

MINUTES

Policy Committee

MINUTES OF THE POLICY COMMITTEE MEETING

HELD ON

MEETING DATE



MONDAY 23 JUNE 2008

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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 23 JUNE 2008

ATTENDANCE

Committee Members:

Cr Kerry Hollywood	<i>Presiding Person</i>	North Ward	
Mayor Troy Pickard			<i>From 1825 hrs</i>
Cr Marie Macdonald		Central Ward	
Cr Mike Norman		South-West Ward	
Cr Sue Hart		South-East Ward	<i>To 1830 hrs</i>

Observers:

Cr Brian Corr		South-East Ward	<i>To 1945 hrs</i>
Cr Russ Fishwick		South Ward	<i>To 1945 hrs</i>

Officers:

Mr Garry Hunt	Chief Executive Officer		<i>absent from 1904 hrs to 1906 hrs; from 1922 hrs to 1932 hrs and from 1948 hrs to 1949 hrs</i>
Mr Ian Cowie	Director Governance and Strategy		
Mr Mike Tidy	Director Corporate Services		<i>To 1910 hrs</i>
Mr Clayton Higham	Director Planning and Community Development		<i>Absent from 1905 hrs to 1910 hrs</i>
Mrs Janet Foster	Administrative Services Coordinator		

DECLARATION OF OPENING

The Presiding Person declared the meeting open at 1811 hrs.

APOLOGIES/LEAVE OF ABSENCE

Leave of Absence previously approved: Cr Trona Young – 15 June 2008 to 15 July 2008 inclusive.

Apology for absence: Cr Fiona Diaz

Apology for late attendance: Mayor Troy Pickard

CONFIRMATION OF MINUTES

MINUTES OF THE POLICY COMMITTEE MEETING HELD ON 25 MARCH 2008

MOVED Cr Hollywood SECONDED Cr Macdonald that the minutes of the meeting of the Policy Committee held on 25 March 2008 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (4/0)

In favour of the Motion: Crs Hollywood, Macdonald Norman and Hart

ANNOUNCEMENTS BY THE 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 3 was considered at this point.

**ITEM 3 ADOPTION OF A RESIDENT/ VISITOR
PARKING PERMIT POLICY – [07190]**

WARD: ALL

RESPONSIBLE Mr Mike Tidy
DIRECTOR: Corporate Services

PURPOSE

To consider the adoption of a Resident / Visitor Parking Permit Policy to facilitate the parking requirements of residents and their visitors who reside in an area that is affected by parking restrictions controlled by the City.

EXECUTIVE SUMMARY

The introduction of Parking Schemes, including Paid Parking, and the establishment of parking prohibitions, regulations and restrictions in areas throughout the City, requires the City to consider the introduction of a consistent and manageable Resident / Visitor Parking Permit Policy, as detailed in Attachment 1.

The ability of residents or their visitors to park in close vicinity of their homes may be affected by Parking Schemes in the Central Business District, near suburban railway stations and near schools. The policy will enable the City to:

- Manage on-street parking for people living in the City to balance residential, commercial and other parking demands.
- Not prejudice the needs of commercial facilities by the provision of on-street residential parking.
- Limit the issue of parking permits to residents and their visitors to optimise access to on-street parking facilities and enable community access to be maintained.

BACKGROUND

The City recognises that the introduction of parking restrictions may impact on the amenity or lifestyle of residents who live in the affected area.

As such, providing a resident can demonstrate that they have fully utilised their existing off street parking, for the purpose of vehicle parking, residents may apply for permits that exempt them and / or visitors to their property from parking restrictions in the vicinity of their home or allow them to park in their street, the adjacent street or in any street in an area designated for that use.

DETAILS

Under the City's Parking Local Law the issue of Resident Parking Permits can be approved when specific criteria are met. However this does not include an area which prohibits stopping or parking of vehicles on roads identified as No Stopping and No Parking regardless of the time(s) or day(s) that the restrictions apply.

The City of Joondalup Parking Local Law Part 4 – Parking on Roads - Clause 34 (2) states:

A person shall not park a vehicle on any part of a road:

- (a) if the parking of vehicles on that part is prohibited at all times by a sign; or*
- (b) during a period in which the parking of vehicles on that part is prohibited by a sign.*

The provisions of the Parking Local Law enable the City to issue permits to authorised vehicles for use in areas designated by signs.

The City of Joondalup Parking Local Law Part 5 – Stopping and Parking Generally - Clause 4A states:

A person shall not, without the permission of an authorised person stop or park a vehicle, other than an authorised vehicle, in an area designated by signs for the parking of authorised vehicles only.

The local law defines an authorised vehicle as:

“authorised vehicle” means a vehicle authorised by the local government or an authorised person to stop or park on a road or in a parking station, which is designated by signs to be used for parking by authorised vehicles only.

The attached policy has been prepared pursuant to the Local Law which has provisions that require that parking restriction signs will need to include the wording “Except Authorised Vehicles” to enable the City to issue Resident / Visitor Parking Permits in any area designated for parking restrictions. This will enable practical enforcement of these parking restrictions to be achieved.

The policies and Local Laws relating to parking of vehicles for people with disabilities are unaffected by this policy. A parking permit issued by the City does not guarantee that an on-street parking space will be available to the holder of the parking permit or that it is directly in front of their property.

Link to Strategic Plan:

Objective:

1.3 Lead and manage the City effectively.

Strategy:

1.3.1 The City develops and implements comprehensive and clear policies which are reviewed regularly.

Legislation – Statutory Provisions:

Under the City’s Parking Local Law the issue of Resident Parking Permits can be approved when specific criteria are met.

Although the Local Law does not specifically identify the issue of Visitor Parking Permits it is considered necessary to include these permits in the policy as a practical means of addressing the needs of residents who will have a requirement to temporarily park vehicles belonging to their visitors, carers or trades people in the area from time to time.

Resident Permits will be affixed to the windscreen by a similar method as that used by Vehicle Registration labels and must have all details clearly visible. Visitor Permits will be of a laminated card variety to enable residents to give to their visitors for them to clearly display on the dashboard of their vehicle and will be transferable from one vehicle to another as required.

The City of Joondalup Parking Local Law Part 6 – Residential Parking identifies the specific criteria applicable to Resident Parking Permits as follows:

Issue of Residential Parking Permits

- 52 (1) *The local government may, on written application, issue a residential parking permit in respect of a particular vehicle to a person who is:*
- (a) the occupier of a dwelling house fronting a road within the parking region; and*
 - (b) the holder of the requisite vehicle licence under the Road Traffic Act for a vehicle licensed at the address shown on the application.*
- (2) *The residential parking permit issued by local government may be either:*
- (a) an annual residential parking permit, issued for a period not in excess of one year and expiring on 31 December in the year of issue; or*
 - (b) a temporary residential permit, issued for a period not greater than 6 months.*
- (3) *Every residential parking permit shall specify:*
- (a) a permit number;*
 - (b) the registration number of the vehicle in respect of which the permit was issued;*
 - (c) the name of the roads or parking stations to which the exemption granted by clause 53 applies; and*
 - (d) the date on which the permit expires.*

Conditions of Exemption for Residential Parking Permits

- 53 *Where the stopping or parking of a vehicle on any part of a road within the parking region, whether such part be marked as a parking space or not, is prohibited for more than a specified time, or in a ticket parking zone without an unexpired parking ticket being displayed within the vehicle, the holder of a residential parking permit is exempted from such prohibition provided that such exemption shall apply only:*
- (a) to the road, roads or parking station specified in the residential parking permit, but excluding areas of road adjacent to retail premises, where parking of all classes of vehicles is subject to time restrictions;*
 - (b) if the residential parking permit is affixed to the windscreen or a window of the vehicle in a prominent position;*

(c) *if the period in respect of which the residential parking permit was issued has not expired; and*

(d) *if the holder of the residential parking permit at the time of parking the vehicle still occupies the premises in respect of which the residential parking permit was granted.*

Removal of Residential Parking Permit from Vehicle

54 *The holder of a residential parking permit who changes residence shall remove the residential parking permit from the vehicle to which it is affixed.*

Fees for Residential Parking Permits

55 *The fees payable for residential parking permits shall, in accordance with section 6.16 of the Act, be such fees as shall be set by a resolution of local government.*

Risk Management Considerations:

Not applicable.

Financial/Budget Implications:

The only budget implication for the City specifically relating to the adoption of the Policy is in relation to the Fees and Charges schedule. The current schedule will require to be amended to enable the issue of these permits to occur prior to the adoption of the proposed Fees and Charges applicable to the 2008-2009 Budget. Attachment 2 provides details of the proposed fees for the issue, renewal and replacement of Resident / Visitor Parking permits.

The City is required to advertise any proposed changes to the Fees and Charges schedule.

Policy Implications:

What is outlined in the draft Policy document is consistent with the aims of the Joondalup CBD Parking Scheme being:

- To encourage those people with on-site parking to use that parking and leave the public parking facilities available for those who have no alternative.
- To provide some support for residents and visitor parking in areas not subject to parking fees.

Regional Significance:

Not applicable.

Sustainability Implications:

It is proposed that the revenue generated by the application of fees for the issue, renewal and replacement of Resident / Visitor Parking Permits will meet the operational and on-going costs of providing this part of the parking service.

Consultation:

The City has previously consulted with residents in the CBD and other areas affected by the introduction of parking restrictions that will impact on the ability of residents and their visitors to park outside of their property, and concludes that residents support the introduction of restrictions in conjunction with the application of a permit system. The proposed fee will also encourage people to use their on-site parking facilities and minimise the number of Resident / Visitor Parking Permits that are issued.

In developing the draft policy, assessments were made of the policies and procedures of several large metropolitan local governments that have had residential parking permits for many years.

COMMENT

The proposed Policy is considered to be the most appropriate response to manage resident and visitor parking. Administration will monitor changes in parking demand and evaluate requests that are received as a result of the implementation of the Policy for Resident / Visitor Parking Permits.

In addition to the broader application of Resident/Visitor Parking permit schemes, Council has specifically resolved in relation to parking issues in Hawker Avenue Warwick and surrounding streets (Item CJ078-05/08 refers) to establish a Residential Parking Scheme and receive a report prior to its introduction. This policy needs to be adopted by Council before the requirements of CJ078-05/08 can be implemented. It is intended to submit a report in relation to CJ078-05/08 to the same Council meeting to which this policy is submitted.

ATTACHMENTS

Attachment 1 Proposed Resident / Visitor Parking Permit Policy
Attachment 2 Proposed Amendment to Fees and Charges Schedule

VOTING REQUIREMENTS

Absolute Majority

OFFICER'S RECOMMENDATION

That the Policy Committee RECOMMENDS that Council:

- 1 ADOPTS the Resident / Visitor Parking Permit Policy to facilitate the parking requirements of residents and their visitors who reside in an area that is affected by parking restrictions controlled by the City and as shown in Attachment 1 to this Report;

- 2 BY AN ABSOLUTE MAJORITY, ADOPTS the following fees for the issue, renewal or replacement of Resident / Visitor Parking Permits as shown in Attachment 2 to this Report:

Description	Basis of Charge	GST (Y/N)	Fee	GST	Total Fee
Ranger, Parking and Community Safety					
Resident / Visitor Parking Permit	Annual Permit (Expires 31 December)	Y	\$50.00	\$5.00	\$55.00
	Temporary Permit (Maximum 6 Months)	Y	\$30.00	\$3.00	\$33.00
	Replacement Permit (Damaged, lost or stolen)	Y	\$20.00	\$2.00	\$22.00

- 3 GIVES local public notice in accordance with Section 6.19 of the Local Government Act 1995 of the fees in (2) above.

ADDITIONAL INFORMATION

Minor modifications have been made to the report in relation to Adoption of a Resident/Visitor Parking Permit Policy, and its attachments.

The following replacement pages were provided at the Committee meeting and are appended to these Minutes:

- Agenda page 14;
- Attachment pages 23 to 25 inclusive.

MOVED Cr Hollywood SECONDED Cr Macdonald that the Policy Committee RECOMMENDS that Council:

- 1 ADOPTS the Resident / Visitor Parking Permit Policy to facilitate the parking requirements of residents and their visitors who reside in an area that is affected by parking restrictions controlled by the City and as shown appended to these Minutes;**
- 2 BY AN ABSOLUTE MAJORITY, ADOPTS the following fees for the issue, renewal or replacement of Resident / Visitor Parking Permits as shown in Attachment 2 to this Report:**

Description	Basis of Charge	GST (Y/N)	Fee	GST	Total Fee
Ranger, Parking and Community Safety					
Resident / Visitor Parking Permit	Annual Permit (Expires 31 December)	Y	\$50.00	\$5.00	\$55.00
	Temporary Permit (Maximum 6 Months)	Y	\$30.00	\$3.00	\$33.00
	Replacement Permit (Damaged, lost or stolen)	Y	\$20.00	\$2.00	\$22.00

3 GIVES local public notice in accordance with Section 6.19 of the Local Government Act 1995 of the fees in (2) above.

Discussion ensued.

It was requested that the Administration ascertain whether GST was exempt on such fees under the Tax Act.

During discussion:

- Mayor Pickard entered the Room at 1825 hrs;
- Cr Hart left the Room at 1830 hrs.

AMENDMENT MOVED Cr Norman SECONDED Mayor Pickard that the Motion be amended by:

1 adding the following words at the end of Point 1:

“... subject to the Policy being amended to reflect that it relates to the Joondalup City Centre only”;

2 adding an additional Point 4 to read:

“4 REQUESTS that a report be presented to Council establishing temporary parking permits for the Warwick train station catchment area where parking prohibitions are to be established;”

3 adding an additional Point 5 to read:

“5 REQUESTS the administration to prepare a Resident/Visitor Parking Permit Policy outside the Joondalup City Centre and present a report to the Policy Committee for consideration.”

The Amendment was Put and

CARRIED (4/0)

In favour of the Amendment: Crs Hollywood, Macdonald and Norman, Mayor Pickard

The Original Motion, as amended, being:

That the Policy Committee RECOMMENDS that Council:

- 1 **ADOPTS** the Resident/Visitor Parking Permit Policy to facilitate the parking requirements of residents and their visitors who reside in an area that is affected by parking restrictions controlled by the City and as shown appended to these Minutes, subject to the Policy being amended to reflect that it relates to the Joondalup City Centre only;
- 2 **BY AN ABSOLUTE MAJORITY, ADOPTS** the following fees for the issue, renewal or replacement of Resident / Visitor Parking Permits as shown in Attachment 2 to this Report:

Description	Basis of Charge	GST (Y/N)	Fee	GST	Total Fee
Ranger, Parking and Community Safety					
Resident / Visitor Parking Permit	Annual Permit (Expires 31 December)	Y	\$50.00	\$5.00	\$55.00
	Temporary Permit (Maximum 6 Months)	Y	\$30.00	\$3.00	\$33.00
	Replacement Permit (Damaged, lost or stolen)	Y	\$20.00	\$2.00	\$22.00

- 3 **GIVES** local public notice in accordance with Section 6.19 of the Local Government Act 1995 of the fees in (2) above;
- 4 **REQUESTS** that a report be presented to Council establishing temporary parking permits for the Warwick train station catchment area where parking prohibitions are to be established;
- 5 **REQUESTS** the administration to prepare a Resident/Visitor Parking Permit Policy outside the Joondalup City Centre and present a report to the Policy Committee for consideration.

Was Put and

CARRIED (4/0)

In favour of the Motion: Crs Hollywood, Macdonald and Norman, Mayor Pickard

ITEM 1 DRAFT CATS LOCAL LAW – [29182]

WARD: All

RESPONSIBLE Mr Ian Cowie
DIRECTOR: Governance and Strategy

PURPOSE/EXECUTIVE SUMMARY

To provide the Policy Committee with information relating to the sterilisation of cats and to present the City's current Draft Cats Local Law for the Committee's consideration.

BACKGROUND

At the Meeting of 10 June 2008 (*CJ097-06/08 refers*), Council decided, inter alia that:

“Consideration of the proposed Draft Cats Local Law be referred to the Policy Committee.”

In light of concerns from Elected Members and residents, this report addresses issues in relation to cat sterilisation by providing an overview of current practices for encouraging and enforcing sterilisation across local governments. Options for encouraging cat sterilisation within the community are also presented for the Committee's consideration.

DETAILS

There are currently no local governments within Australia that compulsorily require the sterilisation of cats; however, most Councils do acknowledge the benefits that cat sterilisation provides the community, including reduction in:

- straying cats in search of mates;
- cats spraying to mark their territory;
- the number of unwanted cats caused from irresponsible breeding;
- cats causing a nuisance from fighting or mating.

Some Councils, such as the Town of Victoria Park and the City of Melville, try to encourage owners to sterilise their cats by offering subsidies for the procedure, with reimbursements ranging from \$20 to \$40. By introducing these schemes, local governments are able to encourage responsible pet ownership without the burden of implementing an enforcement program that is unlikely to change the current rate of cat sterilisation, (given that previous State Government Reports have indicated that over 85% of cats in Western Australia are sterilised).

A subsidy scheme aims to capture the 15% of cat owners who choose not to sterilise their cats and are not part of a category that would ordinarily be exempt from sterilisation, for example, cats owned by a breeder.

On the other hand, a program that compulsorily requires cat sterilisation may do little to increase sterilisation numbers due to the difficulties in enforcement. It is very difficult to trap and identify a cat as well as determine whether it is sterilised without an indicative marking or veterinarian certificate. Therefore, any compulsory program would need to be linked to a registration system to allow the City to develop a database of information relating to sterilised cats. This would be achieved by the City's currently proposed Draft Cats Local Law (provided at Attachment 1).

If sterilisation is made compulsory at registration, owners who do not wish to pay for their cat to be sterilised would be unlikely to register their cat, undermining not only the efforts of the City to increase cat sterilisation, but the efforts to compulsorily require registration and build a cat information database.

Further to this, it is postulated that already responsible cat owners who sterilise and care for their pets appropriately would be most likely to register their cats, given they have nothing to be concerned about should a Cats Local Law be enforced. However, irresponsible owners would have little incentive to sterilise or register their cats, as it is obvious that many offences contained within the Local Law would be very difficult to enforce. Without registration or identification, the City is unable to determine the owner of a cat and is therefore unable to penalise those in breach of provisions within the Local Law. A costly administrative system would therefore be providing little to no benefit to the community as the situation in relation to cats would not be altered.

There is also little evidence to suggest that there is a problem with cats within the City. Admittedly, the City relies on the receipt of complaints to determine the extent of the problem and residents do not always go to the effort to make their concerns known, however, it is difficult to determine whether problems with cats are instigated by domestic pets or feral animals. Extensive external research would need to be undertaken to make this distinction.

Also, a fairly recent study was undertaken by a PhD student on behalf of the City of Armadale to determine the impact of roaming domestic cats on the reduction of native fauna. The study was inconclusive on the impact of domestic cats; however, it did conclude that dieback and other factors have a more significant impact on the presence or absence of native fauna than cats do.

Issues and options considered:

Below are options for the Committee to consider on how the City may provide cat sterilisation incentives for the community.

Option 1: Encourage cat sterilisation by offering subsidised registration for sterilised cats within the Draft Local Law

The current draft local law incorporates this incentive by offering a subsidised rate of \$10 per year to register a sterilised cat (in comparison to \$30 for a non-sterilised cat). This is a minor incentive and is in-line with provisions contained within the *Dog Act 1976*, however, when compared to the cost of sterilising a cat (which ranges from between \$90 - \$220), it is very little incentive to ensure that a cat is registered and sterilised.

A more significant subsidy could be achieved by significantly increasing the proposed fee for registering a non-sterilised cat; however, this would do little to encourage a greater number of registered cats.

Option 2: Encourage cat sterilisation by developing and implementing a subsidy program

This approach is more aligned to the approaches of other local governments wishing to promote responsible cat ownership and the benefits of cat sterilisation to the community.

Also, a voluntary program that provides financial incentive is more likely to encourage owners to sterilise their cats than a compulsory requirement within a local law, as a local law does not financially assist owners to pursue the procedure and can only be enforced if registration details are available.

Local governments that currently offer similar programs allocate budget funds of up to \$1,200 per year, although the amount of funds allocated will ultimately depend on the amount of subsidisation offered. The local government with the \$1,200 budget allocation offers a subsidy of \$20 per cat.

Option 3: Amend the City's current Draft Cats Local Law to include provision for compulsory cat sterilisation at the time of registration

This approach is not recommended as it will do little to encourage cat sterilisation and to support the registration of cats.

By associating compulsory sterilisation with registration, financial incentives are unable to be incorporated within the Local Law, as non-sterilised cats would not be eligible for registration. (Therefore, a disparity in the fees for registering a non-sterilised cat compared to a sterilised cat would not be able to be made, which is where the financial incentive currently exists if cat sterilisation is not compulsory).

In addition, there is little supporting evidence to confirm the impact that unsterilised domestic cats have on Joondalup fauna, so to impose an expensive compulsory cost on residents without sufficient evidence to prove the contrary would seem inequitable and unjustified.

Link to Strategic Plan:

Not Applicable.

Legislation – Statutory Provisions:

This report relates to a proposed Draft Cats Local Law for the City of Joondalup. The City has the ability to introduce local laws under Section 3.5 of the *Local Government Act 1995*.

Risk Management considerations:

Should a Cats Local Law be introduced requiring the compulsory sterilisation of cats, there is a risk that the original intention of the Local Law (namely to register and identify cats) will be undermined as there will be little incentive to sterilise a cat at full cost to the owner and to pay the registration fees.

Also, given that there are few precedents for Cats Local Laws within Western Australia (particularly one as comprehensive as the draft proposed by the City), there is no guarantee that the Joint Standing Committee on Delegated Legislation will allow the Local Law, although it would appear to be within power.

Financial/Budget Implications:

Estimates show that it will cost the City over \$40,000 annually to administer the introduction of a Cats Local Law.

Policy implications:

It is recommended that the Committee considers an overall policy position in relation to the control of cats that includes the sterilisation, identification and registration of cats. This information will inform the content of the Draft Cats Local Law that will be presented to Council for consideration.

Regional Significance:

Not Applicable.

Sustainability implications:

Not Applicable.

Consultation:

Should Council pursue the introduction of a Cats Local Law, the issue of cat control will be considered by community members through a public consultation process. It is anticipated that significant interest would surround the consultation, given the controversial nature of the subject matter.

When the City of Stirling introduced a less comprehensive Cats Local Law several years ago, the consultation process became so overwhelming that a community workshop and information session was held to assist in diffusing some of the debate within the community. It would not be unreasonable to suggest that a similar situation would arise in Joondalup's case.

COMMENT

It should be noted that City Officers do not support the introduction of a Cats Local Law for the purposes of controlling, registering and identifying cats. This position has been described in previous reports to Council on this matter and is reiterated in Attachment 2 to this report.

In addition, the City does not support the inclusion of compulsory sterilisation should a Cats Local Law be progressed by Council. However, a subsidy program would certainly be viewed as being more effective and beneficial for increasing sterilisation although it could be costly.

ATTACHMENTS

Attachment 1	Draft Cats Local Law
Attachment 2	Previous Report to Council on a New Cats Local Law (CJ097-06/08)

VOTING REQUIREMENTS

Simple Majority

OFFICER'S RECOMMENDATION

That the Policy Committee RECOMMENDS that Council ADOPTS option 2, which encourages cat sterilisation through the development of a Cat Sterilisation Subsidy Program.

MOVED Cr Norman SECONDED Mayor Pickard that the Policy Committee RECOMMENDS that Council ADOPTS option 2, which encourages cat sterilisation through the development of a Cat Sterilisation Subsidy Program, and offers a subsidy of \$50 per cat.

Discussion ensued.

AMENDMENT MOVED Mayor Pickard SECONDED Cr Macdonald that the Motion be amended by adding an additional Point 2 to read:

“2 AMENDS the City’s current Draft Cats Local Law to include provision for compulsory cat sterilisation at the time of registration.”

The Amendment was Put and CARRIED (4/0)

In favour of the Amendment: Crs Hollywood, Macdonald and Norman, Mayor Pickard

AMENDMENT MOVED Mayor Pickard SECONDED Cr Norman that the Motion be amended by adding an additional Point 3 to read:

“3 DEVELOPS an appropriate education programme to promote responsible cat ownership.”

The Amendment was Put and CARRIED (4/0)

In favour of the Amendment: Crs Hollywood, Macdonald and Norman, Mayor Pickard

The Original Motion, as amended, being:

That the Policy Committee RECOMMENDS that Council:

- 1 ADOPTS option 2, which encourages cat sterilisation through the development of a Cat Sterilisation Subsidy Program, and offers a subsidy of \$50 per cat;**
- 2 AMENDS the City’s current Draft Cats Local Law to include provision for compulsory cat sterilisation at the time of registration;**
- 3 DEVELOPS an appropriate education programme to promote responsible cat ownership.**

Was Put and CARRIED (4/0)

In favour of the Motion: Crs Hollywood, Macdonald and Norman, Mayor Pickard

Crs Corr and Fishwick (Observers) left the Room at 1945 hrs.

ITEM 2 CREATION OF A SIGNIFICANT TREE REGISTER – [18058]

WARD: All

RESPONSIBLE Mr Ian Cowie
DIRECTOR: Governance and Strategy

PURPOSE/EXECUTIVE SUMMARY

At the Policy Committee meeting held on 11 December 2007, a request was submitted for a report on the creation of a significant tree register.

BACKGROUND

In 1999, a draft Tree Preservation Policy together with an accompanying information brochure and staff manual were developed on behalf of the City of Joondalup and the former City of Wanneroo. Whilst these documents were not progressed at the time, they contained many of the features identified during the most recent research processes involving other local governments in Western Australia and nationally.

In most instances where a tree register has been created, it has been within the context of broader policies of Council or town planning schemes concerning the management and preservation of landscape, vegetation or cultural heritage.

According to the National Trust (South Australia) 2007, “Significant Trees” may be defined as those that have one or more of the following attributes:

- They are remnant vegetation that provides an important habitat, conserves biodiversity or is a seed or food source. Selected trees may be rare, endangered or vulnerable.
- They are historic, perhaps associated with Aboriginal, colonial or post-colonial people, events or communities. Such trees may form part of a private or public garden, or are or have been important in the life of the local community.
- They are aesthetic as a result of unusual size, great age, intrinsic physical features, outstanding appearance or occurring in a unique location or context, and thus provide a special contribution as a landmark or landscape feature.
- They are botanical, having medicinal or genetic value. Selected trees may be isolated specimens, have State or National conservation status, be of original genetic stock, a cultivar resistant to disease or exposure, or propagated from biologically important stock.

Further, 'significant trees' may be found in public parks, reserves, streets, car parks, private and public gardens and in the following form/s:

- individual specimens, avenues or stands of trees or native vegetation;
- a landscape design, memorial arrangement or celebratory alignment;
- immature specimens, mature, post-mature or notably old.

At the national level, the Cities of Macquarie, Gosford and Randwick (NSW) and Frankston (VIC), have comprehensive documentation on tree registration. Of these three local governments, only one register does not appear to be linked to local Town/District Planning legislation. In the ACT, a tree register for trees of an 'exceptional value' on leased and unleased public land has been established under the provisions of the State Tree Protection Act 2005. Parts of this document could be adapted for the City's purposes as it provides useful definitions and clear procedures for creating a tree register that will have the effect of protecting and preserving the trees listed in it.

In Western Australia, the City of South Perth originally developed a tree register as a requirement of a Street Tree Management Plan (2003) and the local town planning policy whereby the details of all identified trees are placed on a database linked to GIS. Trees can be nominated for the register by officers or residents. Further, a method for determining the amenity valuation of each registered tree has been developed in the event that removal or damage occurs. This information can be used in circumstances where the City of South Perth wishes to take legal action.

The City of Mandurah is in the process of developing a tree register in alignment with the provisions of the local Town Planning Scheme 3. To date, consideration has been given to the nomination of trees on private property as well as in foreshore reserves and public parks and gardens. Further, that the process by which the 'significance' - or otherwise - of a nominated tree would be determined, would include site visits by an arborist and an officer.

One example of a process for determining the status of a nominated tree for a tree register is that of the City of Melville. A selection criteria adapted from the National Trust definition of 'significance' has been developed which includes a scoring system. Whilst using this method provides for some transparency in the decision-making process, specialist arboricultural and/or horticultural knowledge would be needed to score the items included in the selection criteria.

The City of Armadale has incorporated tree registration into the local Town Planning Scheme 4 (clause 7) and the Tree Preservation Planning Policy 2.4 sets out the requirements for the identification, registration, management and review of trees identified as significant. Again, it would seem that this policy has been informed by the work of the National Trust in this area.

DETAILS

Given the original work undertaken by the City in 1999 and the findings from the research process, there is an opportunity for the City to create a Significant Tree Register that is an effective tool for protecting and preserving environmental assets.

Therefore, the recommended content for a Significant Tree Register for the City of Joondalup is as follows:

- A purpose statement which identifies why a Significant Tree Register has been created that can be included in the introduction to the document.
- Definitions of the term 'significant tree' so that categories can be established within a register e.g., Heritage, species, location/landmark significance.
- A nomination process setting out who may nominate a tree for inclusion in the register and how and when (frequency) a nomination may be made.
- An assessment process which includes selection criteria for determining which of the nominated trees may be accepted onto the register and the person/s responsible for assessing nominations.
- An advisement process including explaining the rationale for including a nominated tree in the tree register, the date from which that inclusion will be effective and what will occur as a result of that inclusion e.g., ongoing arrangements for the maintenance of the tree; amenity valuation of a tree; actions the City might take in circumstances where the tree is at risk of or has been damaged by a person or persons unknown.
- Prohibited activities with respect to trees included in the register are identified and the penalties for those activities are set out.
- Approved activities with respect to trees included in the register are identified and the process for seeking permission to carry out those approved activities is set out.

Further, reference to a Significant Tree Register and its operation should be incorporated into local town planning legislation.

Issues and options considered:

There are a number of policy options available for establishing a tree register as an effective method for protecting and preserving significant trees in the City and these are set out as follows:

The Policy Committee could recommend to Council:

Option 1 That the establishment of a Tree Register be undertaken as part of the DPS2 review.

In this way, the protection and preservation of significant trees listed in a tree register would be addressed through local town planning legislation. This would enable the City to deal with significant trees on both public and private land.

Option 2 That the establishment of a Tree Register be considered as a scheme amendment to the current DPS2.

As in Option 1, the protection and preservation of significant trees listed in a tree register would be addressed through local town planning legislation. However the timeframe for implementing this option is likely to be shorter. This option would enable the City to deal with significant trees on both public and private land.

Option 3 That the establishment of a Tree Register is a requirement of a new local law.

In this way, the protection and preservation of significant trees listed in a tree register would be addressed through the provisions of a local law. This option would enable the City to deal with significant trees principally on public land.

Option 4 That the establishment of a Tree Register be included as a non-legislative action within an endorsed plan for the City. The most appropriate plan would be within the Biodiversity Plan, which is scheduled for completion during 2008.

This option would not provide legislative protection and preservation for trees included in a tree register in the same way as the other options. However, the Biodiversity Plan would provide a suitable option as it will concern biodiversity management and conservation (including trees) on public and privately owned land. It should be noted however that the City has no general jurisdiction over private land and thus will only be able to register trees on private land by gaining the consent of the land owner to do so under this option.

Link to Strategic Plan:

Key Focus Area: Caring for the Environment

Legislation – Statutory Provisions:

N/A

Risk Management considerations:

In the event that a Significant Tree Register is developed without being incorporated in local planning policy or by creating a new local law, it will not be possible to protect and preserve registered trees on a legal basis.

Financial/Budget Implications:

Administration of a nominations, assessment and advisement process would require the input of an administrative officer and/or the expertise of horticulturalists/arborists. The costs would be dependent on the frequency with which nominations were sought and the number of nominations received for processing and assessment.

Policy implications:

In the event that the Policy Committee recommends Option 2 the pertinent sections of the current DPS2 will need to be amended to reflect this. If Option 1 is selected, those sections will need to be developed.

Regional Significance:

Not applicable

Sustainability implications:

By developing and maintaining a Significant Tree Register which can be used as the basis for the protection and preservation of selected trees, the City will be contributing to local sustainability.

Consultation:

It is envisaged that the establishment of a Significant Tree Register would involve public input at the nominations phase. Introducing a Register through a legislative mechanism will involve the statutory consultation requirements.

COMMENT

Of the four options identified, Option 4 is recommended. This is because the issue of registering and protecting significant trees on a statutory basis can be highly contentious within the community and can consume considerable resources. A voluntary system is considered less onerous for both the community and for the City to administer. Introducing such a requirement legislatively could also generate negative and highly undesirable actions within the community including people cutting down significant trees in advance of the legislative provisions taking effect.

During the process of researching current provisions for Significant Tree Registers with other local governments it was noted that, in a number of cases, existing registers were neither maintained nor used as a reference point for planning applications.

For a register to be effective, it must not only be current, but linked to organisational data systems for the following reasons. Firstly, so that information about individual trees (including location and amenity value) can be accessed easily and secondly, so that this information can be used operationally so as to guide:

- (a) The ongoing management of a tree
- (b) Development applications, and
- (c) The terms under which legal action may be taken by Council as a result of damage or unauthorised removal.

ATTACHMENTS

Nil

VOTING REQUIREMENTS

Simple Majority

MOVED Cr Hollywood SECONDED Cr Macdonald that the Policy Committee RECOMMENDS Option 4 to Council, namely: That the establishment of a Tree Register be included as a non-legislative action within an endorsed plan for the City such as the Biodiversity Plan, which is scheduled for completion during 2008.

Discussion ensued.

The Motion was Put and

CARRIED (4/0)

In favour of the Motion: Crs Hollywood, Macdonald and Norman, Mayor Pickard

ITEM 4 AMENDED POLICY 3-1 CHILD CARE CENTRES – TO CONSIDER FOLLOWING ADVERTISING – [85510]

WARD: All

RESPONSIBLE Mr Clayton Higham
DIRECTOR: Planning and Community Development

PURPOSE/ EXECUTIVE SUMMARY

The purpose of this report is for the Policy Committee to consider the results of public advertising of draft amended Policy 3-1 Child Care Centres.

BACKGROUND

On 25 March 2008, the Policy Committee considered draft amendments to Policy 3-1 Child Care Centres, to bring the policy into line with community expectations and assist in the assessment of child care centre applications. The issues of amenity, appropriate location, traffic and car parking, noise attenuation, operating hours and location of outdoor play areas were included in the amended policy.

Council subsequently resolved at its meeting held on 15 April 2008 to initiate public advertising of the amended Policy 3-1 for a period of 35 days (Item CJ052-04/08 refers).

DETAILS

A summary of the proposed amendments to the Child Care Centre Policy is provided below:

- 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.

Council is required to consider any submissions received and determine if it is prepared to adopt the amended policy.

Issues and options considered:

The options available to Council are:

- Adopt amended Policy 3-1 Child Care Centres, without modifications.
- Adopt amended Policy 3-1 Child Care Centres, with modifications.
- Not adopt amended Policy 3-1 Child Care Centres.

Link to Strategic Plan:

The following objective of the City's Strategic Plan 2008-2011 applies to this report:

Objective 4.1 To ensure high quality urban development within the City.

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.

Risk Management considerations:

Not applicable

Financial/Budget Implications:

Not applicable

Policy implications:

Not applicable

Regional Significance:

Not applicable

Sustainability implications:

Not applicable

Consultation:

The amended Policy 3-1 was advertised for a period of 35 days, commencing on 24 April and closing on 29 May 2008. Advertising was undertaken in the form of an advertisement placed in the Joondalup Times for two consecutive weeks, and on the City's website.

Upon closure of advertising, no submissions had been received.

COMMENT

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 includes car parking requirements for large Centres, operating days and hours, additional provisions relating to outdoor play areas to improve the safety of the children, clarification of policy application in the residential zones, noise attenuation measures and avoidance of adverse impacts.

In view of no submissions being received during the public advertising period, it is recommended that the Policy Committee recommends to Council that it adopts amended Policy 3-1, without modification.

ATTACHMENTS

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

VOTING REQUIREMENTS

Simple Majority

MOVED Mayor Pickard SECONDED Cr Norman that the Policy Committee RECOMMENDS that Council, in accordance with Clause 8.11 of the City of Joondalup's District Planning Scheme No 2, ADOPTS as final amended Council Policy 3-1 Child Care Centres, without modification, as shown in Attachment 1 to this Report.

Discussion ensued.

The Motion was Put and

CARRIED (3/1)

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

ITEM 5 DRAFT POLICY 3-7 SIGNS – [01907, 85510]

WARD: All

RESPONSIBLE DIRECTOR: Mr Clayton Higham
Planning and Community Development

PURPOSE/EXECUTIVE SUMMARY

The purpose of this report is to provide a draft Signs Policy for consideration by the Policy Committee. It is recommended that Council initiates public advertising on draft Policy 3-7 Signs.

BACKGROUND

Planning applications as well as sign licences are required for signage within the City. There is no policy to guide the extent and location of various forms of signage within the City. Signs are currently considered under the provisions of the City's Signs Local Law (1999), however, this focuses on safety and maintenance issues. Planning applications are therefore assessed on the merits of the proposal.

On 28 August 2007 Council resolved that a report be prepared for the Policy Committee on business signage. The Policy Committee considered an initial report at its meeting held on 8 October 2007, highlighting key aspects to be considered in the draft policy, including limitations on certain types and sizes of signs, minimising visual clutter and the impacts on building facades. Specifically, the Policy Committee noted 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.”*

Planning applications for signage are considered on the merits of the proposal and in accordance with the objectives of DPS2 relating to advertising signage, 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 their colours, height, prominence, visual impact, size, relevance to the premises on which they are located, number and content;

- (e) to reduce and minimise clutter; and
- (f) to promote a high standard of design and presentation in outdoor advertising.

Clause 5.1.5 of DPS2 states that planning approval is not required for advertisements listed in Schedule 4 – Exempted Advertisements. Exempted signs are based on the provisions of the Signs Local Law and include, but are not limited to, the following, within certain specifications:

- direction signs,
- property disposal (real estate sale) signs,
- building names
- signs and plates advertising the name and business of an occupier.

DETAILS

A draft policy has been prepared in accordance with the objectives of DPS2 and to address the issues raised by the Policy Committee, including recognising and enabling a reasonable degree of signage to support business uses (Attachment 1). As signage can raise amenity concerns, particularly in terms of visual impacts, it is considered prudent for Council to consider common forms of signage within all areas of the City, not just within business areas. Consequently, the draft planning policy at Attachment 1 covers all areas.

Issues and options considered:

The options available to Council are:

- Accept draft Policy 3-7 for consultation.
- Refuse to accept Policy 3-7.
- Accept draft Policy 3-7, with modifications, for consultation.

Link to Strategic Plan:

The following objective in the City's Strategic Plan 2008-2011 is applicable to this report:

Objective 4.1 To ensure high quality urban development within the City.

Legislation – Statutory Provisions:

Clause 8.11 of the City of Joondalup's District Planning Scheme No 2 (DPS2) 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 an amendment to a policy, the proposal is required under clause 8.11 to be advertised for a period of not less than 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. Significant stakeholders such as the Joondalup Business Association may also be invited to contribute during the consultation stage.

Risk Management considerations:

Not applicable

Financial/Budget Implications:

Not applicable

Policy implications:

This report proposes a new policy.

Regional Significance:

Not applicable

Sustainability implications:

Not applicable

Consultation:

In the event that Council adopts the draft policy for the purpose of initiating advertising, it is recommended that the proposal be advertised for a minimum period of not less than 21 days. Upon completion of advertising, Council is required to consider all submissions and proceed to either adopt or not adopt the policy. There is no requirement under DPS2 for local planning policies to be forwarded to the Western Australian Planning Commission (WAPC) for approval, however a copy of the policy may be forwarded if its provisions affect the interests the WAPC.

COMMENT

At its October 2007 meeting, the Policy Committee recommended that a number of issues be addressed in the draft policy. Each issue is listed below with a comment on how this has been addressed.

Limiting certain types of signs to particular land uses

The draft policy relates to the common forms of signage that are seen throughout the City of Joondalup. The provisions indicate particular types of signs that can be erected so as to complement associated land uses.

Regulating the amount of building façade that can be covered by signage

The draft policy sets out provisions for wall and window signs in terms of the area of signage allowable. Other types of signs that project from walls or are attached to verandahs are covered in the draft policy.

Providing parameters to regulate on-roof signage and minimising the impact of that

Given the potential negative impact of roof signs on visual amenity, the draft policy does not encourage this type of signage and proposes they not be permitted.

Limiting the amount of signage to avoid 'clutter' on a building

Avoidance of visual clutter is a key objective that has been addressed in the draft policy through limitations on the size and number of signs in relation to the building elevation.

Providing prescriptive size limits for signs, including pylon, panel and product display signs and hoardings

Provisions have been included in the draft policy for pylon and product display signs. Panel signs are known as monolith signs and guidelines have been provided for this type of signage.

Due to the potential negative visual impacts of hoardings and the lack of businesses within the City (such as car sales yards) that would normally utilise this type of signage, hoardings are not separately identified in the draft policy. Wall panels, which are considered an acceptable type of hoarding, are incorporated under the definition of wall signs.

Encouraging multi panel shared signs in lieu of individual signs

Pylon signs providing for multiple businesses to be included in one space are appropriate for large premises containing multiple tenancies. Provisions relating to the number and size of composite pylon signs, based on the provisions of signs policies adopted by similar metropolitan local government authorities, have been included in the draft policy.

Regulating and providing reasonable limits on temporary signage

In recognition of the visual impacts, the draft policy proposes that provisions for temporary signage should not differ from provisions for permanent signage of the same nature. Guidance is proposed for signage that relates to estate development, display homes, real estate home opens, real estate sales, inflatable, banner and community information and portable signs, and trade displays. The permitted duration of approved temporary signs depends on the type, extent and details of the proposal.

Illumination of signs

Illumination of signage has been addressed in the draft policy, however, it does not address details of voltage or wattage. Illuminated signs in residential areas are suggested to be inappropriate under the draft policy.

Public safety and amenity

The existing Signs Local Law is focused on safety and the maintenance of signage. In addition, a Building Licence is required for erection of signs to ensure stability. The draft policy refers to safety and amenity objectives and provides guidance on the location and extent of signage within the City.

General requirements

Signage is not supported in residential areas, with home businesses, child care centres and consulting rooms being the exceptions. Where certain types of signage may be permitted in residential areas, the draft policy provides different requirements where appropriate.

ATTACHMENTS

Attachment 1 Draft Policy 3-7 – Signs

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 Council Policy 3-7 - Signs, as shown in Attachment 1 to this Report for public comment for a period of thirty five (35) days.

MOVED Cr Hollywood SECONDED Cr Norman 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 Council Policy 3-7 - Signs, as shown in Attachment 1 to this Report for public comment for a period of thirty five (35) days, subject to deletion of the provisions for portable signs and replacement with the statement that "*Portable signs are not permitted within the City of Joondalup*".

Discussion ensued. It was requested that the Policy include details of signs that are exempt under DPS2.

Information will be provided to Elected Members in relation to the size of monolith signs used by McDonald's Restaurants.

The Motion was Put and

CARRIED (4/0)

In favour of the Motion: Crs Hollywood, Macdonald and Norman, Mayor Pickard

**ITEM 6 REPORT TO POLICY COMMITTEE – NOISE –
[01352, 16980]****WARD:** All**RESPONSIBLE
DIRECTOR:** Mr Clayton Higham
Planning and Community Development

PURPOSE/EXECUTIVE SUMMARY

The purpose of this report is to provide information regarding noise disturbances. This matter is governed by legislation and no noise policies exist at the City of Joondalup. However, the City has a number of administrative procedures which guide the technical management of noise complaints including liaison with complainants and alleged offenders.

BACKGROUND

The Environmental Protection (Noise) Regulations 1997 establish standards for acceptable levels of noise generation (attachment 1 summarises these). The Regulations also prescribe the need for qualified officers to be empowered to measure noise scientifically, within prescribed standards. Local Government can use these Regulations to resolve noise issues. Delegated authority allows for Local Government to administer these Regulations in order to address issues relating to noise.

The Regulations provide methods for the calculation and assessment of sound levels. The Regulations provide a tool for dealing with noise breaches and any Local Authority has discretion as to whether to take action under the Regulations.

Noise issues are addressed on a case by case basis taking into consideration the type, duration and frequency of the noise, the time of day it occurs, its contribution to overall noise levels and whether it unreasonably interferes with the amenity of the complainant.

The City does not have policies relating to noise as issues relating to noise are controlled by the Act and Regulations. A Local Government has no power to extend requirements where these are specifically set by the State Government through legislation. Consequently, a Local Government's major decision making in this area relates to its commitment to respond to noise complaints and to prosecute where breaches are identified. The penalty for breaching the Regulations is up to \$500 where an infringement notice is issued or up to \$62,500 to an individual for a breach of an environmental protection notice if taken to court.

Procedures have been developed over time to ensure that this (sometimes very emotive) issue is managed fairly and objectively. Attachment 2 displays a flow chart that illustrates the standard procedure for dealing with noise complaints.

The City regularly liaises with the Department of Environment and Conservation with respect to noise issues and to share views on how the Regulations are administered.

It is noted that the Regulations are not intended to curtail the normal and reasonable activities of people enjoying the use of their property.

Link to Strategic Plan:

Strategy 5.2.3 – The City provides efficient and effective environmental health and immunisation services.

Legislation – Statutory Provisions:

Environmental Protection Act 1986
Environmental Protection (Noise) Regulations 1997

Risk Management considerations:

Not applicable

Financial/Budget Implications:

Not applicable

Policy implications:

The control of noise issues are governed by legislation. No further policies exist in relation to noise.

Regional Significance:

Not applicable

Sustainability implications:

Not applicable

Consultation:

Not applicable

COMMENT

For the Policy Committee to consider this report and determine, in light of the information presented, whether it would like additional information or whether it would like the City to lobby for a change to the Regulations.

ATTACHMENTS

Attachment 1	Summary of Environmental Protection (Noise) Regulations
Attachment 2	Noise Procedure Flow Chart

MOVED Cr Norman SECONDED Cr Macdonald that the Policy Committee NOTES the contents of this Report.

It was requested that the City prepare a fact sheet in relation to Noise.

The Motion was Put and

CARRIED (4/0)

In favour of the Motion: Crs Hollywood, Macdonald and Norman, Mayor Pickard

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

Nil.

CLOSURE

There being no further business, the Presiding Person declared the Meeting closed at 2035 hrs; the following Elected Members being present at that time:

Cr Kerry Hollywood
Cr Marie Macdonald
Cr Mike Norman
Mayor Troy Pickard

The City of Joondalup Parking Local Law Part 4 – Parking on Roads - Clause 34 (2) states:

A person shall not park a vehicle on any part of a road:
(a) if the parking of vehicles on that part is prohibited at all times by a sign; or
(b) during a period in which the parking of vehicles on that part is prohibited by a sign.

The provisions of the Parking Local Law enable the City to issue permits to authorised vehicles for use in areas designated by signs.

The City of Joondalup Parking Local Law Part 5 – Stopping and Parking Generally - Clause 4A states:

A person shall not, without the permission of an authorised person stop or park a vehicle, other than an authorised vehicle, in an area designated by signs for the parking of authorised vehicles only.

The local law defines an authorised vehicle as:

“authorised vehicle” means a vehicle authorised by the local government or an authorised person to stop or park on a road or in a parking station, which is designated by signs to be used for parking by authorised vehicles only.

The attached policy has been prepared pursuant to the Local Law which has provisions that require that parking restriction signs will need to include the wording “Except Authorised Vehicles” which authorisation is granted by way of issuing a Resident/Visitor Parking permit. to enable the City to issue Resident / Visitor Parking Permits in any area designated for parking restrictions. This will enable practical enforcement of these parking restrictions to be achieved.

The policies and Local Laws relating to parking of vehicles for people with disabilities are unaffected by this policy. A parking permit issued by the City does not guarantee that an on-street parking space will be available to the holder of the parking permit or that it is directly in front of their property.

Link to Strategic Plan:

Objective:

1.3 Lead and manage the City effectively.

Strategy:

1.3.1 The City develops and implements comprehensive and clear policies which are reviewed regularly.

Legislation – Statutory Provisions:

Under the City’s Parking Local Law the issue of Resident Parking Permits can be approved when specific criteria are met.

Although the Local Law does not specifically identify ~~the issue of~~ Visitor Parking Permits it does make provision for the authorisation of parking. The provision of such permits is considered an efficient necessary to include these permits in the policy as a and practical means of providing the authorisation to addressing the needs of

POLICY – RESIDENT / VISITOR PARKING PERMITS

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are developed by the Policy Committee and/or the administration and adopted by Council.</i>
RESPONSIBLE DIRECTORATE:	Corporate Services
OBJECTIVE:	To provide guidelines for the issue and management of parking permits for use by residents that reside in properties within areas affected by parking restrictions and their visitors.

STATEMENT:

The City recognises that the introduction of parking restrictions may adversely affect the amenity or lifestyle of residents who live in the affected area.

As such, providing a resident can demonstrate that they have fully utilised their existing on-site parking, for the purpose of vehicle parking, they may apply for a permit that exempts their vehicle(s) and/or their visitors from parking restrictions in the affected area. The permit will allow residents, ~~or their visitors~~, to park in their street, the adjacent street or in any street in an area designated for the use of 'authorised vehicles' in accordance with the conditions of the permit. Their visitors will be afforded the same privileges by use of a Visitors Parking Permit that is issued under authority from the City.

The following conditions apply:

Resident Permits

1. A maximum of two Resident Parking Permits will be issued per property as set out in the Table - Number of Permits Per Property shown below.
2. A Resident Parking Permit will be valid to a maximum period of one year expiring on 31 December in the year of issue after which the permit will be renewed on application.
3. A Resident Parking Permit can be issued on a temporary basis to a maximum period of six months and in any case expiring on 31 December in the year of issue.
4. A Resident Parking Permit will display a permit number, vehicle registration number, vehicle make, date of expiry and the street(s) or area in which the vehicle will be permitted to park.
5. A Resident Parking Permit is to be affixed to the passenger side front windscreen of the vehicle and all details must be clearly visible.

6. A fully completed Resident Parking Permit Application Form must be accompanied by the following documentation:
 - a. Proof of occupancy such as a copy of the current rates notice or existing lease agreement.
 - b. Proof of vehicle ownership displaying the residential address indicated on the application.

Note: If the vehicle is registered to a company then written authorisation, on company letterhead, must be provided indicating that the vehicle can be kept at the address indicated on the application.

7. A Resident Parking Permit will not be issued to a vehicle which is classified as any of the following types:
 - a. a commercial vehicle (with a tare weight greater than 2,500 kgs).
 - b. a caravan.
 - c. a bus.
 - d. a semi-trailer.
 - e. a tow truck.
 - f. a tractor.
 - g. a trailer.
8. A Resident Parking Permit affected by a change of vehicle ownership is to be returned, with supporting documentation relating to the new vehicle, and will be replaced free of charge.

Visitor Permits

1. A maximum of one Visitor Parking Permit will be issued per property as set out in the Table - Number of Permits Per Property shown below.
2. A Visitor Parking Permit is transferable from one vehicle to another and is to be retained by the resident and given to visitors for them to clearly display on the dashboard of their vehicle.
3. A fully completed Visitor Parking Permit application must be accompanied by the following documentation:
 - a. Proof of occupancy such as a copy of the current rates notice or existing lease agreement.
4. A Visitor Parking Permit will display a permit number, date of expiry and the street(s) or area in which the vehicle will be permitted to park.
5. A Visitor Parking Permit is not permitted for use on a vehicle, for more than three consecutive hours, which is classified as any of the following types:
 - h. a commercial vehicle (with a tare weight greater than 2,500 kgs).
 - i. a caravan.
 - j. a bus.
 - k. a semi-trailer.
 - l. a tow truck.

- m. a tractor.
- n. a trailer.

General Information

To recover the cost of administering the scheme, a fee (as varied by Council from time to time) will be charged for each permit issued.

Renewal of lost, stolen or damaged permits will incur a fee (as varied by Council from time to time) for each replacement.

Resident / Visitor Parking Permits will not apply in areas covered by paid parking or where retail premises and time limited parking applies.

The policies and Local Laws relating to parking of vehicles for people with disabilities are unaffected by this policy.

The City encourages residents not to use their on-site parking for purposes other than the parking of vehicles and will limit the number of permits issued per property to ensure that on-site parking is fully utilised, for vehicle parking, before on-street permits are issued as shown in the table below

Table: Number of Permits Per Property

Number of Parking Spaces on Property	Number of Vehicles Registered to the Residential Address	Maximum Number of Permits Permissible
Nil parking spaces on site	Nil	1 Visitor Parking Permit
	1	1 Resident Parking Permit 1 Visitor Parking Permit
	2 or more	2 Resident Parking Permits 1 Visitor Parking Permit
1 parking space on site	Nil	Nil
	1	1 Visitor Parking Permit
	2 or more	1 Resident Parking Permit 1 Visitor Parking Permit
2 parking spaces on site	Nil	Nil
	1	Nil
	2 or more	1 Visitor Parking Permit

Amendments:
Related Documentation:
Issued: