

## Agenda **Policy Committee**

A MEETING WILL BE HELD IN

**CONFERENCE ROOM 2  
JOONDALUP CIVIC CENTRE  
BOAS AVENUE, JOONDALUP**

ON

**THURSDAY 4 JUNE 2009**

COMMENCING AT

**6.00 pm**

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**Note:**

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

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

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

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**GARRY HUNT**  
Chief Executive Officer  
**29 May 2009**

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## CITY OF JOONDALUP

Notice is hereby given that a meeting of the **POLICY COMMITTEE** will be held in Conference Room 2, Joondalup Civic Centre, Boas Avenue, Joondalup on **THURSDAY 4 JUNE 2009** commencing at **6.00 pm**

GARRY HUNT  
Chief Executive Officer  
29 May 2009

Joondalup  
Western Australia

### AGENDA

#### **Committee Members (7)**

Cr Kerry Hollywood  
Cr Trona Young  
Mayor Troy Pickard  
Cr Marie Macdonald  
Cr Mike Norman  
Cr Sue Hart  
Cr Fiona Diaz

Presiding Person  
Deputy Presiding Person

#### **Quorum for meetings (4):**

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

#### **Simple Majority:**

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

#### **Absolute Majority (4):**

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

#### **Casting vote:**

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

**Terms of Reference**

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

**DECLARATION OF OPENING**

**APOLOGIES/LEAVE OF ABSENCE**

**CONFIRMATION OF MINUTES**

MINUTES OF THE POLICY COMMITTEE HELD ON 4 MARCH 2009

**RECOMMENDATION**

**That the minutes of the meeting of the Policy Committee held on 4 March 2009 be confirmed as a true and correct record.**

**ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

**DECLARATIONS OF INTEREST**

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

**PETITIONS AND DEPUTATIONS**

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**ITEM 1                    POLICY 8.3 – ELECTED MEMBERS – GENERAL  
– AMENDMENT - [18058] [27122]**

**WARD:**                    All

**RESPONSIBLE  
DIRECTOR:**            Mr Jamie Parry  
                                 Governance and Strategy

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**PURPOSE**

For the Council to give consideration to amending Policy 8.3 – Elected Members – General, in order to clarify the application of provisions relating to the timing of the City’s advertising of the availability of Elected Members to meet with residents prior to an election, and the timing of meetings held.

**EXECUTIVE SUMMARY**

Policy 8.3 – Elected Members – General, provides, inter alia, that:

*“The City shall include in its annual budget the provision for advertisements to be placed in local newspapers up to six times each year, except that no advertising shall occur within six months of an election where the Elected Member has a direct interest. The advertisements will detail the availability of Elected Members to meet with residents to discuss matters of community concern.”*

Clarification has been sought as to the implications of an advertisement being placed outside of the six month time limit, in accordance with the policy provision, however, the Elected Member meeting with residents occurring within the six month period prior to the election. Whilst the policy intent would tend to indicate that both actions should not occur within the six month period prior to an election, it is considered that the policy should be amended to clarify the matter.

**BACKGROUND**

An Elected Member has sought clarification with regard the six month period prior to the election and whether the meeting is to be held outside of this period.

**DETAILS**

Policy 8.3 – Elected Members – General, includes a section related to Elected Member Availability which provides that Elected Members may request that advertisements are placed in local newspapers up to six times each year, except that no advertising shall occur within six months of an election where the Elected Member has a direct interest. The advertisements will detail the availability of Elected Members to meet with residents to discuss matters of community concern.

Where the Elected Member wishes to meet with residents within a City of Joondalup facility, the Elected Member is to contact the CEO, who will make the necessary arrangements.

Where the Elected Member wishes to use a non City of Joondalup facility, the Elected Member is to make all the necessary arrangements and meet any associated costs. These costs may be claimed in accordance with Policy 8.2.

The policy intent would tend to indicate that both actions (advertising and the meeting) should not occur within the six month period prior to an election, however, the policy is not specific in relation to restrictions placed on the timing of meetings.

It is therefore suggested that the following paragraph from the section titled “Elected Members Availability” within Policy 8.3 – Elected Members – General, be amended to read as follows:

*“The City shall include in its annual budget the provision for these advertisements to be placed in local newspapers up to six times each year. However, no advertisements shall be placed nor any related meetings shall occur between residents/electors and elected members (where that elected member has a direct interest) which are at the cost of the City, within six (6) months of an election.”*

**Link to Strategic Plan:**

*Key Focus Area 1:* Leadership and Governance

*Objective 1.3:* To Lead and Manage the City Effectively

**Legislation – Statutory Provisions:**

Local Government (Rules of Conduct) Regulations 2007.

**Risk Management considerations:**

The Council and Elected Members may be at risk of there being a perception that Elected Members due for election are supported by the policy and to some extent the administration, should the policy intent not be clarified.

Policy 4.1 – Code of Conduct and the Rules of Conduct also deal with the improper use by an Elected Member of his or her position. The *Local Government (Rules of Conduct) Regulations 2007* provide that a member or employee must not make improper use of his or her office or position to gain directly or indirectly an advantage for him or her, or for any other person.

**Financial/Budget Implications:**

Not Applicable.

**Policy Implications:**

Amendment to Policy 8.3 – Elected Members – General, to clarify the intent of policy provisions.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

Not Applicable.

**COMMENT**

It is proposed that Policy 8.3 – Elected Members – General be amended to ensure there can be no confusion related to the timing of meetings, and that the intent of the policy, being that meetings are not to be held within the six month period prior to an election, is clarified.

**ATTACHMENTS**

Attachment 1          Policy 8.3 – Elected Members – General

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That the Policy Committee RECOMMENDS that Council AMENDS Policy 8.3 – Elected Members – General, Elected Members Availability, in the manner prescribed in Attachment 1 to this Report, to read as follows:**

***“Elected Members Availability***

***Elected Members may request that advertisements are placed in local newspapers indicating their availability to meet with electors/residents to discuss issues of concern.***

***The advertisements will detail the availability of Elected Members to meet with residents to discuss matters of community concern.***

***Where the Elected Member wishes to meet with residents within a City of Joondalup facility, the Elected Member is to contact the CEO, who will make the necessary arrangements.***

***Where the Elected Member wishes to use a non City of Joondalup facility, the Elected Member is to make all the necessary arrangements and meet any associated costs. These costs may be claimed in accordance with Policy 8-2.***

***The City shall include in its annual budget the provision for these advertisements to be placed in local newspapers up to six times each year. However, no advertisements shall be placed nor any related meetings shall occur between residents/electors and elected members (where that elected member has a direct interest) which are at the cost of the City, within six (6) months of an election.”***

Appendix 1 refers

## **ITEM 2                    PARKING SCHEMES FOR SUBURBAN AREAS OUTSIDE OF THE JOONDALUP CITY CENTRE – POLICY - [05787] [57618]**

**WARD:**                    All

**RESPONSIBLE  
DIRECTOR:**            Mr Mike Tidy  
                                 Corporate Services

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### **PURPOSE/EXECUTIVE SUMMARY**

To provide the Policy Committee with a Draft City Policy for its consideration relating to the introduction of Parking Schemes in suburban areas outside of the Joondalup City Centre.

The report identifies ways in which parking regimes may assist in preserving the amenity of a particular neighbourhood or location by utilising a combination of parking restriction types. Criteria for determining the particular combination of restrictions required is also provided.

*It is recommended that the Policy Committee recommends that Council AGREES:*

- 1        to release the Draft Policy “Parking Schemes for Suburban Areas Outside of the Joondalup City Centre” in the format presented in Attachment 1 to this Report to the public for a consultation period of 3 weeks;*
- 2        that should no significant public submissions be received during the consultation period, the Draft Policy, in the format presented in Attachment 1 to this Report, be presented to Council at its July 2009 meeting for approval.*

### **BACKGROUND**

There are a number of parking prohibition schemes in place around the City which are designed to preserve the amenity of local residents. These schemes have generally been introduced in response to demand without utilising a consistent methodology in their development. As such, the introduction of Parking Schemes continues to apply in an ad-hoc manner.

A current Scheme involving permits applies in the vicinity of Warwick train station and additionally there are restrictions associated with Greenwood train station/St Stephens School, and Whitfords train station (with the latter currently preventing residents from parking on the carriageway in front of their own property during the restriction periods).

All day commuter parking by those seeking to access the local train stations is the main driver for the introduction of the above schemes.



## DETAILS

The major factors influencing suburban parking are proximity to train/bus stations or interchanges, venues which host major events and popular or heavily visited locations. As local neighbourhoods come under increased pressure from parking and the accompanying hazardous traffic issues (such as blocked driveways, corner parking and significant carriageway congestion), it has become evident that a consistent approach to the application of parking resolutions is required.

In response to this need, the Draft Policy provided at Attachment 1 has been developed to provide a basis from which decisions can be made in relation to suburban parking issues. The Policy is consistent, clear and articulates the necessary requirements needed for a suburban Parking Scheme to be considered by the City.

The Draft Policy also contains several parking restriction options that may be used either individually or as a combination within a Parking Scheme. The options are as follows:

### 1 Time Limited Parking

One of the simplest parking prohibitions to implement this option has particular application in deterring long stay and all day car parking. It is usually applied in areas of heavy use which is linked to specific times of the day. A four hour time limit is the most common currently applied but a lesser time could be applied if the circumstances warranted.

Prohibitions of this nature prevent all day parking, for example, by commuters around train stations who cannot return during the day to move their vehicle. At the same time it allows plenty of latitude for short term parking by visitors to the area.

While simple to implement (as only signage is required), enforcement processes can be fairly labour intensive as it requires two visits to determine if a time limit has been breached.

### 2 Limited Parking Prohibition

This option involves the application of parking prohibitions at certain times. For example, prohibiting parking on a carriageway before 9am but allowing parking in the location at any other time. Again, this has particular application in deterring long stay and all day car parking in areas where heavy use is linked to specific times of the day.

The effect of this approach is that motorists are prohibited from parking in specific locations during morning commuter periods, when demand is the greatest. The prohibition period would also apply to local residents; however they would be able to park in the location outside of prohibition times, (after 9.00 am for example).

This approach is easier to enforce than time limited parking as only one visit is required per day to identify offenders. There may be short term issues, however, when train commuters want to park during school holidays or special events (e.g. Perth Royal Show) which generate parking demand outside of the restricted period.

### 3 Area Wide Prohibitions

A third option is area wide prohibitions. These prohibitions generally prevent parking on specific carriageways, (and may include City controlled verges), for an extended period of the day. The prohibition period could for example apply between 9.00am and 4.00pm with the aim to limit parking in locations where issues are prevalent during business hours. Area wide prohibitions have a more blanket approach than limited parking prohibitions and time limited parking because they apply over an extended period of the day. In addition, not only are all day parkers prevented from parking, but also late start commuters, special event commuters, casual commuters and other short stay parkers who may want to park in the location at different times of the day.

Applying an area wide prohibition to local residents and their visitors can have serious impacts on their amenity. It is therefore necessary that a permit scheme be simultaneously introduced to ensure that residents and their visitors are identifiable and therefore exempt from the prohibitions. The use of permits facilitates enforcement only requiring a single visit to identify offenders but there is an overhead in managing the permit system.

A Parking Scheme may apply one or more of these options to ensure that the most appropriate response is applied to a particular circumstance. Specific drivers will inform the recommended approach proposed by the City, which have been identified in the options above.

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

##### Option 1: Do Nothing

By choosing not to adopt a City Policy, Parking Schemes in suburban areas outside of the Joondalup City Centre will continue to be applied in an ad-hoc manner. This may lead to opposition from within the community regarding the City's inconsistent approach to applying suburban parking restrictions.

##### Option 2: Adopt the City Policy in the format provided at Attachment 1

Notwithstanding the fair and equitable basis from which the Policy has been drafted, it is not recommended that this option be pursued without prior community consultation. Many factors have been taken into consideration in the Policy's development; gained from past experiences in introducing Residential Parking Schemes throughout the City, though, lack of consultation with regard to parking matters has been an ongoing issue for the community.

##### Option 3: Release the City Policy in the format provided at Attachment 1 to the public for a community consultation period of 3 weeks

This option is recommended given previous community concerns with a lack of consultation undertaken by the City in relation to parking matters. Opportunities for residents to comment on the Policy should alleviate these concerns.

It should be noted that delaying Council's adoption of the Policy will affect outstanding parking scheme issues at Warwick train station and Whitfords train station, which will remain unresolved as a consultation process is undertaken. It is felt, however, that the delay to allow consultation is warranted.

To reduce any further delays, it is recommended that if this option is pursued, the Draft Policy presented at Attachment 1 should immediately progress to Council following the end of the consultation period if no significant submissions have been received by the City. Should residents submit comments to amend the Policy, the outcomes of the consultation process will be presented back to the Policy Committee for its consideration.

**Link to Strategic Plan:**

- 1.3 To lead and manage the City effectively
- 1.3.1 The City develops and implements comprehensive and clear policies which are reviewed regularly.

**Legislation – Statutory Provisions:**

*Parking Local Laws 1999.*

**Risk Management considerations:**

Delaying the opportunity for Council to adopt the Policy because of a consultation process, may have implications on outstanding parking issues within suburban areas. Though alternatively, failing to consult on the Draft Policy may incite opposition from residents who will ultimately be affected by potential Parking Schemes in the future.

**Financial/Budget Implications:**

There are no financial or budget implications for considering the proposed policy. Though, there will be operational financial and budget implications for Parking Schemes that are implemented as a result of the policy.

**Policy Implications:**

No policy currently exists in relation to managing parking issues outside of the Joondalup City Centre.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

No community consultation has been carried out in the development of this Policy, however, it is recommended that the Draft be released to the community for feedback. This would seem an appropriate action given the City's previous experiences regarding the introduction of Parking Schemes.

It is suggested that consultation on the Policy be limited to an advertisement in a local newspaper, posters in the City's Administration Centres, Libraries and Leisure Centres and an advertisement on the City's website. The consultation period should not exceed 3 weeks as it is believed that such a period will allow sufficient time for comments to be received and for the Policy to be referred to the July 2009 Council meeting should no significant submissions be made.

### **COMMENT**

It is the City's position that a Policy should be introduced to prevent Parking Schemes, outside of the Joondalup City Centre, from being introduced in an ad-hoc manner.

### **ATTACHMENTS**

Attachment 1      Draft Policy - Parking Schemes For Suburban Areas Of Joondalup

### **VOTING REQUIREMENTS**

Simple Majority

### **RECOMMENDATION**

**That the Policy Committee recommends that Council AGREES:**

- 1      to release the Draft Policy "Parking Schemes for Suburban Areas Outside of the Joondalup City Centre" in the format presented in Attachment 1 to this Report to the public for a consultation period of three (3) weeks;**
- 2      that should no significant public submissions be received during the consultation period, the Draft Policy, in the format presented in Attachment 1 to this Report, be presented to Council at its July 2009 meeting for approval.**

*Appendix 2 refers*

### **ITEM 3 DRAFT POLICY - NOTIFICATION OF APPROVED COMMERCIAL DEVELOPMENT - [12950] [06094]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Clayton Higham  
Planning and Community Development

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#### **PURPOSE**

The purpose of this report is for the Policy Committee to consider a draft Local Planning Policy - Notification of Approved Commercial Development.

#### **EXECUTIVE SUMMARY/BACKGROUND**

The Policy Committee, at its meeting held on 4 March 2009, were presented with a range of options to guide the development of the requested policy. Subsequently, Council at its March 2009 meeting (CJ051-03/09 refers) resolved as follows:

*“REQUESTS the preparation of a Policy that will ensure owners of residential zoned land that adjoins land zoned Business, Commercial, Service Industrial or Mixed Use, are notified of planning approvals granted on that land”.*

The policy has now been prepared for consideration.

#### **DETAILS**

Currently, adjoining owners are not notified of development on adjoining commercial lots where the development complies with standards, or has minor variations that are unlikely to affect adjoining owners.

The draft policy (Attachment 1 refers) will ensure that residential land owners would be notified of any approved commercial development, or when advertising has not otherwise been undertaken.

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

In regard to the draft policy, Council can:

- Advertise the draft Policy for public comment,
- Not support the advertising of Policy for public comment,
- Advertise the draft Policy for public comment with modifications.

#### **Link to Strategic Plan:**

1.1 Objective: To ensure that the processes of local governance are carried out in a manner that is ethical, transparent and accountable.

**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:**

A new Policy is proposed.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**

In the event that Council adopts the draft policy for advertising, a period of 21 days is required. Upon completion of advertising, Council is required to consider all submissions and proceed to adopt, modify or refuse 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 to if its provisions affect the interests the WAPC.

**COMMENT**

The draft policy has been developed to identify when notification will take place and the extent of notification. It is proposed that Residential zoned properties abutting, or within 30 metres of the Business, Commercial, Service Industrial or Mixed Use zoned sites where development has been approved, would be notified of that approval.

**ATTACHMENTS**

Attachment 1      Draft Policy

**VOTING REQUIREMENTS**

Simple Majority

### **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 City Policy – Notification of Approved Commercial Development, as shown in Attachment 1 to this Report, for public comment for a period of twenty-one (21) days.**

*Appendix 3 refers*

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**ITEM 4                    DRAFT POLICY 3-7 SIGNS ADDITIONAL  
INFORMATION FOR CONSIDERATION   -  
[01907]****WARD:**                    All**RESPONSIBLE**            Mr Clayton Higham  
**DIRECTOR:**              Planning and Community Development

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**PURPOSE**

The purpose of this report is to provide additional options to be considered by the Policy Committee in relation to the draft Signs Policy.

**EXECUTIVE SUMMARY/ BACKGROUND**

On 23 June 2008, the Policy Committee recommended to Council that the draft Signs Policy be advertised for public comment for a period of 35 days. Council subsequently adopted this recommendation at its meeting held on 15 July 2008. The draft Signs Policy was advertised for public comment for 35 days from 31 July to 4 September 2008.

Submissions were received from the Joondalup Business Association and ING Real Estate (representing Lakeside Shopping City). Some minor changes were made to the draft policy in light of these submissions and a report was presented to the Policy Committee on 15 December 2008 (Attachment 1 refers). Upon consideration of the submissions the Policy Committee moved to refer the policy back for further development. The subsequent Council resolution on 17 February 2009 was:

*“That City Policy 3-7 Signs be REFERRED BACK for further development and a subsequent report presented to the Policy Committee.”*

The format of the draft policy has been reviewed, and two options developed that can outline which sizes are permitted in different zones, or allow for different sizes of signs, depending on their location.

**DETAILS**

The Draft Signs Policy currently lists a range of signage types and the parameters for each including maximum size, clearance and in some instances where certain signs are not permitted. The approach to the regulation of signage in the draft policy is relatively consistent throughout the City of Joondalup.


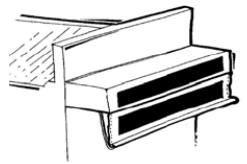
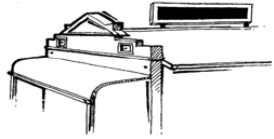
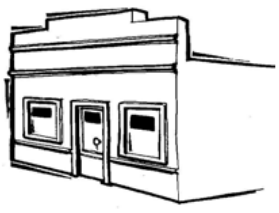

The following options have been developed as an alternative to the ‘city wide’ approach to signage. Both options share many similarities with the current draft policy, but contain more detail on the size and location of signage permitted.

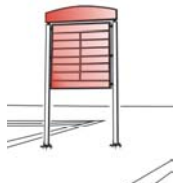


Option 1: Same sign size in all zones – different permissibility

A more specific approach to sign permissibility may be to restrict the permissibility of sign types within the different zones, but for each sign type to remain the same size (across the different zones).

An example of how this could work is illustrated in the table below.


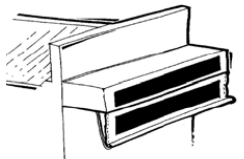
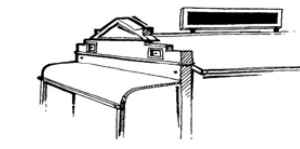
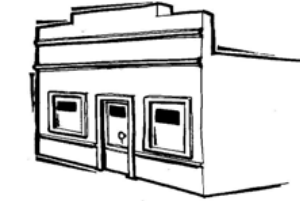
		RESIDENTIAL	COMMERCIAL/ BUSINESS/ MIXED USE	SERVICE INDUSTRIAL	CENTRAL CORE
<p>WALL Max 25% of the façade</p> <p>Dimension: No Max</p>		x	✓	✓	✓
<p>VERANDAH Area: Max 0.96m<sup>2</sup></p> <p>Dimension: Max 0.4m height Max 2.4m length</p>		x	✓	✓	✓
<p>ROOF</p>		x	x	x	x
<p>WINDOW Max 50% of the glazed area</p> <p>Dimension: No Max</p>		x	✓	✓	✓
<p>SEMAPHORE Area: 2.25m<sup>2</sup></p> <p>Dimension: Max 1.5m height Max 1.5m width</p>		x	✓	✓	✓

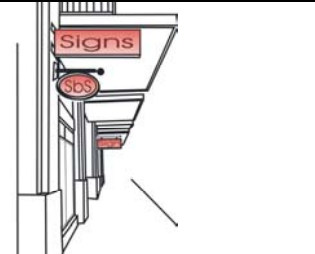
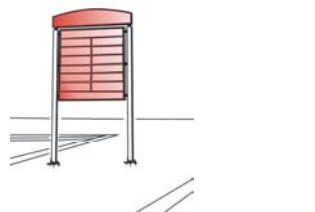
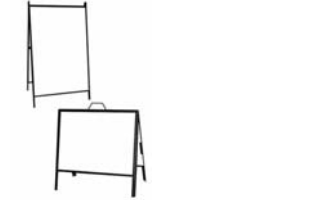
PYLON Area: 6.0m <sup>2</sup>  Dimension: Max 6.0m height		x	✓	✓	x
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Option 2: Different size of signage in different Zones

Another option is for the size of sign to vary across the different zones in addition to the permissibility of the signage type within the Zone.

This is illustrated in the table below.

		RESIDENTIAL	COMMERCIAL/ BUSINESS/ MIXED USE	SERVICE INDUSTRIAL	CENTRAL CORE
WALL		Area: Max 1.2m <sup>2</sup>  Dimension: No Max	Area: Max 25% of the façade  Dimension: No Max	Area: Max 30% of the façade  Dimension: No Max	Area: Max 25% of the façade  Dimension: No Max
VERANDAH		x	Area: Max 0.96m <sup>2</sup>  Dimension: Max 0.4m height Max 2.4m length	Area: Max 2.0m <sup>2</sup>  Dimension: No Max	Area: Max 0.96m <sup>2</sup>  Dimension: Max 0.4m height Max 2.4m length
ROOF		x	x	x	x
WINDOW		x	Max 50% of the glazed area  Dimension: No Max	Max 50% of the glazed area  Dimension: No Max	Max 25% of the glazed area  Dimension: No Max

SEMAPHORE		x	Area: 2.25m <sup>2</sup>  Dimension: Max 1.5m height Max 1.5m width	Area: 3.0m <sup>2</sup>  Dimension: Max 2.0m height Max 1.5m width	Area: 2.25m <sup>2</sup>  Dimension: Max 1.5m height Max 1.5m width
PYLON		x	Area: 6.0m <sup>2</sup>  Dimension: Max 6.0m height	Area: 10m <sup>2</sup>  Dimension: Max 6.0m height	x
A-FRAME		x	x	Area: 1m <sup>2</sup>  Dimension: Max: 1m height Max: 1m width	x

**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 principles to guide further changes to the draft policy, the proposal is required under clause 8.11 to be again 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:**

Not Applicable.

**COMMENT**

The current draft signage policy prescribes standards based on the type of sign with variations and exclusions specified for certain zones. The above two options present an alternative method for controlling signage within the City. In option 1, the sign size remains the same for each type of sign, but the permissibility is different in the different zones. Option 2 allows both the sign size and permissibility to change within the different zones.

Option 2 therefore provides the greatest flexibility as it allows specific sign sizes to be applied to the different zones. Not all signs are appropriate in all zones, nor is one standard for each sign type necessarily appropriate for all locations.

The current draft policy is a combination of both options as for some of the zones the sign size remains the same where as in other zones the sign size varies. Should Council wish to pursue either of the alternative two options further work will be required to determine the appropriate permissibility and sign size for each zone.

**ATTACHMENTS**

Attachment 1          Draft Signs Policy 3-7 (as modified December 2008)

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**For Policy Committee consideration and recommendation.**

*Appendix 4 refers*

## ITEM 5                    **ALFRESCO ACTIVITIES POLICY – REVIEW - [03360]**

**WARD:** All

**RESPONSIBLE DIRECTOR:** Mr Clayton Higham  
Planning and Community Development

### **PURPOSE**

For the Policy Committee to consider modifications to Policy 7-5 Alfresco Activities in accordance with the principles adopted by the Committee.

### **BACKGROUND**

At its 15 December 2008 meeting, the Policy Committee was presented with a range of possible principles which would guide a review of Policy 7-5 Alfresco Activities. The Policy Committee adopted the following:

“1            *NOTES the following principles to be incorporated into the review of Policy 7- 5 Alfresco Activities:*

- *Pedestrian access under any awnings must be maintained.*
- *‘Café blinds’ may be affixed to temporary and permanent shade structures*
- *‘Café blinds’ must not be affixed to awnings.*
- *Shade structures must not obstruct pedestrian access, damage street trees or pose a safety risk.*
- *Permanent shade structures will be considered, where the footpath width exceeds 5 metres.*
- *Any proposal to erect temporary screens to frame alfresco dining areas must be included with an application for alfresco dining and the appropriateness of these structures will be considered on individual merit.*
- *Standard size and location for alfresco areas:*

#### General Standard

Pedestrian Zone:	2.0 metres minimum width
Alfresco Zone:	2.5 metres maximum width
Kerbside Zone:	0.5 metres minimum (where the kerbside zone adjoins on-street parking)
	1.0 metres minimum (where the kerbside zone adjoins a lane of traffic)

Central Walk

*Alfresco Zone: 2.5 metres maximum width*  
*Pedestrian Zone: 5 metres minimum width*  
*Kerbside Zone: None*

Lakeside Drive

*Pedestrian Zone: 2.5 metres minimum width*  
*Alfresco Zone: 4.0 metres maximum width*  
*Kerbside Zone: 1.0 metres minimum width*

- 2 *REQUESTS that input be sought from affected businesses prior to commencing the process to amend Policy 7-5 Alfresco Activities.”*

Council noted the above at its meeting held on 17 February 2009.

**DETAILS**Policy restructure

The policy has been restructured to improve ease of reference. The policy guidelines have been grouped into the following elements:

Element 1: Alfresco Location  
Element 2: Streetscape and Amenity  
Element 3: Tables and Chairs  
Element 4: Shelter, Shade, Barriers and Incidental Structures  
Element 5: Hazard Management  
Element 6: Management

An appendix has been created which contains supplementary information such as details about how to make an application.

Policy changes

In light of the principles adopted at the Policy Committee Meeting held on 15 December 2008, the following proposed amendments and additions have been made to the policy:

- Standards for alfresco locations have been incorporated into Element 1.
- A clause has been incorporated into Element 2 to clarify that alfresco activity should not restrict pedestrian access under awnings.
- Provisions have been incorporated into Element 2 to preserve amenity and safety with regards to tables and chairs including:
  - Plastic chairs and tables will not be permitted.
  - Chairs and tables must be able to withstand windy conditions yet be moveable so to access the area for cleaning purposes.

- Provisions have been incorporated into Element 4 to provide parameters for the use of 'café blinds' including:
  - Café blinds must be visually permeable and readily removable. Canvas, and shade cloth type materials will not be permitted.
  - Clear plastic rolled down blinds are not to be affixed to awnings.
  - Café blinds must be retracted or removed when the alfresco area is not in operation.
- Provisions have been incorporated into Element 4 to provide safety parameters for shade structures.

In addition permanent shade structures should satisfy the following:

- the verge to which the permanent shade structure is located exceeds 5 metres in width.
  - the shade structure does not exceed 3.0 metres in height above pavement level.
  - the shade structure is to be constructed of similar materials and be sympathetic to the building to which it adjoins.
- Provisions have been incorporated into Element 4 to provide parameters for barriers such as screens, planter boxes or fence structures including:
    - Solid breeze barriers used to define the boundary of an alfresco area should not be greater than 1.2 metre in height.
    - Barriers are removed from a public place at the close of business each day;
    - Barriers must not hinder use of a public place after trading hours;
    - Alfresco activities and associated structures (shade structures, seating, planter boxes, screens, fencing etc) must not damage street trees, street furniture or pose a safety risk.
  - Information has been incorporated as Element 6 to clarify responsibilities of alfresco dining operators.
  - The following clause has been deleted from the policy and replaced with supplementary information in the policy appendix.

*“In instances where permanent structures are proposed, the proposal must be referred to the Department for Planning and Infrastructure and/or the Minister for Local Government for approval.”*

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

In regard to the draft policy, Council can:

- Advertise draft Policy 7-24 for public comment;
- Not support the advertising of Policy 7-24 for public comment.
- Advertise draft Policy 7-24, with modifications, for public comment.

**Link to Strategic Plan:**

Objective 3.1 To encourage the development of the Joondalup CBD.

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

**Legislation – Statutory Provisions:**

Not Applicable.

**Risk Management considerations:**

Not Applicable.

**Financial/Budget Implications:**

Council may wish to consider introducing fees and charges for the operation of alfresco activities.

**Policy Implications:**

Modifications to the existing policy may be required as a result of Council's consideration.

**Regional Significance:**

Not Applicable.

**Sustainability Implications:**

Not Applicable.

**Consultation:**Initial consultation with alfresco area operators

Letters were sent to the 13 business owners that have current alfresco dining areas, inviting them to meet with a City officer to provide input into the review of the Alfresco Policy. Two business owners contacted the City in this regard; one was in support of the proposed changes and the other raised concerns with regard to the standard alfresco area location.

The business owner in support of the changes to the policy currently operates within the parameters of the proposed policy changes and as such the review would have little impact on this business.

The business owner that raised concerns would be affected by the potential policy changes as the existing alfresco activities would need to be relocated from under the existing awning. The following concerns were raised with regards to this configuration:

- The alfresco area may cause obstruction to drivers parking and exiting their cars.
- Close proximity to on street parking and car fumes would not be conducive to alfresco dining.



- The need to carry foods and hot liquids across a walkway would increase the risk of collisions, accidents and spillages.
- The public have the ability to walk under awnings between the alfresco tables during rain and sun.

### Statutory Consultation

If the proposed amendments to the policy are considered suitable, the draft amended policy is required 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. Alfresco operators would also be contacted in writing.

### **COMMENT**

#### Input from alfresco area operators

Concerns were raised from one operator in regard the appropriateness of alfresco activities abutting the kerb rather than the building. These concerns have been given consideration, however the general alfresco location provisions are considered to be best served in this location for the following reasons:

- The alfresco area zone will be separated from the road by a 0.5m kerbside (buffer zone) where it adjoins on-street parking, and 1.0m where it adjoins a lane of traffic. This buffer zone is considered adequate to accommodate access to and from vehicles. This is a similar practice to that imposed at within the Town of Vincent and the City of Subiaco.
- The cappuccino strip in Fremantle has a similar format to that proposed, where by awnings primarily accommodate pedestrians and alfresco activities abut the road. Alfresco dining is serviced and accommodated very successfully in this location.
- The occupation of awnings by alfresco activities can give the impression that the verge is a private space, and the area may become less inviting to pedestrians in times of inclement weather. Furthermore the use of breeze barriers to frame alfresco areas can create a physical barrier that prevents direct pedestrian access to awnings and pedestrian shelter.

#### Introduction of fees

Currently the City of Joondalup does not charge a specific fee for the use/rent of the footpath area used for alfresco dining. At present the operation of an alfresco dining area within a road reserve requires a Planning Application fee of \$127 valid for 3 years in addition to an annual Outdoor Dining Licence of \$230 issued under the Trading in Public Places Local Law. The Outdoor Dining Licence is to ensure the appropriate management of the alfresco area, including food hygiene and safety considerations. Furthermore, the applicant is required to obtain public liability insurance cover of up to 10 million dollars for the alfresco area.

Other local authorities charge alfresco operators for the privilege of using the footpath area. This fee may be per chair, table, or both, per square metre, or based on the Gross Rental Value (GRV).

Examples are:

- City of Perth, Melville Fee per square metre from \$61m<sup>2</sup>/pa to 127 m<sup>2</sup>/pa.
- City of Stirling Fee based on GRV
- City of Subiaco Fee of \$132 per chair.

Applying the above rates to established alfresco areas in the City Centre is outlined for 4 examples below:

Name	Area (sqm)	\$61m per sqm p/a	\$127 per sqm p/a	No. of chairs	\$132 per chair p/a	GRV (\$)	50% of GRV when expressed as sqm p/a
Kulcha Cafe	36.5	\$2226	\$4635	71	\$9372	47748	\$4515
Sugar and Spice	45	\$2745	\$5715	40	\$5280	32002	\$3850
T5	11.25	\$686	\$1428	10	\$1320	28665	\$1506
La Vita	108	\$6588	\$13716	120	\$15840	43660	\$13359

Whilst it may be reasonable to charge a fee for the use of public land under the control or management of the City, particularly when there is commercial gain for an operator, it may discourage further alfresco dining activities in the future. Careful consideration would need to be given as significant fees, coupled with limited use of alfresco areas in cooler months and inclement weather.

Currently the Joondalup City Centre has 13 current alfresco dining licences. Alfresco activities are a desirable activity as they generate street activity and vibrancy. A loss of outdoor dining opportunities may have a detrimental effect on the amenity of the CBD.

It is recommended that the Policy Appendix note the following:

*Fees and charges relating to placement of tables and chairs on public land will be set by the Council each year.*

This would allow the matter to be revisited, and fees introduced as part of the City's Schedule of Fees and Charges.

#### Implementation of amended policy

In the event that the modified policy is approved, it is considered appropriate that the provisions of the new policy will be applied to existing alfresco operators on the expiration of their current planning approval and outdoor dining licence, or within 12 months of the adoption of the policy, whichever is longer. This would ensure affected owners would be given at least 12 months to modify their current alfresco arrangements, if required. It is noted that the proposed amendments to the policy may result in additional costs for some operators who may currently be using awnings for weather protection, and to maintain that protection, would need to purchase umbrellas or similar.

**ATTACHMENTS**

Attachment 1      Draft Modified Alfresco Activities Policy

**VOTING REQUIREMENTS**

Simple Majority

**RECOMMENDATION**

**That the Policy Committee RECOMMENDS that Council:**

- 1      In accordance with Clause 8.11 of the City of Joondalup's District Planning Scheme No 2, ADVERTISES the draft City Policy 7-5 – Alfresco Activities, as shown in Attachment 1 to this Report, for public comment for a period of thirty (30) days;**
- 2      NOTES that, if adopted, the new alfresco activities policy would be applied to existing alfresco activities upon renewal of planning approval, or within 12 months of the adoption of the new policy, whichever is the longer period.**

*Appendix 5 refers*

**MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

**REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION**

**CLOSURE**

## APPENDICES FOR AGENDA OF POLICY COMMITTEE

ITEM	TITLE	APPENDIX	PAGE
Item 1	<b>Policy 8.3 – Elected Members – General – Amendment</b>  Attachment 1 – Policy 8.3 - Elected Members – General	1	1
Item 2	<b>Parking Schemes for Suburban Areas Outside of the Joondalup City Centre – Policy</b>  Attachment 1 – Draft Policy – Parking Schemes for Suburban Areas of Joondalup	2	7
Item 3	<b>Draft Policy – Notification of Approved Commercial Development</b>  Attachment 1 – Draft Policy	3	11
Item 4	<b>Draft Policy 3-7 – Signs Additional Information for Consideration</b>  Attachment 1 – Draft Signs Policy 3-7 (as modified December 2008)	4	13
Item 5	<b>Alfresco Activities Policy – Review</b>  Attachment 1 – Draft Modified Alfresco Activities Policy	5	22

## POLICY 8-3 – ELECTED MEMBERS - GENERAL

<b>STATUS:</b>	<b>City Policy</b> - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i>  <i>Developed by the Policy Committee and/or the administration and adopted by Council.</i>
<b>RESPONSIBLE DIRECTORATE:</b>	Office of the CEO
<b>OBJECTIVE:</b>	To provide for good governance of the City.

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### STATEMENT:

In order to provide for consistency in communications between the Council and the community; and to establish the position of the Council on matters directly affecting elected members and their interaction with the community and City administration, the following shall apply:

#### **Representing the Council**

The Mayor or, where unavailable, the Deputy Mayor, is the Council's official representative at function or civic events. In the event that neither are available for a specific event, the Mayor will nominate one of the following, in order of precedence:

- A relevant Ward Councillor;
- A Councillor with a specific interest.

#### **Use of Council Chamber and Civic Centre Meeting Rooms (see attached plan)**

The Council Chambers and Civic Centre meeting rooms are to be used predominantly for official Council purposes, however it is considered important for the City to engage with politicians at both the State and Federal level to progress the interests of the City and the Joondalup community. Such engagement may occur within the City's buildings including the Council Chamber and the Civic Centre Meeting Rooms. However, it is considered important that such political engagement is controlled to:

- a. Prevent the City being aligned with any particular party; and
- b. Avoid such engagement being used for electoral advantage.

To achieve political engagement the following process shall be followed:

- 1 All requests to be made in writing using the attached form.
- 2 Approval for engaging a politician or political party must be given by the Mayor.

- 3 The engagement should relate to a matter of concern to the City or its residents.
- 4 Where engagement occurs with a political party or government member on a particular matter, equal opportunity should be given to alternative political parties or relevant opposition members.
- 5 The Council Chamber and Civic Centre Meeting Rooms shall not be used for political engagement when the election process commences for a local government ordinary election.
- 6 The Mayor shall make a decision on whether it is appropriate to use the Council Chamber and Civic Centre Meeting Rooms for political purposes in situations where an extraordinary election has been called but the election has yet to occur.

Outside of political engagement, the Council Chamber and Civic Centre Meeting Rooms located in the Joondalup Civic Centre may only be used for official Council purposes unless the Mayor provides prior consent.

Requests to use the Council Chamber or the Civic Centre Meeting Rooms for other than political engagement should fall into one of the following categories:

- The request is directly related to the business of local government;
- The request is directly related to the support of community service within the City or the region; or
- The request is from a not for profit agency operating within the region.

Approaches from external parties to use the Chamber or Meeting Rooms should be via the Mayor.

### **Recording of the Proceedings of Meetings**

All Council meetings including electors' meetings shall be electronically recorded.

Elected members may obtain a copy of the electronic recording free of charge and may obtain a transcript of a particular section or all of a Council meeting at the discretion of the Chief Executive Officer.

Members of the public may purchase a copy of the electronic recording of the proceedings or may listen to the electronic recording under the supervision of a person designated by the Chief Executive Officer.

All recordings of Council meeting will be retained as part of the City's records in accordance with the General Disposal Authority for Local Government records produced by the State Records Office.

### **Filming/Videoing of Council Meetings**

Accredited journalists seeking to film council meetings must do so with the prior approval of the Chief Executive Officer, except where the meeting is, or could be, in the opinion of the Chief Executive Officer, closed to the public, in accordance with Section 5.23 of the Local Government Act 1995.

## **Acknowledgement of Service – Elected Members**

On retirement, Council will acknowledge the service of elected members through the provision of an appropriate memento, which will take the form of an engraved plate (or plaque) commemorating the member's service and a suitable gift.

## **Elected Members Availability**

Elected Members may request that advertisements are placed in local newspapers indicating their availability to meet with electors/residents to discuss issues of concern.

The advertisements will detail the availability of Elected Members to meet with residents to discuss matters of community concern.

Where the Elected Member wishes to meet with residents within a City of Joondalup facility, the Elected Member is to contact the CEO, who will make the necessary arrangements.

Where the Elected Member wishes to use a non City of Joondalup facility, the Elected Member is to make all the necessary arrangements and meet any associated costs. These costs may be claimed in accordance with Policy 8-2.

The City shall include in its annual budget the provision for these advertisements to be placed in local newspapers up to six times each year. However, no advertisements shall be placed nor any related meetings shall occur between residents/electors and elected members (where that elected member has a direct interest) which are at the cost of the City, within six (6) months of an election.

## **Elected Member Dinners**

To provide an avenue to facilitate networking possibilities and for Elected Members to undertake discussions with various representatives of the community, the Council has agreed to host Elected Member dinners.

Each table will allow for the Elected Member as host, plus up to a maximum of nine (9) guests.

The Mayor is entitled to host six (6) dinners per calendar year, and each Ward a total of twelve (12) each year, based on six (6) dinners per Ward member.

Where a Ward member confirms he/she is unable or unwilling to host part or all of his/her allocated dinners, the fellow Ward member, in the first instance, or the Mayor or another Elected Member may host these unused dinners, however, total number of dinners must not exceed the annual allocation of twelve (12).

## **Corporate Logo**

The City's Corporate Logo is part of the City's major 'brand' tool. It may not be used by any person or organisation, other than the Chief Executive Officer, without the



prior authority of the Chief Executive Officer. It may not be used by any person for any organisational or government election purpose.

## **Access to Information**

Elected members who wish to view records outside those records detailed within S 5.92 of the Local Government Act 1995 and the City's Information Statement must demonstrate to the Chief Executive Officer the relevance of the information to their performance as an elected member. Should approval be granted, the Chief Executive Officer will determine the manner in which the access is permitted.

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Amendments:	CJ213-06/99, CJ227-09/00, CJ001-02/01, CJ187-06/01, C212-09/03, CJ121-06/02, C169-08/03, CJ206-10/05, CJ238-12/06, CJ207-10/07, CJ052-04/08
Related Documentation:	Local Government Act 1995; Delegated Authority Manual; Elected Member Support & Services Guide
Issued:	April 2008



## REQUEST TO USE COUNCIL CHAMBER OR CIVIC CENTRE MEETING ROOM FOR POLITICAL ENGAGEMENT

Please complete the relevant sections of this form and email to Hazel Yarranton at [hazel.yarranton@joondalup.wa.gov.au](mailto:hazel.yarranton@joondalup.wa.gov.au)

<b>Title of meeting/function</b>							
<b>Date(s) to be held</b>							
<b>Names/Positions of External participants</b>				<b>Political Party Affiliations</b>			
<b>Purpose of meeting</b>							
<b>Relevance of Meeting to General City concerns</b>							
<b>Elected Members attending meeting</b>				<b>City staff attending meeting</b>			
<b>Room required</b>	<b>Council chamber</b>		<b>Conference Room 1</b>		<b>Conference Room 2</b>		<b>Conference Room 3</b>

Office use only						
<b>Received by (name)</b>				<b>Date/Signed</b>		
<b>Mayor's approval</b>	<b>Yes</b>		<b>No</b>		<b>Date/Signed</b>	

## **POLICY – PARKING SCHEMES FOR SUBURBAN AREAS OUTSIDE OF THE JOONDALUP CITY CENTRE**

**STATUS:** **City Policy** - *A policy that is developed for administrative and operational imperatives and has an internal focus.*

*City policies are developed by the Policy Committee and/or the administration and adopted by Council.*

**RESPONSIBLE  
DIRECTORATE:** Corporate Services

**OBJECTIVE:** To provide guidelines for the establishment of parking schemes and the issue and management of parking permits in suburban areas outside of the Joondalup City Centre.

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### **STATEMENT:**

The City recognises that there are locations, outside of the Joondalup City Centre, where parking demands may cause a hazard to residents and/or other road users or where the parking is damaging City infrastructure or infrastructure owned by other government agencies.

Parking schemes allow parking issues to be managed. When introduced in suburban areas they will utilise restrictions and prohibitions to manage parking while minimising any detrimental impacts on local residents.

Parking restrictions or prohibitions will be developed to meet the needs of each scheme area and will consist of options including:

- Time restricted parking
- Limited Parking Prohibitions
- Area Wide Prohibitions with Parking Permits

Adopted schemes may utilise a combination of these options to provide for the best parking management outcome.

### **Consideration of Parking Schemes**

Parking schemes will be considered where it can be demonstrated that parking demands are causing a hazard to residents and/or other road users or where the parking is damaging City infrastructure or infrastructure owned by other government agencies.

### **Determination of Appropriate Parking Scheme**

All proposed parking schemes will be subject to community consultation processes, (particularly with affected residents and stakeholders), prior to any decision of Council to adopt a scheme.

Options posed in the consultation process will be developed at the discretion of City Officers with technical expertise in parking management.

### **Operation of Parking Permits**

- Residents may apply for a permit that exempts their vehicle(s) from parking restrictions in the affected area.
- Permits 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.
- Visitors will be afforded the same privileges by use of a Visitors Parking Permit that is issued under authority from the City.

### **General conditions**

- Each residential address will be entitled to apply for an initial allocation of up to 3 permits in any combination of resident or visitor type for free. Resident permits may only be used on the vehicle to which it is allocated. Visitor permits may be shared or loaned between households by mutual arrangement.
- Residents may apply for any number of additional permits per year of any type. Additional permits will incur a fee as varied by Council from time to time. The City will review applications for additional permits and assess the applications on their merits. The City reserves the right to limit the number of permits issued to a particular household.
- Livered emergency response vehicles on active duty may park freely in controlled permit locations.

### **Resident Permits**

1. 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.
2. 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.
3. 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.
4. A Resident Parking Permit is to be affixed to the passenger side front windscreen of the vehicle and all details must be clearly visible.
5. 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.

- 6. 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.
- 7. 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 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.
- 2. 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.
- 3. 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.
- 4. A Visitor Parking Permit may be used for a maximum of 3 consecutive hours on any of the following vehicle 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.

### **General Information**

To limit fraudulent use of permits and to recover a proportion of the cost of administering the scheme, a fee (as varied by Council from time to time) will be charged for each permit issued above 5 permits, of any type in combination.

## ATTACHMENT 1

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 time limited parking applies adjacent to retail premises.

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

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Amendments:	CJXXX-08/09
Related Documentation:	
Issued:	XXX 2009

## **POLICY NOTIFICATION OF APPROVED COMMERCIAL DEVELOPMENT**

- STATUS:** **City Policy** - *A policy that is developed for administrative and operational imperatives and has an internal focus.*
- City policies are referred to Council for review and endorsement.*
- RESPONSIBLE DIRECTORATE:** **Planning and Community Development**
- OBJECTIVE:**
1. To ensure that owners of Residential Zone land are informed of approved development occurring on adjoining Mixed Use, Business, Commercial or Service Industrial zoned land.

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### **AUTHORITY**

This policy has been prepared in accordance with clause 8.11 of the City of Joondalup District Planning Scheme No. 2 (DPS2) which allows Council to prepare planning policies relating to planning or development within the scheme area.

### **AREA**

This policy applies to the whole of the City of Joondalup.

### **BACKGROUND**

From time to time, the City receives applications that comply with the provisions of the Scheme and Council Policies. In these instances, or where minor variations to standards are unlikely to affect adjoining owners, the application is not referred to adjacent or nearby landowners for comment.

Within the City, there are many areas where the Residential Zone abuts a Mixed Use, Business, Commercial or Service Industrial Zone. It is considered appropriate that these landowners be notified of development that is approved, notwithstanding that the proposal complies with standards, or only involves minor variations to standards.

This policy has been developed to set out the process of notification of approved commercial development on land that abuts the Residential zone, where public advertising has not otherwise been carried out.

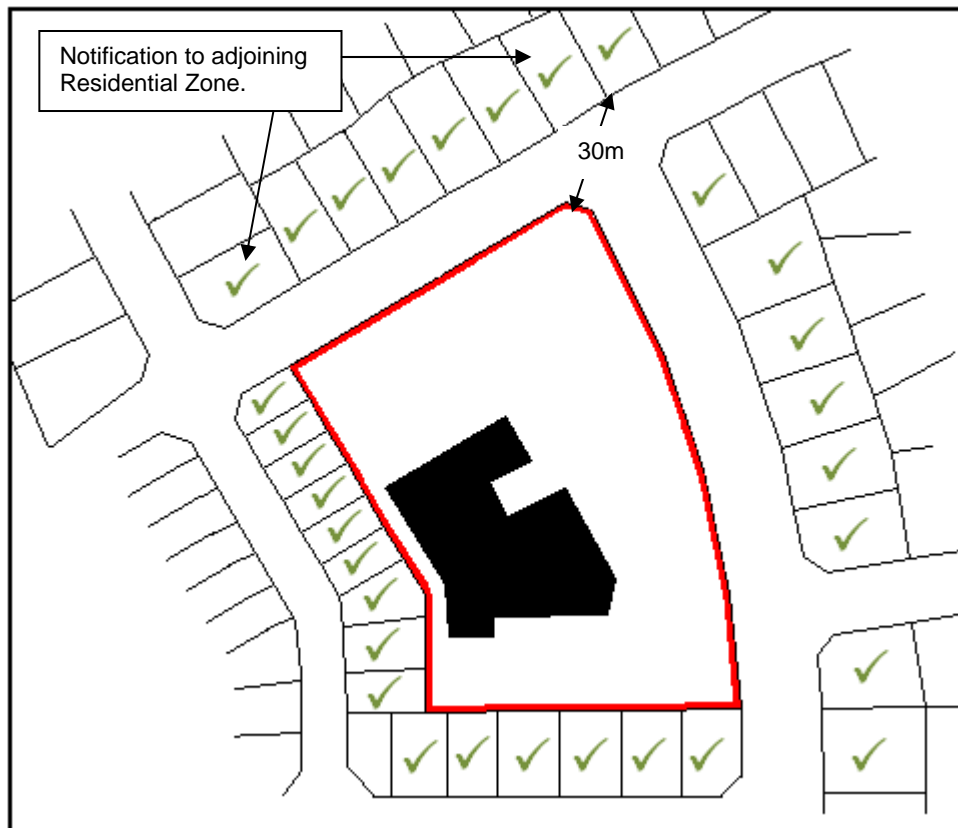


**STATEMENT**

(1) Where planning approval is granted for a development on land zoned Mixed Use, Business, Commercial or Service Industrial that:

- complies with the provisions of the Scheme and Council Policies; or
- public advertising has not otherwise been carried out,

the owners of any land zoned Residential that directly abuts, or is within 30 metres of the development site, will be notified of the approved development in writing.



(2) Notification will include details of the proposed development and/or land use.

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Amendments:

Related Documentation: District Planning Scheme No.2

Issued:

## **POLICY 3-7 SIGNS**

**STATUS:** Council Policy - *A strategic policy that sets governing principles and guides the direction of the organisation to align with community values and aspirations. The policy has a strategic focus and aligns with the Mission, Vision and Strategic directions.*

*Council policies are developed by the Policy Committee for approval by Council.*

**RESPONSIBLE DIRECTORATE:** Planning and Community Development

- OBJECTIVES:**
1. To provide guidance on the design and placement of signs located within the City of Joondalup.
  2. To protect the quality of the streetscape and the amenity of adjoining and nearby residents by minimising the visual impact of signs.
  3. To encourage signs that are well designed and positioned, appropriate to their location, which enhance the visual quality, amenity and safety of the City of Joondalup.
  4. To facilitate a reasonable degree of signage to support business activities within the City of Joondalup.
  5. To complement the provisions for signs as specified in the City of Joondalup's Signs Local Law (1999).

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### **AUTHORITY**

This policy has been prepared in accordance with Clause 8.11 of District Planning Scheme No 2 (DPS2) which allows Council to prepare planning policies relating to planning and development within the Scheme area.

This policy provides guidance on the extent and location of various forms of signage that are not exempt from planning approval under DPS2 and complements the requirements of the City's Signs Local Law (1999) which focuses on safety and maintenance issues.

### **POLICY AREA**

This policy applies to signs located throughout the City of Joondalup.

#### **1. POLICY STATEMENT**

This policy is to be read in conjunction with the City's DPS2 and Signs Local Law (1999) and any relevant Agreed Structure Plan. The provisions of Agreed Structure Plans prevail over this policy.

Words and expressions used in this policy shall have the meanings given to them in DPS2 and the Signs Local Law. For the purposes of interpretation, the terms 'sign', 'advertisement' and 'advertising device' referred to within these documents have the same meaning.

DPS2 contains the following objectives for the control of advertising signs:

- 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 minimise 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

A sign may not be attached or erected on property within the City unless approval has been obtained in accordance with DPS2 and the provisions of this policy. Signs that are exempt from the requirement to obtain planning approval are listed in Schedule 4 of DPS2.

Unless otherwise specified in this policy, where signage that is compliant with this policy is shown as part of a development application submitted to the City for development of a property, the signage is deemed approved in the event of the development application being granted approval.

## **2. DESIGN REQUIREMENTS**

The following design requirements relate to all signs located within the City.

Overall, signs shall:

- Not be located on land zoned or used for residential purposes, unless expressly permitted in this policy.
- Advertise goods or services that relate to the land use of the site on which the sign is located, unless expressly permitted in this policy.
- Integrate with the building design, particularly through the provision of signage panels within the building façades, where possible.
- Be contained within the boundary of the lot on which they are situated, unless expressly permitted in this policy.
- Maintain the existing amenity of the locality, including minimising noise generated by the sign or supporting structures.
- Not present a hazard or be misleading to vehicles or pedestrians.
- Not obstruct visual sightlines required for vehicular access to and from properties.
- Not obstruct access to or from any door, window or fire escape.
- Not contain any obscene or vulgar material.
- Not be affixed to boundary fences or boundary walls.

Where a particular type of sign could fit within the definition of more than one sign type described below, the requirements for the more specific type of sign shall apply.

In determining the size of a sign, the measurements are taken as the greatest horizontal dimension multiplied by the greatest vertical dimension, excluding any support structures.

Unless otherwise indicated in this policy, signs may be illuminated.

## **2.1 Signs on Buildings**

### **2.1.1 Wall Sign**

A wall sign is a sign attached to or painted directly onto the external wall of a building or a wall panel. A wall sign includes a sign located on support pillars and columns, parapets and fascia.



The following specifications of a wall sign apply:

- The aggregate area of all wall signs is not to exceed 25% of the façade, to a maximum area of 8m<sup>2</sup>.
- Not project more than 300 mm from the wall or surface to which it is attached.
- Where projecting, provide a minimum clearance of 2.75 metres from the level of the footpath, pavement or ground level, whichever is the higher level.
- Not extend beyond the top or either end of the wall.
- Be positioned at right angles or parallel to the wall of the building to which it is attached.
- Not be located within 4.0 metres of another wall sign on the same building.
- Not obscure architectural details.

Where a wall sign is located within a residential zone and attached to a building that is used predominately for non-residential purposes, the sign shall:

- Be limited to one sign per strata or 'green' title lot
- Not exceed 1.2m<sup>2</sup> in area
- Not be illuminated.

Where a wall sign is located within a residential zone and attached to a building used predominately for residential purposes, the sign shall:

- Be limited to one sign per strata or 'green' title lot.
- Not exceed 0.2m<sup>2</sup> in area.
- Not be illuminated.

### 2.1.2 Verandah Sign

A verandah sign is a sign affixed on or above a verandah fascia or under a verandah and includes a sign that is affixed to cantilevered awnings and balconies.

A verandah sign fixed on or above a verandah shall comply with the following specifications:

- ~~The aggregate area of all signs on any one façade of a verandah is not to exceed 25%.~~
- Not exceed 400mm in height and 2.4 metres in length.
- Not extend above or beyond the width of the fascia, verandah, awning or balcony.
- Provide a minimum clearance of 2.75 metres from the level of the footpath pavement or ground level, whichever is the higher level.
- Not be located within 2.0 metres of another such sign on the fascia of the same verandah.

A sign situated under a verandah shall:

- Not exceed 400mm in height and 2.4 metres in length.
- Not extend beyond the width of the verandah.
- Provide a minimum clearance of 2.75 metres from the level of the footpath pavement or ground level, whichever is the higher level.
- Not be located within 2.0 metres of another such sign under the same verandah.

### 2.1.3 Roof Sign

A roof sign is a sign that is erected or painted directly on the roof of a building or attached to the top of a parapet wall of a building.

Roof signs are not permitted within the City of Joondalup.

### 2.1.4 Window Signs

A window sign is a sign painted or affixed to either the interior or exterior surface of the glazed area of a window.

Notwithstanding the provisions of Schedule 4 of District Planning Scheme No 2, window signs shall:

- Not cover more than 50% of the glazed surface of any window or exceed 10m<sup>2</sup> in total area per tenancy on a lot on any building façade (all floors).
- In the case of the Central Business District, not cover more than 25% of the glazed surface of any window.

### 2.1.5 Semaphore Signs

A semaphore sign is a sign that is affixed to a building or structure at or by one of its ends.



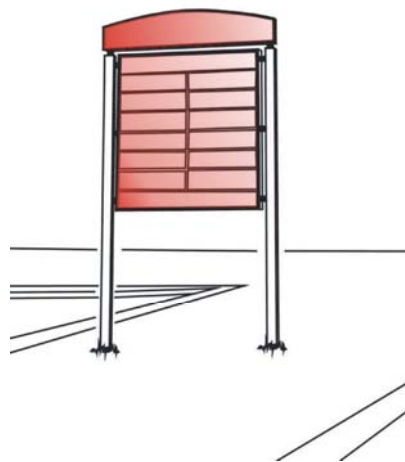
Semaphore signs shall:

- Not be fixed over or under a verandah.
- Be a maximum height of 1.5 metres.
- Be a maximum width of 1.5 metres.
- Not project more than 1.0 metre from the wall or structure to which it is attached.
- Provide a minimum clearance of 2.75 metres from the level of the footpath, pavement or ground level, whichever is the higher level.

## **2.2 Free-standing Signs**

### **2.2.1 Pylon Signs**

A pylon sign is a sign that is not attached to a building, is supported by one or more supports, and includes a sign framework to which sign infill panels may be added. A pylon sign shall:



- Not be permitted in the Central Business District of the City Centre.
- Be restricted to one sign per lot unless relating to a corner lot where one sign per frontage is permitted.
- Be located no closer than 3 metres to a side boundary or secondary street.
- Not exceed 6.0 metres in height.
- Not exceed 6.0m<sup>2</sup> in area.
- Provide a minimum clearance of 2.75 metres from the level of the footpath pavement or ground level, whichever is the higher level.

Where pylon signs are proposed to be erected on a lot where there are multiple tenancies, signs are to be incorporated into one composite sign. The composite pylon sign shall provide one infill space for each tenancy and not exceed 8 metres in height and 12.0m<sup>2</sup> in area.

## **2.3 Other Signs**

### **2.3.1 Monolith Signs**

Monolith signs are signs that are fixed to the ground and not attached to a building or structure, with its largest dimension being vertical. Monolith signs shall:

- Not be permitted in the Central Business District of the City Centre.
- Be restricted to one sign per lot unless relating to a corner lot where one sign per frontage may be permitted.
- Not be permitted in the case where a pylon sign or other free standing sign has been approved and erected on the same frontage of the property.
- Not exceed 6 metres in height and 2 metres in width.
- Not be located within 1.0 metre of the boundaries of the lot on which it is erected.
- Not be located within 15 metres of the intersecting point of corner truncations.
- Not impede vehicle sightlines for access to and from the property.

### **2.3.2 Flag Pole Sign**

A flag pole sign is made from a piece of material, usually oblong or square, and attached to a pole. Flag poles shall:

- Be limited to two per lot, or in the case of a corner lot, two per street frontage, unless in a residential area where a limit of one pole per lot applies.
- Not exceed 6 metres in height.

Each flag shall not exceed 4m<sup>2</sup> in area and be securely fixed to a pole of sufficient size and strength to support the flag under all conditions.

### **2.3.3 Bunting**

A bunting is an advertising device that is made from strips of material used for decorative purposes or to highlight a location.

Bunting signs shall not be permitted within the City of Joondalup.

## **2.4 Temporary Signs**

Temporary signs are not permanently fixed to or erected on a building, structure or site and have a limited duration of planning approval. Temporary signs include signs related to estate

developments, display homes, real estate home opens, real estate sales, inflatable, banner and community information and portable signs, and trade displays.

The provisions of this policy apply to temporary signs, in the same manner as for permanent signs. The duration of approved temporary signs shall depend on the type, extent and details of the proposal and be based on the merits of the proposal.

#### 2.4.1 Estate Development Sign

An estate development sign is a sign erected on a lot which has been approved for subdivision into a number of smaller lots, advertising the lots for sale but upon which no housing or commercial development, other than display home construction, has taken place.

Estate development signs shall:

- Be removed from the site within two years of the date of planning approval being issued for the sign, or whenever 80% of the lots in the subdivision have been sold, whichever is the sooner.
- Not be illuminated.

#### 2.4.2 Display Home Sign

A display home sign is a sign used for the purpose of advertising a home or homes on display for public inspection.

Display Home Signs shall:

- Be limited to one sign per display home.
- Not exceed 6 metres in height or 2.5 metres measured horizontally across the face of the sign.
- Be removed within 10 days of closure of the display home.
- Not be illuminated.

#### 2.4.3 Home Open Signs

A home open sign is a sign placed on a road reserve or street verge that advertises a home for sale is open for inspection.

Home Open Signs shall:

- Be portable, freestanding and not affixed to an existing structure and have a maximum area of 0.3m<sup>2</sup>, with a maximum height above ground level of 600mm.
- Be placed no earlier than 2 hours before the home is open for inspection and be removed immediately following the conclusion of the home open.
- Not be placed on the median strip of a road open to use by vehicles, on the road surface itself, on a vehicle access way or on a pedestrian footpath or dual use path.
- Be secured and stabilised, and not be constructed of a hard or sharp material that may be dangerous to pedestrians or road users in the event the sign may be hit, become wind blown or present any other hazard.
- Not be erected further than 1 kilometre from the property that is being advertised for sale.



#### 2.4.4 Real Estate Sale Signs/Builder's Signs

A real estate sale/builder's sign is a sign relating to the sale, leasing, auctioning of, or construction on, a property upon which the sign is displayed.

Real estate/builder's signs that exceed the dimensions exempted from planning approval under Schedule 4 of District Planning Scheme No 2 shall:

- Be permitted on land zoned or used for residential purposes.
- Not exceed one sign per street frontage for each property.
- Not exceed a maximum area of 3m<sup>2</sup> for commercial, mixed use, multiple and grouped dwellings developments.
- Not exceed a maximum area of 5m<sup>2</sup> for large properties comprising shopping centres, service industry and buildings in excess of 4 storeys in height.
- Be fully contained within the property boundaries.
- Not be illuminated.

#### 2.4.5 Inflatable Sign

An inflatable sign is a sign that is painted, stencilled or attached to an inflatable device such as a balloon.

Inflatable signs shall:

- Not be permitted in residential areas.
- Not exceed 7 metres in diameter.
- Not exceed 9 metres in height above the roof ridge.
- Only be displayed for a maximum period of 21 days at a time at no less than 3 monthly intervals.
- Be covered by General Liability Insurance, a copy of which is to be provided to the City.
- Require a certificate from a structural engineer certifying that the connection of the inflatable object to the building or lot is structurally sound. This should be submitted to the City with the sign application.

#### 2.4.6 Banner Sign

A banner sign is a temporary sign normally made of a lightweight, non rigid material, such as fabric, canvas or cloth and is generally used to promote a particular event. A banner sign shall comply with the following requirements:

- Be restricted to one banner on any occasion.
- Not exceed dimensions of 1 metre in height and 4 metres in length.
- May be displayed for up to one week prior to the promotional event or offer.
- Be removed immediately following the event or offer.
- Not be displayed for a period of time greater than 4 weeks.
- Be restricted to promote no more than 4 promotional events per year.

#### 2.4.7 Community Information Signs

A community information sign is a temporary sign relating to or giving directions to a charitable, cultural, educational, recreational or other public or community function, exhibition, meeting, display, event or activity conducted by a community association other than for commercial gain.

Community information signs shall be considered in accordance with the provisions contained within the Signs Local Law 1999.

#### 2.4.8 Portable Sign

A portable sign is a sign that is not permanently attached to a building, structure, fence or the ground. Portable signs include “A-frame” and ‘sandwich board’ signs.



Portable signs are not be permitted within the City of Joondalup.

#### 2.4.9 Trade Display

A trade display means the use of land or buildings for the display of trade goods and equipment for advertisement as an ancillary activity.

A trade display shall:

- Display goods or equipment relevant to the premises in front of which it is located.
- Be incidental in extent compared to the primary activity on the land and be located in a manner that does not compromise approved car parking, access or landscaping.
- Where located on a footpath in the Joondalup City Centre, not project more than 1.0 metre from the front of the premises and provide a minimum footpath width of 1.8 metres between the goods or equipment and kerb.

### **2.5 Variation to Standard Signs**

Applications for planning approval for signage that complies with the provisions of this policy are encouraged. Should an application not comply, the applicant will be required to submit written justification for the non-compliance and additional information, including but not limited to, an overall plan of the whole of the subject site showing the location, size and details of all existing and proposed advertising signs for the site, as well as the outline of any buildings, car parking areas and vehicular access points and landscaping for the site.

## POLICY 7-5 – ALFRESCO ACTIVITIES

**STATUS:** **City Policy** - *A policy that is developed for administrative and operational imperatives and has an internal focus.*

*City policies are referred to Council for review and endorsement.*

**RESPONSIBLE DIRECTORATE:** Planning and Community Development

- OBJECTIVES:**
- 1 To encourage and facilitate alfresco activities within the City of Joondalup as a means of increasing vibrancy and choice. Alfresco activities refers to outdoor dining and/or the consumption of alcohol by the general public while seated at tables that are located on the street verge or in a public space, generally as an extension of an existing premises already operating within an adjacent building.
  - 2 To allow for the operations of alfresco activities in such a manner that will not conflict with, or prejudice, the activities in adjacent premises (commercial and/or residential) or interfere with the traffic flow in the area or any other normal function of the area.
  - 3 To provide guidelines for the granting of planning approval for alfresco activities.
  - 4 To complement the provisions for outdoor dining as specified in Part 3 – Outdoor Dining – Trading in Public Places Local Law.

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### DEFINITIONS:

**“Alfresco activities”** means outdoor dining and/or the consumption of alcohol by the general public while seated at tables that are located on the street verge or in a public space, generally as an extension of an existing premises already operating within the adjacent building.

**“Alfresco zone”** means the area of the verge or other public space where alfresco activities may be permitted.

**“Kerbside Zone”** is the area between the road and the Alfresco Zone, which ensures that adequate area is provided between the Alfresco Zone and roadside activities. (ie opening of car doors, informal pedestrian crossings, refuge from traffic or minimum separation between alfresco activities and passing traffic)

**“Pedestrian Zone”** means the area to provide continuous and unobstructed pathway.

**“Verge”** means the space between the property boundary and the road, commonly occupied by footpath or landscaping.

## POLICY AREA:

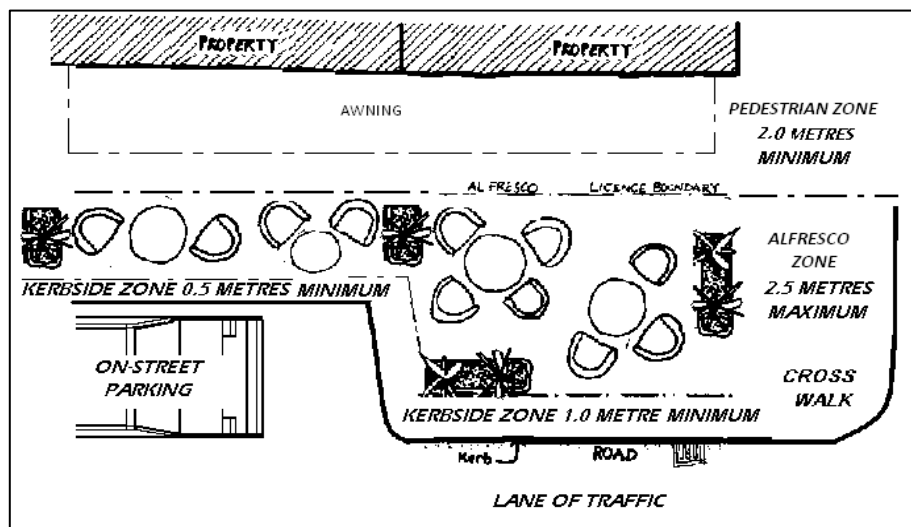
This policy shall apply to alfresco activities within the City of Joondalup. The policy is to be implemented in conjunction with the provisions of Part 3 – Outdoor Dining of the City of Joondalup’s Trading in Public Places Local Law.

## STATEMENT

### ELEMENT 1: ALFRESCO LOCATION

The City of Joondalup employs a system of zones within the verge to accommodate and balance its uses. Zone widths may vary depending on the overall width of the footpath or the specifics of a particular location or use.

1. Notwithstanding the site specific guidelines that follow, alfresco activities must conform to the following:



- Pedestrian Zone: 2.0 metres minimum width
- Alfresco Zone: 2.5 metres maximum width
- Kerbside Zone: 0.5m (kerbside zone abuts on-street parking)  
1.0 metres minimum (kerbside zone abuts a lane of traffic)

and must be configured in the manner illustrated below, unless the City of Joondalup deems compliance is not necessary in a particular instance.

2. Alfresco activities located on Lakeside Drive and Central Walk must conform to the following:

Central Walk

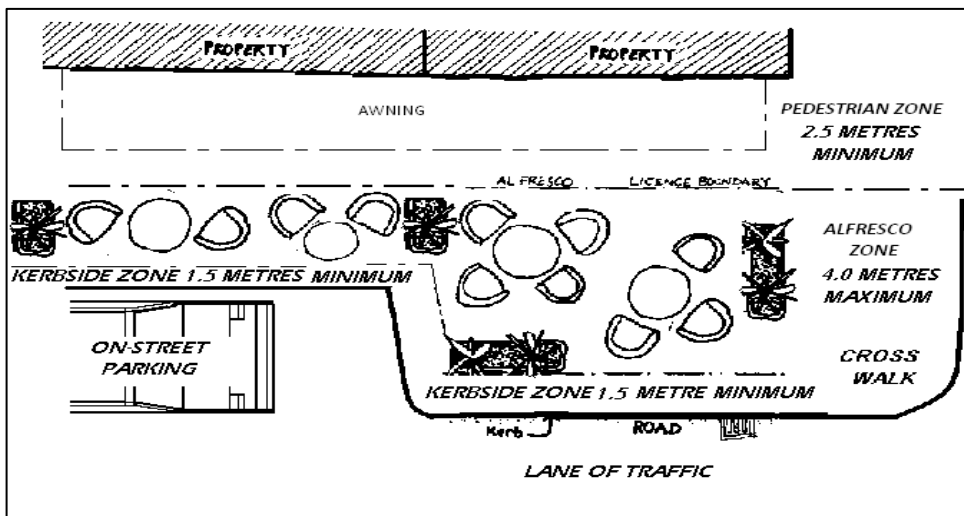
Alfresco Zone: 2.5 metres maximum width  
 Pedestrian Zone: 5 metres minimum width  
 Kerbside Zone: None

and must be configured in the manner illustrated below:



Lakeside Drive

Pedestrian Zone: 2.5 metres minimum width  
 Alfresco Zone: 4.0 metres maximum width  
 Kerbside Zone: 1.5 metres minimum width



### ELEMENT 2: STREETScape AND AMENITY

1. Alfresco activities must be appropriate to the character and functions of the area in which they are proposed to be located.
2. The alfresco activities must be presented in a way that enhances the amenity of the adjoining properties and the street in general.
3. Alfresco activities must not restrict pedestrian access under awnings, with the exception of Central Walk where alfresco activities are permitted beneath awnings.

### ELEMENT 3: TABLES AND CHAIRS

1. No chairs, tables or incidental structures are permitted outside the designated and approved alfresco zone.
2. Chairs and tables utilised within the Alfresco Zone must be suitable for outdoor use. Plastic chairs and tables are not permitted.
3. Chairs and tables must be able to withstand windy conditions yet be moveable so to access the area for cleaning purposes.

Note:

1. Where the proposed alfresco activity increases the seating capacity of the premises, the application may result in a greater car parking requirement.

### ELEMENT 4: SHELTER, SHADE, BARRIERS & INCIDENTAL STRUCTURES

1. Alfresco activities shall be demarcated to the satisfaction of the City of Joondalup. This may be achieved through the use of screens, decorative pot plants, chairs and tables of an appropriate style.

Note:

1. Any structures placed within the public domain in accordance with this clause must be considered in respect to other clauses in this policy and the City of Joondalup's Trading in Public Places Local Law.
2. Alfresco activities may incorporate shelter or shade structures (eg umbrellas) where:
  - i. Such structures are firmly anchored and free of sharp protrusions.
  - ii. Such structures have a minimum 2.0 metre vertical clearance from the pavement to any overhead structure.

3. Alfresco activities may incorporate barriers such as screens, planter boxes or fence structures where:



EXAMPLE OF SOLID BREEZE BARRIER USE TO DEFINE BOUNDARY

- i. Barriers are not erected between the building and the alfresco zone. The alfresco zone facing the building must remain open.
- ii. Solid breeze barriers used to define the boundary of an alfresco zone must not be greater than 1.2 metre in height;
- iii. Barriers do not have the visual effect of enclosing a public place;
- iv. Barriers are removed from a public place at the close of business each day; and
- v. Barriers must not hinder use of a public place during and after trading hours.
- vi. Advertising displayed on breeze barriers relates to the business to which the alfresco zone adjoins.

4. Alfresco activities may incorporate a permanent shade structure where:



EXAMPLE OF PERMANENT SHADE STRUCTURE ON 9 METRE WIDE VERGE.

- i. the verge to which the permanent shade structure is located exceeds 5 metres in width;
- ii. the shade structure does not exceed 3.0 metres in height above pavement level;
- iii. the shade structure is to be constructed of similar materials and be sympathetic to the building to which it adjoins; and
- iv. the design of the permanent structure is not to give the impression that the verge is a private space.

- v. Any screening for weather protection, with the exception of roof cover and breeze barriers, must be visually permeable and readily removable. Canvas and shade cloth type materials will not be permitted.

- vi. Clear plastic rolled down blinds are not to be affixed to awnings.



- vii. Screening is retracted or removed when the alfresco activities are not in operation.
5. Alfresco activities and associated structures (shade structures, seating, planter boxes, screens, fencing etc) must not damage street trees, street furniture or pose a safety risk.

#### ELEMENT 5: HAZARD MANAGEMENT

1. Alfresco activities must not restrict direct pedestrian access to buildings entrances/exits.
2. Alfresco activities should not result in the gathering of customers or incidental structures that will impede pedestrian or vehicular movements, cause conflict with or inconvenience other adjoining activities. Pedestrians should be able to make normal use of the footpath without being obliged to step into the road at any point, or make other unwarranted detours.
3. Alfresco activities must not obstruct sight lines for either vehicles or pedestrians, both at road/laneway junctions and vehicle access crossovers.
4. Additional requirements or conditions of approval including the provision of bollards, increased kerbside zone or other may be imposed dependant on nature of a street intersection, traffic speeds or other circumstance.

#### ELEMENT 6: MANAGEMENT

1. The applicant is solely responsible for all and any associated costs with the removal, alteration, repair, reinstatement or reconstruction (to the satisfaction of the City of Joondalup) of the street carriageway, footpath or any part thereof arising from the use of the alfresco zone.
2. Umbrellas and other temporary structures must be stored away in extreme wind conditions, and in all cases, must be stored away from the public space after hours of operation.
3. Council will accept no responsibility or liability for any interruption to business caused by the need for Council, any other Authority or adjoining development to carry out any type of maintenance works or new development on or in the vicinity of the approved alfresco area.

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Renewal Fee:	As above.
Amendments:	CJ213-06/99; CJ024-02/04, CJ206-10/05
Related Documentation:	Schedule of Fees and Charges; Trading in Public Places Local Law – Outdoor Dining
Issued:	XX 2009



## **APPENDIX**

The following information is provided to assist applicants when preparing an application for alfresco activities.

### **REQUIREMENTS TO OPERATE ALFRESCO ACTIVITIES:**

In order to operate alfresco activities prospective operators require:

- a valid planning approval and
- a valid outdoor dining licence issued under the City of Joondalup's Trading in Public Places Local Law.

Note: Depending on the location of proposed alfresco areas and whether permanent structures are proposed, applications for planning application, may need to be referred by the City of Joondalup to other public authorities for comment or approval (eg Main Roads WA).

### **MAKING AN APPLICATION FOR PLANNING APPROVAL:**

Applications must be accompanied by

- Completed Development Application Form (Form 1)

The application form is required to be signed by the City of Joondalup where the road reserve is vested to the City.

- Site Plan (3 copies)

A scale site plan (1:200) of the development site indicating the location of:

- any street furniture or other structures situated in the verge area including any power poles, bollards, phone booths, bus shelters, fire hydrants, street trees or free standing signage;
- the footpath and carriageway alignment, vehicle crossovers and any on-street parking.
- The proposed alfresco activities including the seats (both alfresco dining seating and seating internal to the premises), tables, screens, planter boxes or any other permanent or temporary structures proposed to be used of displayed in the alfresco zone.

- Elevation (3 copies)

A scale elevation is to be provided to indicate the height and detail of any screens, bollards or proposed structures associated with the alfresco activities.

- A management plan as outlined under part 3 (clause 17d and e) Outdoor Dining of the City of Joondalup's Trading in Public Places Local Law.
- Photographs or manufacturer's details of the furniture to be used;
- Any applicable fees

## FEES

{Development Application Fee} In accordance with the City of Joondalup schedule of fees and charges.

{Use of Public Land Fee} Fees and charges relating to placement of tables and chairs on public land in accordance with the City of Joondalup schedule of fees and charges.

## PLANNING APPROVAL

A planning approval for alfresco activities will include the following standard conditions and advice notes:

### Conditions

1. The licence holder shall make adequate insurance arrangements to the satisfaction of the City of Joondalup, in the joint names of the City and the operator, for public liability insurance cover to provide indemnity in respect to both injury to persons and damage to property. A copy of the policy will need to be provided to the City prior to the commencement of trading. The City of Joondalup shall be advised directly by the insurance company of any possible changes to the policy.
2. Structures and furniture must be stable under windy conditions.
3. The operator shall not, without the prior approval of the City of Joondalup:
  - (a) make use of any method of noise making (ie live music, record, tape, radio, etc);
  - (b) carry out any specific functions (ie fashion parades, art exhibitions, etc);
  - (c) prevent the public from using the alfresco zone, whether paying customers or not.
4. The operator shall keep the alfresco zone clean and free from rubbish to the satisfaction of the City of Joondalup.
5. The approval is valid for a period of 36 months.

6. The tables, chairs and all equipment associated with the alfresco activities shall be removed from the public space outside normal trading hours for the associated premises.
7. Any modifications of the street verge or any relocation of existing street furniture, trees or services shall not be undertaken without the prior approval of the City of Joondalup. All costs associated with any such works will be totally at the applicant(s) expense.

#### Advice Notes

1. In granting approval, the City of Joondalup may limit operating hours.
2. The City of Joondalup reserves the right to require the alfresco zone to be cleared at any time, either permanently or temporarily, at the applicant's expense, in order to undertake essential maintenance work, accommodate road widening, or other required works.