking for exclusive use by parents with prams

The key benefit of providing parking for the exclusive use of parents with prams is to create easier access to facilities for parents juggling prams and young children and safer passage to facilities for young children.

This benefit is maximised when the bays are located close to a specific destination with high visitation by parents with young children and when there are adequate designated bays to cope with demand.

There is less benefit in designating such bays in a car park surrounded by general uses or a car park without an identified destination that draws parents with young children. The question is then raised as to where the bays could be located? An option is that they be dispersed around the perimeter of the car park or as close as possible to the entrances of buildings, but demonstrated demand would not drive this action and this could then be seen to be at the unjustified expense of easy access by other users.

The key disadvantages of setting aside parking bays for the exclusive use of parents with prams are that other demographic groups may feel disadvantaged and enforcement will be challenging.

The former of these is easily defensible due to the increased safety for young children that results from parents parking in bays adjoining a verge or close to their destination.

In terms of the latter (enforcement), the effectiveness of this parking initiative would rely largely on users doing the 'right thing'.

The City's *Parking Local Law 1998* (Parking Local Law) provide the ability for City officers to infringe persons parking in Parents with Prams parking where they are not entitled to do so and where the Parking Local Law is enforceable. The Parking Local Law is enforceable in all City operated facilities but can only be enforced on private property under an agreement between the City and land owner. Currently the City has an agreement only with Lakeside Joondalup Shopping City. A formal agreement with other private developments or centres would be required before the City could provide enforcement services.

Even then, enforcement could likely only occur if parking enforcement officers witness the offence of someone using the bays, who does not meet the criteria to do so.

The issue should also be considered of whether the provision of parking for the exclusive use of parents with prams on private property should be mandated or encouraged by the City.

In order to mandate the provision of this parking, an amendment to DPS2 would need to be pursued. As mentioned above, it would likely be the type of business or attraction that would drive any real and consistent demand for the bays in question and not necessarily the land use category itself. Therefore, unless the City decided to make the provision of these bays a blanket requirement for all non-residential development, it would be very difficult to determine when, where and how to implement any requirement for the provision of the parking bays.

In light of this, it is likely that such a Scheme amendment would not receive the support of the Western Australian Planning Commission (WAPC). It is also likely that if such a scheme amendment were to be pursued by the City, it would be met with significant resistance from the development/commercial community.

It is noted that some shopping centres within the City of Joondalup have elected to provide parking for parents with prams. This parking is provided voluntarily by the centre management, with some centres requiring patrons to obtain a permit from the centre prior to utilising this parking. However, apart from the Lakeside Joondalup Shopping City, the City has no enforcement role and the restricted use of this parking relies on people 'doing the right thing'.

Parking for exclusive use by seniors

The key benefit of providing parking for the exclusive use of seniors is to enable seniors with reduced mobility to have easier access to facilities.

Not unlike setting aside parking for the exclusive use of parents with prams, this benefit is maximised when the bays are located close to a specific destination with high visitation by seniors and when there are adequate designated bays to cope with demand.

The key disadvantages of setting aside parking bays for the exclusive use of seniors are that other demographic groups may feel disadvantaged and enforcement will be challenging.

With respect to the former, it is important to note that bays set aside for the purpose of seniors' parking, would be able to be used by any person aged over 60, irrespective of whether they are active, fit and healthy or have reduced mobility (but not to the extent that they qualify for an ACROD permit). There are other people who have temporary or permanent mobility impairments (though not to the extent that they qualify for an ACROD permit), irrespective of their age or any other demographic consideration.

Questions are consequently likely to be raised by other groups and the community as to whether providing exclusive use bays for seniors is justifiable or equitable and the City needs to consider whether there is sufficient rationale for extending the preferential marking of bays from demonstrated physical need/ impairment to a less tangible need, that is, preference based on age.

In terms of enforcement, though potentially easier to identify non-compliance on a day to day basis than parking for parents with prams, the effectiveness of such a parking initiative would still need to rely largely on an honesty system.

A local law amendment would be required if the City wished to infringe persons unlawfully parking in bays set aside for seniors parking. It is considered that such an amendment is unlikely to be supported as a simple enforceable definition of "senior" has not been established and many non-seniors may feel that such a broad authority to use designated bays irrespective of physical need is not warranted when ACROD parking provisions are already in place, are well understood and apply across the State.

Options for consideration:

Mandating the provision of car bays on private property for the exclusive use of any group, apart from people with disabilities, has been excluded as an option for serious consideration given the significant complexities with implementing such requirements.

However, it is considered worthwhile for the City to encourage or support the provision of these dedicated parking bays on privately owned land, via policy.

Therefore, it is considered that the options for consideration should only relate to City facilities or City car parks.

Option 1 - Designating bays for 'seniors' at City facilities and in City car parks (whether these are dual use bays or not).

It is considered that it will be difficult for the City to justify the designation of bays for the exclusive use of a demographic group on the basis of age alone and not demonstrated need. This option is therefore not recommended. However, this position does not preclude the City from providing reserved bays at City facilities where activities are focussed on seniors, for example at Mildren Hall, and where bays are set aside for users of this facility.

Option 2 - The City provides bays for the exclusive use by parents with prams at all City facilities and in all City car parks.

It is considered that there would be little benefit in setting aside bays for parents with prams at all City facilities and all City car parks, irrespective of whether there are specific destinations that generate high visitation by parents with young children and consequently generate high demand for exclusive use bays. This option is not recommended.

Option 3 - The City provides bays for the exclusive use by parents with prams at selected City facilities and in selected City car parks.

This would be a more considered approach to the provision of such parking. The provision of exclusive use parking bays would be in response to an identified demand and in response to certain criteria and would therefore be implemented on a case by case basis. This is the recommended option.

Legislation/Strategic Plan/Policy Implications

Legislation

Building Code of Australia

The BCA requires that car parking spaces for people with disabilities are provided at a rate of one bay for every 100 parking bays or portion thereof. Whilst there is not a specified location or distance from an entrance for these bays, they should be located close to the entrances of the building to provide for dignified access for persons with a disability.

City of Joondalup Parking Local Laws 1998

The City's Parking Local Law provide the ability for City officers to infringe persons parking in Parents with Prams parking where they are not entitled to do so and where the Parking Local Law is enforceable. The Local Law is enforceable in all City operated facilities but can only be enforced on private property under an agreement between the City and land owner. Currently the City has an agreement only with Lakeside Shopping Centre. A formal agreement with other private developments or centres would be required before the City could provide enforcement services.

A Local Law amendment would be required if the City wished to infringe persons unlawfully parking in bays set aside for seniors parking. It is considered that such an amendment is unlikely to be supported as a simple enforceable definition of “senior” has not been established and many “non seniors” may feel that such a broad authority to use designated bays irrespective of physical need is not warranted when ACROD parking provisions are already in place, are well understood and apply across the State.

Strategic Plan

Key Focus Area: Community Wellbeing

Objective: To ensure the City’s facilities and services are of a high quality and accessible to everyone.

Policy Not applicable

Risk Management considerations:

There is no real risk in not setting aside bays for the exclusive use of either parents with prams or seniors as the City is meeting its statutory obligations requires all private developers to meet their statutory obligations in terms of the provision of parking for people with disabilities.

There is a risk that the community may feel that providing exclusive use bays for seniors is neither justifiable nor equitable as it is not based on demonstrated physical need/impairment but rather on age.

Financial/Budget Implications:

If the City were to provide, mark, and enforce the exclusive usage of bays for parents with prams at certain City of Joondalup facilities this would have operational and financial implications. These are difficult to quantify at this stage as it is unclear which facilities should be targeted for the provision of this type of parking.

Regional Significance:

Not applicable.

Sustainability implications:

Not applicable.

Consultation:

No consultation has been undertaken on the matter at this point in time.

COMMENTS

It is considered, as highlighted earlier in this report, that the City should not and could not mandate the provision of exclusive use bays on private property. The City could encourage this and even enforce this on behalf of private property owners (via formal agreement).

The provision of parking for parents with prams may be appropriate at some City facilities and in some City car parks, depending on their nature and location, in order to address concerns about safety of users. Enforcement of this can currently be undertaken by the City as per the City's Parking Local Law.

The provision of parking for seniors at City facilities and in City car parks is unlikely to address the underlying concern of provision of parking for mobility impaired persons, or other persons with a demonstrated need. It could be seen as unjustifiable and inequitable. Enforcement would require an amendment to the City's Parking Local Law which may be difficult to achieve for the afore-mentioned reasons.

VOTING REQUIREMENTS

Simple Majority.

RECOMMENDATION

That the Policy Committee RECOMMENDS that Council ADOPTS the Draft Dedicated Car Parking for Parents with Prams Policy as detailed in Attachment 1 to this Report.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2agnPolicy231110.pdf](#)

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

CLOSURE

APPENDICES

ITEM	TITLE	APPENDIX	PAGE
Item 2	Draft Streetlight Shade Policy Attachment 1 Draft Policy – Streetlight Shading	1	1
Item 3	Draft Dedicated Car Parking for Parents with Prams Policy Attachment 1 Draft Dedicated Car Parking for Parents with Prams Policy	2	3