

MINUTES

Policy Committee

**MINUTES OF THE
POLICY COMMITTEE MEETING**

HELD ON

MEETING DATE



MONDAY 8 OCTOBER 2007



**City of
Joondalup**

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CITY OF JOONDALUP

**MINUTES OF THE POLICY COMMITTEE MEETING HELD IN CONFERENCE ROOM 2,
JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY 8 OCTOBER
2007**

ATTENDANCE

Committee Members:

Cr Kerry Hollywood	<i>Deputy Presiding Person</i>	North Ward
Mayor Troy Pickard		
Cr Marie Macdonald		Central Ward
Cr Russ Fishwick		South Ward

Officers:

Mr Garry Hunt	Chief Executive Officer
Mr Mike Smith	Acting Director Governance and Strategy <i>to 2055 hrs</i>
Mr Chris Terelinck	Manager Approvals Planning and Environmental Services
Mr Gavin Taylor	Manager Leisure and Cultural Services
Ms Janet Harrison	Acting Manager Marketing Communications and Council Support

DECLARATION OF OPENING

The Deputy Presiding Person declared the meeting open at 1908 hrs.

APOLOGIES/LEAVE OF ABSENCE

Apologies Cr Sue Hart
 Cr Steve Magyar

CONFIRMATION OF MINUTES

MINUTES OF THE POLICY COMMITTEE MEETING HELD ON 14 AUGUST 2007

MOVED Cr Fishwick SECONDED Cr Macdonald that the minutes of the meeting of the Policy Committee held on 14 August 2007 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (4/0)

In favour of the motion: Crs Hollywood, Macdonald and Fishwick, and Mayor Pickard

ANNOUNCEMENTS BY THE DEPUTY PRESIDING PERSON WITHOUT DISCUSSION

Nil.

DECLARATIONS OF INTEREST

Nil

IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY SIT BEHIND CLOSED DOORS

Nil.

PETITIONS AND DEPUTATIONS

Nil.

REPORTS

ITEM 1 POLICY COMMITTEE - TERMS OF REFERENCE – [26176]

WARD: All

RESPONSIBLE Mr Ian Cowie

DIRECTOR: Governance and Strategy

PURPOSE/EXECUTIVE SUMMARY

To amend the existing Terms of Reference of the Policy Committee.

BACKGROUND

Council endorsed the Policy Framework and City Policy 8.1 Review and Development of Policies in 2005.

Following a request by the Policy Committee on 14 August 2007 that the Terms of Reference be amended so that: -

“...both Council and City Policies are referred to the Policy Committee for recommendation and referral to Council...”;

consideration has been given to the effect of such an amendment on implementation of the following:

- The current Policy Framework
- City Policy 8.1 Review and Development of Policies

The Policy Committee Terms of Reference are presently identified in City Policy 8.1 Review and Development of Policy as follows:

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

DETAILS

To comply with the Policy Committee requirement that the Terms of Reference be amended to enable City policies to be brought before the Policy Committee, the following amendments are proposed for consideration: -

The Policy Committee will:

- Make recommendations to Council on the development and review of Council and City policies to identify the direction of Council.
- Initiate and request the formulation and drafting of both Council and City policies.
- Devise and oversee the method of development (level and manner of community consultation) for the development of Council and City policies.
- Review the Council Policy Framework in order to ensure compliance with the provisions of the Local Government Act 1995.

Link to Strategic Plan:

Not applicable

Legislation – Statutory Provisions:

Local Government Act 1995

Risk Management considerations:

Not applicable

Financial/Budget Implications:

Not applicable

Policy implications:

If the proposed Terms of Reference are adopted, City Policy 8.1 will need to be revised to reflect that amendment.

Regional Significance:

Not applicable

Sustainability implications:

Not applicable

Consultation:

Nil

COMMENT

In order to effect the amendment being proposed it will be necessary to amend the introduction to the Policy Manual and City Policy 8.1.

ATTACHMENTS

Attachment 1 Amended Policy Framework

Attachment 2 Amended Policy 8-1

VOTING REQUIREMENTS

Simple Majority

The Chief Executive Officer provided an overview of the report and outlined the role of the Policy Committee.

Discussion ensued.

MOVED Cr Fishwick SECONDED Mayor Pickard that the Policy Committee RECOMMENDS that Council:

1 APPROVES the proposed amendments to the Terms of Reference for the Policy Committee that:

“The Policy Committee will:

- Make recommendations to Council on the development and review of Council and City policies to identify the direction of Council.**
- Initiate and request the formulation and drafting of both Council and City policies.**
- Devise and oversee the method of development (level and manner of community consultation) for the development of Council and City policies.**
- Review the Council Policy Framework in order to ensure compliance with the provisions of the Local Government Act 1995.”**

2 APPROVES the amendments shown as attachment 1 and 2 to this Report to the Policy Manual and City Policy 8.1 to reflect the amendments to the Policy Committee Terms of Reference.

The Motion was Put and

CARRIED (4/0)

In favour of the motion: Crs Hollywood, Macdonald and Fishwick, and Mayor Pickard

ITEM 2 POLICY FOR THE OPERATION OF CIRCUSES IN THE CITY OF JOONDALUP**WARD:** All**RESPONSIBLE** Mr Ian Cowie**DIRECTOR:** Governance and Strategy**PURPOSE/EXECUTIVE SUMMARY**

To provide a report on circuses in the City of Joondalup and to provide options for consideration by the Policy Committee.

BACKGROUND

A request was received from the Policy Committee meeting of 14 August 2007 for a report on circuses.

At a previous meeting of Council in 2000 (*CJ085 – 04/00 refers*) the matter of Circus Policies was addressed. On this occasion, Council recognised the fact that there are no suitable Council reserves to accommodate circuses in the City of Joondalup and made the decision that Council would not endorse any policy regarding circuses “*...due to the fact that Council has no wish to interfere with the right of residents in the City of Joondalup to attend performances if they so desire.*”

DETAILS

Given the background history of the City with respect to circus policy, the Policy Committee may wish to consider the following:

Issues and options considered:

Option 1

Abide by the previous decision of Council, that a policy on circuses is unnecessary.

Option 2

Adopt the draft Policy (Attachment 1) that provides a clear statement on Council’s position on the use of exotic animals for circus performances whilst supporting entertainments that employ the use of human acts and/or domestic animals such as cats and dogs.

Link to Strategic Plan:

Key Focus Area: Community Wellbeing

Objective: To meet the cultural needs and values of the community

Legislation – Statutory Provisions:

Not applicable

Risk Management considerations:

Not applicable

Financial/Budget Implications:

Not applicable

Policy implications:

Possible amendment to Policy Manual

Regional Significance:

Not applicable

Sustainability implications:

Not applicable

Consultation:

Not applicable

COMMENT

Research has been undertaken on this matter and the Council needs to be aware that by pursuing Option 2, the City will not be fully aligned with either the Code of Practice for the Conduct of Circuses in Western Australia or the RSPCA Policy on Performing Animals. The former allows that some animals may be more suited to and appropriate for circuses whilst stipulating the care and control of all animals in circuses. The latter decries the use of “animals for any form of entertainment where suffering is likely to be caused. ‘Entertainment’ is an inclusive term taking in all animal acts including the use of animals by street traders...RSPCA Australia is totally opposed to exhibitions or presentations of animals in circuses, travelling menageries and theatres”

Notwithstanding the above, it is still recommended that Council adopts a Policy on this matter given the ongoing demand for this type of entertainment in the City.

ATTACHMENTS

Attachment 1 – Draft Circus Policy

VOTING REQUIREMENTS

Simple Majority

The Acting Director Governance and Strategy provided an overview of the report.

Discussion ensued.

MOVED Cr Macdonald SECONDED Cr Fishwick that the Policy Committee RECOMMENDS that Council ADOPTS the draft City Policy – Statement on Circuses shown as Attachment 1 to this Report.

The Motion was Put and

TIED (2/2)

There being an equal number of votes, the Presiding Person exercised her casting vote and declared the Motion

LOST

ITEM 3 DRAFT AMENDED POLICY 3-1 CHILD CARE CENTRES – [85510]

WARD: All

RESPONSIBLE Mr Clayton Higham

DIRECTOR: Planning and Community Development

PURPOSE

The purpose of this report is for the Policy Committee to consider draft amendments to Council Policy 3-1 Child Care Centres.

EXECUTIVE SUMMARY

Recent development applications for Child Care Centres have attracted public interest and raised issues regarding the current Policy 3-1 Child Care Centres. Review and clarification of aspects of Policy 3-1 Child Care Centres to bring it in line with current community expectations is considered appropriate. This would also assist in the assessment of applications for this land use.

The issues of amenity, appropriate location, operating hours and location of outdoor play areas are included in the draft policy. Due to the number of elements of the policy that are proposed to be amended, and the difficulty of clearly showing these on the existing policy, a new draft policy document is provided.

It is recommended that the Policy Committee RECOMMENDS that Council, in accordance with Clause 8.11 of the City of Joondalup's District Planning Scheme No 2, ADVERTISES the draft amended Council Policy 3-1 - Child Care Centres, as shown in Attachment 1 to this Report, for public comment for a period of thirty five (35) days.

BACKGROUND

When the City of Joondalup was formed on 1 July 1998, Council adopted the former City of Wanneroo's planning policy manual under District Planning Scheme No 2 (DPS2) (CJ213-06/99 refers). This included adoption of (then) Policy 3.3.1 – Child Care Centres.

A review of policies was conducted in 2001 when minor amendments were made to Policy 3.3.1 (CJ318-09/01 refers). All policies were reviewed in 2005 under a new policy framework and Policy 3.3.1 was designated as a Council policy, known thereafter as Policy 3-1 Child Care Centres (CJ2076-10/05 refers).

The operation of Child Care Centres is regulated by the Child Care Centres (Child Care) Regulations 2006 and the Child Care Centres Regulations 2007.

DETAILS

Planning approval is required for the development of a Child Care Centre and Policy 3-1 Child Care Centres provides guidance to the location and development of those centres.

The following summary identifies issues that require review in the current Policy 3-1:

- Increased focus on amenity issues;
- Building setback requirements to be consistent with District Planning Scheme No 2;
- Clarification of where Child Care Centres are suitable in terms of the road hierarchy;
- Car parking and access requirements to be clarified and expanded;
- Additional provisions relating to operating days and hours, and outdoor play areas to be included.

Issues and options considered:

The options available to Council are:

- Adopt the draft amended Policy 3-1 Child Care Centres for the purposes of public advertising;
- Adopt the draft amended Policy 3-1 Child Care Centres, with modifications, for the purposes of public advertising;
- Not adopt the draft amended Policy 3-1 Child Care Centres.

Link to Strategic Plan:

The following objective and strategy of the City's Strategic Plan 2003-2008 are applicable to this report:

Objective 3.3 To continue to meet changing demographic needs.

Strategy 3.3.2 integrate plans to support community and business development.

Legislation – Statutory Provisions:

Clause 8.11 of the City of Joondalup's District Planning Scheme No 2 enables Council to prepare, amend and add to local planning policies that relate to any planning and development matter within the Scheme area.

Should Council adopt a draft policy, or amendment to an existing policy, the proposal is required to be advertised for a period of not less than twenty one (21) days. Advertising is undertaken by way of a notice published once a week for two consecutive weeks in a local newspaper, as well as on the City's website, giving notice where the draft policy or amendment may be inspected.

Risk Management considerations:

Not applicable

Financial/Budget Implications:

Policy implications:

Not applicable

Regional Significance:

Not applicable

Sustainability implications:

Not applicable

Consultation:

In the event that Council adopts the draft amendment to the policy for advertising, in view of the fact that applications for Child Care Centres attract public interest, advertising of the proposal for a period of thirty five (35) days is recommended. Upon completion of advertising, Council is required to consider all submissions and proceed to either adopt, modify or refuse the amendment to the policy.

COMMENT

Issues identified in the existing policy that are proposed in the draft amended policy are discussed below:

Amenity

The current objective of Policy 3-1 refers to maintaining a high level of amenity in residential areas. Additional wording has been added to emphasise this objective, including the requirement for a Traffic and Road Safety Impact Report and a Noise Impact Assessment to be submitted with the application.

Location

The preferred location of Child Care Centres in relation to the road hierarchy in Policy 3-1 is contradictory in some circumstances, and requires clarification. The draft amended policy clearly states that Local Distributor roads are the preferred location for Child Care Centres.

Building Setbacks

Child Care Centres are non-residential buildings that are subject to the generic setback provisions for all non-residential buildings as prescribed in DPS2. The current policy, however, indicates the Child Care Centres in residential areas should comply with the R-Codes. The policy provision promotes development of buildings in keeping with the residential area, however, Council is required to exercise discretion in terms of the DPS2 standards. The inclusion of statements addressing the relationship of the Policy to the DPS2 provisions is proposed.

Car Parking

Car parking requirements in the policy do not extend to include large Child Care Centres, with more than 72 children, and differs according to different car park and access arrangements. That is, fewer bays are required for smaller Centres catering for up to 56 children where a flow-through access and parking arrangement is provided.

It is proposed to expand the car parking provision table to cater for centres of up to 104 children. It is also proposed to simplify the required provision of car parking by not differentiating between car park access arrangements.

Additional Provisions

The current policy does not offer any guidance regarding days or hours of operation for Child Care Centres. It is proposed to include days and hours for weekdays and Saturdays.

Outdoor play areas are high use areas that have the potential to generate significant noise and disturbance to surrounding properties. Additional guidance regarding location of these areas is proposed. In addition, the provision of cover over a portion of these areas to give protection from the weather, in particular from the sun, is included.

Conclusion

The proposed amended Policy 3-1 will clarify suitable locations for Child Care Centres, setbacks, car parking and access requirements, amenity and Council's exercise of discretion. It will also include car parking requirements for large Centres, operating days and hours and additional provisions relating to outdoor play areas to improve the safety of the children.

ATTACHMENTS

Attachment 1	Draft Amended Policy 3-1 -Child Care Centres
Attachment 2	Existing Policy 3-1 Child Care Centres

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That the Policy Committee RECOMMENDS that Council, in accordance with Clause 8.11 of the City of Joondalup's District Planning Scheme No 2, ADVERTISES the draft amended Council Policy 3-1 - Child Care Centres, as shown in Attachment 1 to this Report, for public comment for a period of thirty five (35) days.

The Manager Approvals Planning and Environmental Services provided an overview of the report.

Discussion ensued, with the following key points being raised:

- In discussion on the number of children that can be accommodated at a child care centre, a request was made for a copy of the requirements of the Department of Communities.
- Clause 1 should state ‘..avoiding adverse impacts...’ rather than ‘...minimising adverse impacts...’.
- 3.1 Second sentence requires rewording.
- Clause 3.2. Amendment requested to read: ‘...suitable fencing or landscaping *must* be considered.’
- Replace reference to ‘residential area’ with ‘residential zone’.
- New Clause 3.3 to be added, dealing with noise attenuation.
- Discussion ensued on the hours of operation and the potential to extend operating times on Saturday.

MOVED Cr Macdonald SECONDED Cr Fishwick that the Policy Committee:

- 1 **NOTES the draft amended Council Policy 3-1 - Child Care Centres, as shown in Attachment 1 to this Report;**
- 2 **REQUESTS a further report and review of the draft Policy in relation to the following issues:**
 - (a) **reviewing Clauses 1, 2 and 3;**
 - (b) **including a new Clause 3.3, dealing with noise attenuation;**
 - (c) **providing clarification on the application to residential zones;**
 - (d) **giving consideration to extension of operating times on Saturday.**

The Motion was Put and

CARRIED (4/0)

In favour of the motion: Crs Hollywood, Macdonald and Fishwick, and Mayor Pickard

ITEM 4 SIGNS POLICY**WARD:** All**RESPONSIBLE** Mr Clayton Higham**DIRECTOR:** Planning and Community Development**PURPOSE/EXECUTIVE SUMMARY**

To update the Policy Committee on the development of a Signs Policy to guide the size and location of business signage within the City.

BACKGROUND/DETAILS

Council at its meeting held 28 August 2007 resolved to request a report on Business Signage within the City of Joondalup.

Currently, while the majority of signs require planning approval, the City does not have a policy that specifies the size and/or location of these signs. A Signs Local Law is in place, however, this focuses on issues such as maintenance and safety of signs, rather than their size or location.

Planning applications for signage are considered on the merits of the proposal, considering the objectives of the District Planning Scheme No 2, being:

- (a) to ensure that the visual quality and character of particular localities and transport corridors are not eroded;
- (b) to achieve advertising signs that are not misleading or dangerous to vehicular or pedestrian traffic;
- (c) to minimize the total area and impact of outdoor advertising commensurate with the realistic needs of commerce for such advertising;
- (d) to prohibit outdoor advertising which is considered to be superfluous or unnecessary by virtue of its colours, height, prominence, visual impact, size, relevance to the premises on which it is located, number and content;
- (e) to reduce and minimise clutter; and
- (f) to promote a high standard of design and presentation in outdoor advertising.

Link to Strategic Plan:

Key Focus Area: City Development

Objective 3.1 - To develop and maintain the City of Joondalup's assets and built environment.

Legislation – Statutory Provisions:

Not applicable.

Risk Management considerations:

Not applicable.

Financial/Budget Implications:

Not applicable.

Policy implications:

It is proposed to implement a new policy.

Regional Significance:

Not applicable.

Sustainability implications:

Not applicable.

Consultation:

Not applicable.

COMMENT

A drafting of a Signs Policy is underway. The policy will provide guidance on the location and size of the various forms of signage. Once the draft policy is complete, it will be presented to the Policy Committee for consideration.

The draft policy is likely to include guidance on the following aspects:

- Limiting certain types of signs to particular land uses
- Regulating the amount of building façade that can be covered by signage
- Providing parameters to regulate on-roof signage and minimising the impact of that (for example within the Joondalup City Centre on-roof signage is generally not approved).
- Limiting the amount of signage to avoid “clutter” on a building
- Providing prescriptive limits for the maximum size of types of signage including:
 - (a) pylon signs
 - (b) panel signs
 - (c) free standing hoardings
 - (d) product displays

- Encouraging multi panel shared pylon signs in lieu of individual signs
- Regulating and providing reasonable limits on temporary signage
- Regulating inflatable balloon signage
- Illumination of signs
- Public safety and amenity

The Policy Committee's input is invited on any other themes that it wishes to have included in the proposed policy.

ATTACHMENTS

Nil.

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That:

- 1 Comments be sought from the Policy Committee in relation to the required scope and content of the proposed policy;
- 2 the Policy Committee NOTES that the development of a Signs Policy is underway, and when completed the draft policy will be presented to the Policy Committee for consideration.

The Manager Approvals Planning and Environmental Services provided an overview of the report.

Discussion ensued in relation to the required scope and content of the proposed Policy.

MOVED Cr Hollywood SECONDED Cr Macdonald that the Policy Committee NOTES that:

- 1 **the development of a Signs Policy is underway, and when completed the draft policy will be presented to the Policy Committee for consideration;**
- 2 **that the following issues will be considered in formulating the Policy:**
 - **Limiting certain types of signs to particular land uses**
 - **Regulating the amount of building façade that can be covered by signage**

- Providing parameters to regulate on-roof signage and minimising the impact of that (for example within the Joondalup City Centre on-roof signage is generally not approved).
- Limiting the amount of signage to avoid “clutter” on a building
- Providing prescriptive limits for the maximum size of types of signage including:
 - (a) pylon signs
 - (b) panel signs
 - (c) free standing hoardings
 - (d) product displays
- Encouraging multi panel shared pylon signs in lieu of individual signs
- Regulating and providing reasonable limits on temporary signage
- Regulating inflatable balloon signage
- Illumination of signs
- Public safety and amenity

The Motion was Put and

CARRIED (4/0)

In favour of the motion: Crs Hollywood, Macdonald and Fishwick, and Mayor Pickard

ITEM 5 DRAFT CITY POLICY – HIRE OF COMMUNITY FACILITIES AND VENUES – [26176]

WARD: All

RESPONSIBLE Mr Clayton Higham

DIRECTOR: Planning and Community Development

PURPOSE/EXECUTIVE SUMMARY

To identify the issues and options associated with development of a new policy to provide free use of the City's facilities to 'Service' organisations such as Lions Clubs, Rotary and Apex.

BACKGROUND

At the meeting of Council on 27 February 2007, the Chief Executive Officer was requested to provide a report "...on the development of a policy to provide free use of the City's facilities to organisations such as Lions Club, Rotary and Apex."

The report was presented to the Policy Committee meeting of 14 August 2007. At this meeting, the committee resolved that consideration of free use of City facilities to service organisations be deferred for further review and a report be presented to the next meeting of the Policy Committee.

This report reconsiders the issue of charges associated with the use of City facilities in light of the Policy Committee's resolution.

DETAILS

Currently, there are 28 community facilities available for hire within the City, which are regularly accessed by a range of sporting and recreation clubs, seniors groups and two service groups, namely: the Lions Club (Whitfords and Ocean Reef branches) and a branch of the Red Cross. Apex has not booked Council facilities since 1999 and there is no record of Rotary having made a booking at all. Total bookings for the Lions and Red Cross service groups combined amounts to approximately 20 hours per week.

A range of Council and City policies make reference to the City charging for the use of City facilities as do a number of internal City procedures. Relevant references are as follows:

Council Policy 1-1 Leisure

One belief and value identified in this policy is:

“The City must manage its limited leisure resources, including human, financial and physical assets, in a manner that ensures equity, efficiency and effectiveness.”

One outcome identified in this policy is:

“Resources are allocated and services, facilities and programmes are delivered efficiently, effectively and equitably.”

Council Policy 4-2 Setting Fees and Charges

The objective of Policy 4-2 reflects the concepts of equity and effectiveness in Policy 1-1 using the following words:

“To establish a fair and equitable fee structure on a user contributes basis which reflects actual costs for goods and services provided by Council and takes into account the City’s objectives and community obligations.”

This policy includes a specific section on hire charges and will need to be reviewed in light of adoption of draft City Policy – Hire of Community Facilities and Venues.

Internal City Procedures

The City’s Procedures Manual for Community Facilities makes a variety of references to charging for the use of such facilities. Those references which are specifically relevant are as follows:

- The Statement of Principle contains the following references:

“Efficient use of financial resources is a goal that does not prohibit subsidised use by key sectors of the community.”

“Whilst acknowledging its role within the wider region, the City of Joondalup seeks to protect the interests of its ratepayers by ensuring priority access to the City’s residents and restricting subsidised use by individuals and clubs from other local government authority areas.”

- The definitions section provides a range of relevant definitions (Attachment 1).
- The manual then addresses the subsidised use of community facilities in detail (Attachment 2).
- Operating procedure 5 makes the following comments in relation to special event bookings.

“Standard hire rates apply (half day, full day, senior ‘in season’ use, junior subsidised use, commercial), however other Business Units may have additional fees for particular licenses or requirements”.

- Operating procedure 6 is entitled “subsidised use” and contains a number of pertinent comments as identified in Attachment 3.

Summary of existing situation

In summary, most Service Clubs are likely to be registered charities. Under the Council Policy 4-2 Setting Fees and Charges, it is stated that hire charges will be determined on a venue-by-venue basis and, amongst other criteria, whether the booking group is recognised as a charitable organisation by the ATO. However, the Policy does not advise on the percentage of commercial rate to be applied. The new draft City Policy – Hire of Community Facilities and Venues will address this matter.

Under current operating procedures the following criteria are applied with respect to inside venue hire:

1. Commercial rate = 100%
2. Community rate = 50% of the commercial rate
3. Charity rate = 25% of the commercial rate for registered charities
4. Free of Charge = where at least 50% of the members are 55+ or under 18 and reside in the City of Joondalup.

Service Clubs are defined within the procedures as:

“...organisations where members may volunteer to perform community services in alignment with organisational goals and objectives. To be eligible under this definition, funds raised must be donated to a charitable cause and/or research designed to improve standards and overall quality of life. Where a service club is also a registered charity they will be charged at the Charity Rate.”

Under operating procedures, a service club registered as a charity pays the “Charity Rate” at 50% of the “Community Rate” and is 25% of the “Commercial Rate.” Further, a service club may be considered for “Free of Charge” in circumstances where at least 50% of the members are over 55 and reside in the City.

A new approach

Given the disparity between existing polices and operating procedures, it is recommended that Council adopt a new policy to address the issues and clearly mandate fees associated with the hiring of community facilities.

It should be noted that, in conjunction with such a decision, the CEO would amend the Procedures Manual and change the operating procedures. The draft City Policy – Hire of Community Facilities and Venues can be found in Attachment 4 to this report.

Issues and Options considered:

The Policy Committee could:

- Support all the suggested changes;
- Seek to amend some of the suggested changes;
- Seek to add additional changes;
- Make no changes at this time.

Link to Strategic Plan:

Key Focus Area: Community Wellbeing

Objective 1.3 To continue to provide services that meet changing needs of a diverse and growing community.

Legislation – Statutory Provisions:

The new Policy in relation to Managing Community Facilities would need to comply with Section 6.17, Setting Fees and Charges, of the *Local Government Act (1995)*.

Risk Management considerations:

Amending the Policy and Procedures will reduce confusion, which creates the potential for complaints.

Financial/Budget Implications:

Not applicable.

Policy implications:

This report recommends changes to Policy, which will require updating the Policy manual.

Regional Significance:

Not applicable

Sustainability implications:

Providing access to City facilities at below recovery costs could be viewed as economically unsustainable. However, the provision of free use could be viewed as supporting social sustainability.

Consultation:

Council policies may be subject to community consultation.

COMMENT

The draft City Policy – Hire of Community Facilities and Venues outlines the level of subsidy provided to clubs, groups and associations in the City. The level of subsidy relates to hire fees and bond charges.

In addressing the issues of hire rates and bonds in draft City Policy – Hire of Community Facilities and Venues, it is important for the Policy Committee to note that current practice is not in line with existing Council Policy 4.2 - Fees and Charges.

Currently, it is difficult for the City to measure the level of subsidy provided to Clubs and the amount of time allocated for clubs booking community facilities. This is a result of the existing policy:

1. Making no provisions for free or discounted use of community facilities (buildings).
2. Providing no limitation to the amount of free use or discounted hire rates provided to eligible clubs/groups for the booking of community facilities and venues.

The intent of draft City Policy – Hire of Community Facilities and Venues is to provide guidelines to manage the level of subsidy provided by the City to community clubs/groups and establish equity in that provision. The extent, to which the subsidy is offered, will enable the City to determine the level of financial support provided to community groups.

A level of subsidy and weekly booking allocation has been set for the specific clubs and groups to conduct their activities. This provides a consistent approach to the amount of hours that can be booked at a subsidised rate by Clubs, with additional hours being charged at standard community rate. The setting of allocated subsidised use hours will help prevent blanket bookings being made by Clubs, therefore improving equity of access to the community.

ATTACHMENTS

Attachment 1 – Definitions

Attachment 2 – Subsidised Use of Facilities

Attachment 3 – Exemptions: Operating Procedure 6

Attachment 4 – Draft City Policy – Hire of Community Facilities and Venues

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That the Policy Committee RECOMMENDS that Council;

- 1 ADOPTS the draft City Policy – Hire of Community Facilities and Venues as shown as Attachment 4 to this Report;
- 2 REVIEWS Council Policy 4-2 Setting of Fees and Charges to reflect the changes instigated by virtue of draft City Policy – Hire of Community Facilities and venues;
- 3 REVIEWS Council Policy 4-2 Setting of Fees and Charges to reconsider how the City should deal with leased community facilities.

The Manager Leisure and Cultural Services provided an overview of the report.

Discussion ensued, with a number of amendments being raised to the proposed Policy.

Information was requested to be provided to Elected Members on the number of clubs that will be impacted on by the proposed policy.

MOVED Cr Fishwick SECONDED Cr Macdonald that the Policy Committee RECOMMENDS that Council;

- 1 ADOPTS the draft City Policy – Hire of Community Facilities and Venues as shown as Attachment 4 to this Report, subject to the amendments outlined on Attachment 1 to these minutes;
- 2 REVIEWS Council Policy 4-2 Setting of Fees and Charges to:
 - (a) reflect the changes instigated by virtue of draft City Policy – Hire of Community Facilities and venues;
 - (b) reconsider how the City should deal with leased community facilities.

The Motion was Put and

CARRIED (3/1)

In favour of the Motion: Crs Hollywood, Macdonald and Fishwick **Against the Motion:** Mayor Pickard

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

The Chief Executive Officer advised that reports on the following matters are to be presented to the next meeting of the Policy Committee:

- Vehicle replacement;
- Review of Policy 5-3 – The City's Art and Memorabilia Collections;

CLOSURE

There being no further business, the **Deputy** Presiding Person declared the Meeting closed at 2105 hrs; the following Elected members being present at that time:

Cr Kerry Hollywood
Mayor Troy Pickard
Cr Russ Fishwick
Cr Marie Macdonald

DRAFT CITY POLICY – HIRE OF COMMUNITY FACILITIES AND VENUES

STATUS:	City Policy - A policy that is developed for administrative and operational imperatives and has an internal focus.
	<i>City policies are referred to the Policy Committee for review and endorsement prior to Council adoption.</i>
RESPONSIBLE DIRECTORATE:	Planning and Development
OBJECTIVE:	To identify a fair and equitable method for determining fees and charges for the hire of Community Facilities and Venues <u>by community groups</u>.

STATEMENT:

Hire Fees

A fee will be established for the hire of community facilities and venues as part of the City's annual budget process. Hire fees will be consistent for each classification of community facility based on its size and capacity. Fees and charges are designed to assist the City subsidise the costs of operating and maintaining community facilities.

Reduced fees and charges will apply to not-for-profit, incorporated clubs and groups based within the City of Joondalup. To obtain reduced fees and charges, clubs and groups are required to provide evidence that demonstrates 50% of their members reside within the City of Joondalup.

Bond Charges

A 'Bond' is a security measure designed to protect the City's assets. Bond charges will apply to all casual bookings for the hire of the City's community facilities and venues.

Bond charges may also be applied to regular bookings when alcohol is being served and/or previous issues have arisen. In the event that damage is caused to a community facility or venue and a bond discount has been approved, the City will seek restitution to cover the costs for repairs.

Hire Fees and Bond charges will be reviewed annually in line with the City's budget process.

The following clubs and groups are eligible for reduced fees and charges. If the club or group uses a City facility in excess of the hours identified, the applicable fees and charges would be applied.

CLUB / GROUP	CLUB / GROUP DEFINED	DISCOUNT RATE APPLICABLE	EXTENT TO WHICH REDUCED FEES & CHARGES APPLY	BONDS
Playgroups	Provide childcare services coordinated by volunteer parents.	100% of regular community hire rate.	Activities - 20hrs p/week (4hrs p/day Mon-Fri) Meetings – 2hrs p/month	75% discount
Community Child Care Providers <u>not for profit</u>	Provide childcare services operated by paid, qualified professionals.	50% of regular community hire rate.	School Terms Activities - 25hrs p/week (5hrs p/day Mon-Fri) School Holidays Activities - 55hrs p/week (11hrs p/day Mon-Fri) Meetings – 2hrs p/month	75% discount
Community Child Care Providers – Commercial	<u>Principally operate commercial business and charge for child care services</u>	<u>Nil</u>	<u>None</u>	<u>No discount</u>
Junior Sporting Clubs & Community Groups	Provide leisure & recreation activities for people aged 18 years and under. Sports Seasons: Winter (1 April – 30 Sept) Summer (1 Oct – 31 March)	100% of regular community hire rate.	< 100 Members 6hrs p/week 100 – 300 Members 15hrs p/week > 300 Members 20hrs p/week Out of Sports Season 2hrs p/month	75% discount <u>** Includes senior sporting clubs</u>
Senior Sporting Clubs	<u>Provide leisure & recreation activities for people aged 18+, 50% being City of Joondalup residents</u>	<u>-</u>	<u>-</u>	<u>75% discount</u>
Service Clubs & Community Groups	Recognised groups that operate to raise funds for charity and provide benefits to the community.	<u>50% - 100%</u> of regular community hire rate.	Activities - 10hrs p/week	75% discount
Older Adult Groups	Provide leisure & recreation activities for people aged 55 years and over.	100% of regular community hire rate.	< 50 Members 4hrs p/week > 50 Members 8hrs p/week	75% discount
Senior Citizen Clubs	Recognised City of Joondalup Senior Citizen Clubs (Whitford, Duncraig, Warwick, Kingsley, Ocean Reef and Wanjoo).	100% of regular community hire rate.	Activities - 30hrs p/week Functions – 12hrs p/month	75% discount
Public Schools	Government Primary and Secondary Schools.	100% of regular community hire rate.	Functions - 6hrs p/term	50% discount

Exemptions

The following groups shall be exempt from facility hire charges:

- Juniors under the age of 18 years resident within the local government
- Creative Arts and Therapy Activities Group (CATA) resident within the local government
- Senior Citizen Groups resident within the local government

- [Red Cross](#)
- [Wanneroo Volunteer Bushfire Services](#)
- [Wanneroo Volunteer Emergency Services](#)
- [Sea Rescue Services](#)
- [Progress and Ratepayers Associations](#)
- [Community Recreation Associations](#)
- [Neighbourhood Watch Groups](#)
- [St John's Ambulance Groups](#)

Amendments:

Related Documentation:

Issued: