

minutes

Policy Committee

MEETING HELD ON **MONDAY, 11 MARCH 2013**

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CITY OF JOONDALUP

MINUTES OF THE POLICY COMMITTEE MEETING HELD IN CONFERENCE ROOM 2, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY, 11 MARCH 2013.

ATTENDANCE

Committee Members:

Cr Brian Corr	<i>Presiding Member</i>
Mayor Troy Pickard	
Cr Liam Gobbert	<i>Deputy Presiding Member</i>
Cr Christine Hamilton-Prime	
Cr Kerry Hollywood	
Cr Teresa Ritchie	

Officers:

Mr Jamie Parry	Director Governance and Strategy	
Mr Mike Tidy	Director Corporate Services	
Ms Dale Page	Director Planning and Community Development	<i>from 7.01pm</i>
Mr Brad Sillence	Manager Governance	
Mrs Deborah Gouges	Governance Officer	

Observer:

Cr John Chester

DECLARATION OF OPENING

The Presiding Member declared the meeting open at 7.00pm.

APOLOGIES/LEAVE OF ABSENCE

Apologies

Cr Philippa Taylor.

Leave of Absence previously approved

Cr Teresa Ritchie	5 March to 12 March 2013 inclusive.
Cr Geoff Amphlett,JP	16 March to 24 March 2013 inclusive.
Cr Kerry Hollywood	1 May to 26 May 2013 inclusive.

CONFIRMATION OF MINUTES

MINUTES OF THE POLICY COMMITTEE HELD ON 12 NOVEMBER 2012

MOVED Cr Gobbert, **SECONDED** Cr Hamilton-Prime that the minutes of the meeting of the Policy Committee held on 12 November 2012 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Cr Corr, Mayor Pickard, Crs Gobbert, Hamilton-Prime, Hollywood and Ritchie.

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

DECLARATIONS OF INTEREST

Nil.

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

In accordance with Clause 76 of the City's *Standing Orders Local Law 2005*, this meeting was not open to the public.

PETITIONS AND DEPUTATIONS

Nil.

The Director Planning and Community Development entered the meeting Room, the time being 7.01pm.

REPORTS**ITEM 1 ADOPTION OF MEETING DATES FOR 2013 –
POLICY COMMITTEE**

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	26176, 101515
ATTACHMENT	Nil.
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For the Policy Committee to consider the proposed schedule of committee meeting dates for 2013, up until the local government elections.

EXECUTIVE SUMMARY

In order to assist with forward planning for all Elected Members, management and staff, a schedule of meeting dates has been prepared for the Policy Committee, ensuring synergy between meeting dates and the flow of information and decision-making.

It is recommended that the Policy Committee ADOPTS the meeting dates and times for the Policy Committee of the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup.

BACKGROUND

The Policy Committee was established at the Ordinary Council Meeting held on 26 April 2005 (CJ064-04/05 refers). The purpose of the committee is to:

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

At its meeting held on 20 November 2012 (CJ228-11/12 refers) Council adopted the meeting dates for its Strategy and Briefing sessions, and ordinary Council meetings.

The schedule of Council meeting dates was based on the format used for the last five years; a monthly meeting format with Strategy Sessions held on the first Tuesday of each month; Briefing Sessions held on the second Tuesday and Council meetings on the third Tuesday.

This enables committee meetings to be scheduled on the Monday, Tuesday or Wednesday of weeks one, two and three so as to minimise potential conflicts with other Council activities and provide a 'meeting-free' week in the fourth week of each month.

DETAILS

Due to the local government elections in October there are no meetings scheduled after October 2013. A report will be submitted to the Policy Committee to propose the meeting dates for the remainder of the year after new members are appointed to the committee by Council following the local government elections.

Issues and options considered

The Policy Committee can either:

- adopt the meeting dates as proposed in this report
or
- amend the meeting dates.

Legislation / Strategic Community Plan / policy implications

Legislation *Local Government Act 1995.
Local Government (Administration) Regulations 1996.
Standing Orders Local Law 2005.*

Strategic Community Plan

Key theme Governance and Leadership.

Objective Corporate capacity.

Strategic initiative Not applicable.

Policy Not applicable.

Risk management considerations

Should forward planning of committee meetings not be identified, then there is a risk for meetings to be held on an ad-hoc basis; lacking coordination with other key meetings and corporate planning processes.

Financial/budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The dates proposed are intended to provide Council, committee members and staff with an indicative meeting timeline for the Policy Committee.

It should be noted that no meeting dates have been set after October 2013 due to the impact of the local government elections. A further report will be submitted to the Policy Committee to propose the meeting dates for the remainder of the year, following the elections.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Gobbert, **SECONDED** Cr Hamilton-Prime that the Policy Committee **ADOPTS** the following meeting dates and times for the Policy Committee of the City of Joondalup to be held at the Joondalup Civic Centre, Boas Avenue, Joondalup:

Policy Committee meetings to be held in Conference Room 2
7.00pm on Monday, 10 June 2013
6.00pm on Monday, 2 September 2013

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Cr Corr, Mayor Pickard, Crs Gobbert, Hamilton-Prime, Hollywood and Ritchie.

ITEM 2 EMPLOYMENT POLICY — MAJOR REVIEW

WARD:	All
RESPONSIBLE DIRECTOR:	Mr Jamie Parry Governance and Strategy
FILE NUMBER:	00384, 101515
ATTACHMENTS:	Attachment 1 Revised Employment Policy Attachment 2 Current Employment Policy Attachment 3 Relevant Legislative Provisions
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider proposed amendments to the Employment Policy as a result of the Policy Manual review process.

EXECUTIVE SUMMARY

During the 2011 Policy Manual review, the Employment Policy was identified as requiring significant amendments to:

- remove operational components currently contained within the policy
- remove elements of the policy that duplicate existing plans and legislation
- focus the objective of the policy as being to fulfil the requirements of section 5.50 of the *Local Government Act 1995*, namely, to adopt a policy that sets out the circumstances in which an employee leaving the organisation can receive payments in addition to a contract or award
- introduce a statement allowing the City to settle court actions by employees or former employees out of court, through a severance payment.

The City of Wanneroo first considered matters relating to voluntary redundancy packages as part of an organisational structure review in 1996 (P70-07/96 refers). This became a policy position in 1998 when the Selective Voluntary Severance Policy was adopted by the Joint Commissioners to meet the requirements of section 5.50 of the *Local Government Act 1995*. Since then, the policy has been amended several times to reflect new legislative requirements and in 2005, was incorporated into a more comprehensive Employment Policy as part of the last Policy Manual review process.

In light of the internal and operational matters that much of the current Employment Policy reflects, it is recommended that the policy be refocused on the legislative requirement for local governments to have a position on payments to employees in addition to an award or contract upon leaving the local government.

It is proposed that the Policy Committee recommends that Council adopt the amended Employee Policy (to be renamed the Payments to Employees in Addition to a Contract or Award Policy), as outlined in Attachment 1 to this report.

BACKGROUND

A review of the Policy Manual was conducted in 2011 to assess all current policies against the following criteria:

- Consistency — with regard to language, style and format.
- Relevance — in terms of new plans and strategies that now supersede previously endorsed positions within existing policies.
- Duplication — identified sections of policies that duplicate other policies, City plans and strategies, local laws, and/or State legislation.
- Operational content — identified sections of policies deemed as being too operational and therefore more appropriate to be incorporated into a City protocol or operational plan.

As a result of the review process, a standardised policy format was developed and current policies were categorised as requiring either:

- minor amendments (changes that do not impact on the application of the policy)
or
- major amendments (significant changes that alter the City's position on an issue or matter).

The Employment Policy was identified as requiring major amendments based on the significant operational content within the policy and its duplication of existing plans and legislation. This report outlines the proposed amendments to this policy and the justification for the changes.

DETAILS

Policy History

Prior to 2005, the City's position on employment-related matters was articulated through the following policies:

- Employment Policy
- Equal Employment Opportunity Policy
- Occupational Health and Safety Policy
- Payment to Employees in Addition to Contract or Award Policy
- Selective Voluntary Severance Policy
- Staff Uniforms Policy.

In 2005, a major Policy Manual Review was undertaken in which the abovementioned policies were consolidated into a single Employment Policy. The purpose of this consolidation was to reduce the overall number of policies, while still recognising the relevant statutory responsibilities governing the City's management of human resources. In addition to statutory requirements, residual organisational matters were also incorporated which related to:

- requirements for staff uniforms
- the provision of vehicles to employees.

In 2005, the *Local Government (Administration) Regulations 1996* were amended to restrict the total severance payments able to be paid to former employees. This extended to the value of an employee's final annual remuneration if a voluntary severance was accepted, or in all other cases, an amount not exceeding \$5,000. These amendments were to have effect from 1 January 2010. The City's current Employment Policy has not been reviewed since these provisions came into effect.

Proposed Change in Purpose

As a result of the 2011 Policy Manual Review, it was considered that many of the organisational requirements pertaining to staff uniforms and employee vehicle provisions within the current Employment Policy, were either too internally focused or duplicated existing asset management guidelines (i.e. the provision of vehicles to employees is currently governed by the City's Fleet Asset Management Plan). Other duplications also extend to legislative references within the Policy such as Equal Employment Opportunity and Occupational Health and Safety requirements.

If these are removed, the residual provisions within the policy relate to the payment of employees in addition to a contract or an award upon leaving the organisation. While these provisions are also legislative obligations (similar to those described above which are recommended for removal), it is a requirement under section 5.50 of the *Local Government Act 1995* for all local governments to have a policy in relation to this issue. As such, the Employment Policy has been rewritten and retitled to fulfil this requirement.

Current Situation – Employee Redundancy and Severance Entitlements

National Employment Standards contained within the *Fair Work Act 2009 (Cth)* outline the minimum requirements for termination and redundancy pay for employees working within Australian organisations.

The City's current Workforce Workplace Agreements reflect these standards and provide further detail with regard to specific processes, benefits and entitlement calculations to support the implementation of the Commonwealth legislation.

Since the City's establishment in 1999, there have been no circumstances in which redundancy or voluntary severance payments have been made to employees, demonstrating the rarity of the circumstances in which these provisions apply. In fact for most local governments, redundancy and voluntary severance provisions are only relevant during amalgamation processes where alternative options for employment within the organisation are not able to be accommodated.

The proposed amendments to the City's Employment Policy seek to outline the circumstances in which additional payments over and above those provided for within the current Workforce Workplace Agreements, would be supported and how they would be calculated. Given that standard employment provisions relating to redundancy are yet to be applied by the City, it is even less likely that a policy that goes above and beyond these provisions would be activated. Nonetheless, it is a requirement under section 5.50 of the *Local Government Act 1995* that the City transparently outlines the circumstances in which it would consider making such payments.

Proposed Policy Amendments

To fulfil the requirements of section 5.50 of the *Local Government Act 1995*, the following position on payments to employees in addition to a contract or award is suggested for inclusion within the City's current Employment Policy:

- Additional payments only apply in circumstances of redundancy or voluntary severance (as defined in Attachment 1).
- Redundancy or voluntary severance packages are to be consistently applied between employees under a Workplace Agreement or Contract of Employment (excluding the Chief Executive Officer or Senior Employees).
- Any additional payments must not exceed the maximum amount prescribed by legislation within Regulation 19A of the *Local Government (Administration) Regulations 1996*.
- The criteria for determining eligibility is based on a combination of long-term service and consistently high performance by the employee.
- Assessment criteria for calculating payments are consistent with the current Employment Policy in terms of applying two weeks and recognised motor vehicle usage, however, references to pro rata long service leave have been removed due to their duplication with the current Workforce Workplace Agreements.
- An additional section is included to allow court actions by employees or former employees to be settled out of court, through a severance payment by the City. (This amendment aims to provide a mechanism for avoiding potentially expensive litigation processes if the Chief Executive Officer determines a settlement to be in the financial interests of the City).

Also, in accordance with the new policy template the proposed Payments to Employees in Addition to a Contract or Award Policy incorporates a revised objective, authority and application statements and definitions to reflect its new focus.

Issues and options considered

Council can either choose to:

- adopt the proposed amendments to the Employment Policy, as outlined in Attachment 1
- make further modifications to the Employment Policy
- or
- retain the policy in its current format.

It is recommended that option 1 is adopted by Council.

Legislation / Strategic Community Plan / policy implications

Legislation Section 5.50 of the *Local Government Act 1995*.

Strategic Community Plan

Key Theme Leadership and Governance.

Objective Effective representation.

Policy Employment Policy.

Risk Management considerations

Given that the Employment Policy is applied at the discretion of the Chief Executive Officer, the proposed changes do not present any real variation to the City's risk profile. Currently, the City is limited in its ability to respond to legal actions and claims where a financial settlement may prevent further litigation, and/or be in the best financial interests of the City. This limitation could force potentially expensive litigation that otherwise may have been avoided through an established policy position.

Financial/Budget Implications

The financial implications of this policy arise on a 'case by case' basis and are subject to the circumstances of the severance, redundancy or particular legal action being considered. In making a determination, the Chief Executive Officer will consider the most appropriate outcome according to the circumstance presented.

Regional Significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Given that the matter of additional payments to employees is restricted by legislation, it is not considered necessary that a community consultation process be pursued. However, it should be noted that section 5.50 of the *Local Government Act 1995* (the Act) requires that any amendments to the policy be advertised as a local public notice in accordance with section 1.7 of the Act.

If the amendments to the policy as proposed within this report are endorsed by Council, the Chief Executive Officer will ensure that local public notice of the changes are appropriately advertised.

COMMENT

The proposed new section to the policy regarding the use of severance payments to settle legal matters out of court is considered important in providing the City with flexibility in dealing with sensitive employee matters in an effective and timely manner.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Gobbert, SECONDED Cr Hamilton-Prime that Council:

- 1 ADOPTS the proposed amendments to the Employment Policy, as outlined in Attachment 1 to this Report;**
- 2 in accordance with sections 5.50 and 1.7 of the *Local Government Act 1995*, NOTES local public notice of the amendments to the Employment Policy as outlined in Attachment 1 to this Report, will be advertised.**

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Cr Corr, Mayor Pickard, Crs Gobbert, Hamilton-Prime, Hollywood and Ritchie.

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1POLICY110313.pdf](#)

ITEM 3 ALCOHOL MANAGEMENT POLICY – MAJOR REVIEW AND RESERVES, PARKS AND RECREATION GROUNDS POLICY – REVOCATION

WARD:	All
RESPONSIBLE DIRECTOR:	Mr Jamie Parry Governance and Strategy
FILE NUMBER:	102015, 101515
ATTACHMENTS:	Attachment 1 Revised Alcohol Management Policy Attachment 2 Reserves, Parks and Recreation Grounds Policy Attachment 3 Revised Terms and Conditions for Hire of City Facilities and Reserves
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider proposed major amendments to the Alcohol Management Policy and to revoke the Reserves, Parks and Recreation Grounds Policy as a result of the Policy Manual review process.

EXECUTIVE SUMMARY

The current Alcohol Management Policy and Reserves, Parks and Recreation Grounds Policy were first adopted by Council in 2011 and 2005 respectively.

As part of the Policy Manual review process, it was identified that alcohol-related provisions currently contained within the Reserves, Parks and Recreation Grounds Policy could be consolidated into the City's recently adopted Alcohol Management Policy.

The City's Beach Management Plan also identifies the need to expand on current policy positions relating to the consumption or sale of alcohol on City property. As such, the revised version of the Alcohol Management Policy provided at Attachment 1, includes these suggested amendments.

As a result of removing alcohol-related provisions from the Reserves, Parks and Recreation Grounds Policy, the policy is recommended for revocation based on the duplication of most of its current content.

It is proposed that Council adopt the amended Alcohol Management Policy, as shown in Attachment 1 and agrees to revoke the Reserves, Parks and Recreation Grounds Policy, as presented in Attachment 2.

BACKGROUND

A review of the Policy Manual was conducted in 2011 to assess all current policies against the following criteria:

- Consistency — with regard to language, style and format.
- Relevance — in terms of new plans and strategies that now supersede previously endorsed positions within existing policies.
- Duplication — identified sections of policies that duplicate other policies, City plans and strategies, local laws, and/or State legislation.
- Operational content — identified sections of policies deemed as being too operational and therefore more appropriate to be incorporated into a City protocol or operational plan.

As a result of the review process, a standardised policy format was developed and current policies were categorised as requiring either:

- minor amendments (changes that do not impact on the application of the policy)
or
- major amendments (significant changes that alter the City's position on an issue or matter).

The Alcohol Management Policy and Reserves, Parks and Recreation Grounds Policy were identified as requiring major amendments, based on a preliminary review of their relevance and last review dates. This report outlines the proposed amendments to these policies and the justification for the changes.

DETAILS

Alcohol Management Policy

The Alcohol Management Policy was only recently adopted by Council in 2011 (CJ159-09/11 refers). It was introduced as a result of the City's participation in a pilot program to develop an Alcohol Management Plan and Policy through a Western Australian Local Government Association (WALGA) coordinated initiative.

The current policy presents a background of alcohol-related issues present within the community; provides a statement on the City's commitment to encouraging the responsible availability and consumption of alcohol; and outlines the manner in which the City will support the achievement of this objective. A qualifying statement is also included that acknowledges the jurisdictional limitations of alcohol management and the need for a partnership approach.

The policy was developed on the basis of WALGA developed guidelines and incorporated consultation with local licensees and the City's Community Safety and Crime Prevention Working Group.

As part of the Policy Manual Review, it has been identified that alcohol-related provisions are currently contained within the Reserves, Parks and Recreation Grounds Policy, namely:

“The Chief Executive Officer may approve the consumption and/or sale of alcohol on Council parks and reserves under the following circumstances:

- *the Chief Executive Officer is satisfied that the application will not cause undue disruption to the community*
- *appropriate liquor licence/s are in place*

- *restricted Licence applications as follows:*
 - *Thursdays to 11.00pm*
 - *Fridays & Saturdays to 12 midnight*
 - *Sundays to 10.00pm.”*

The above provision is also reflected in the City's Beach Management Plan (issue 30), which states that the consumption of liquor at events or functions booked on City parks or within community facilities should be permitted to occur in alignment with this policy. It also specifies the circumstances in which an event or function is “*unlikely to cause undue disruption to the community,*” which includes the following:

- *“For the duration of a wedding ceremony on a City park or reserve (not to exceed one hour).*
- *For private events or functions held within community facilities.*
- *For a fundraising event held either on a City park or reserve or within a community facility, where liquor is being sold and a liquor licence has been successfully obtained from the Department of Racing, Gaming and Liquor.*
- *For corporate functions or events held on a City park or reserve or within a community facility.*
- *For City-run community events held on a City park or reserve, allowing BYO liquor.*

The City does not support the consumption or sale of liquor in the following circumstances:

- *Within Tom Simpson Park, Mullaloo (excluding the Mullaloo Surf Life Saving Club Rooms facility).*
- *For private functions or events on a City park or reserve that are not of a fundraising or corporate purpose (excluding wedding ceremonies).”*

This extended policy position is only reflected in the Beach Management Plan and not within any City Policies at present. It is proposed that in consolidating alcohol management provisions into the Alcohol Management Policy, the abovementioned provision from the Beach Management Plan is also included.

It is also proposed that the policy be realigned to the new policy template and as such, the background content contained within the policy is removed, with the general sentiment of the provision to be incorporated into a broader policy statement. References to the City issuing Liquor Licences are also proposed for removal as the City does not issue these types of licences.

Recommendation: Provisions relating to the approval to consume and/or sell alcohol on City parks and in City facilities within the Reserves, Parks and Recreation Grounds Policy and Beach Management Plan, are consolidated into the Alcohol Management Policy.

The revised Alcohol Management Policy is realigned to the new Policy template, by removing detailed background information and references to the City issuing Liquor Licences.

Reserves, Parks and Recreation Grounds Policy

The Reserves, Parks and Recreation Grounds Policy originated as several policies before their consolidation during the 2005 Policy Manual review process. Below is an outline of the history of these policies, a description of their current relevance and a justification for the revocation of the Reserves, Parks and Recreation Grounds Policy based on the reasons presented.

- Council Reserves and Parks Policy (CJ213-06/99 refers).

In 1999 the newly established City of Joondalup Council readopted many policies from the former City of Wanneroo, including the Council Reserves and Parks Policy.

This policy outlined a classification system for the City's parks, reserves and conservation areas based on their level of reticulation and highlighted the circumstances in which the reticulation of dry parks would be considered by the City. The classification of parks is now reflected in the City's Parks and Public Open Spaces Classification Framework (CJ014-02/10 refers) and the reticulation of these areas is managed in accordance with the City's Landscape Master Plan and Water Plan 2012-2015.

In 2005, the provisions of the Council Reserves and Parks Policy were consolidated into the new Reserves, Parks and Recreation Grounds Policy as part of the Policy Manual review process. The provisions were significantly simplified by removing specific classification references, describing a "Parks Management Plan" as the source of information for park development and maintenance approaches and stating that reticulation would be managed in accordance with a "Reticulation Plan" and "individual park management plans."

This information is now significantly out-of-date and has been absorbed by the introduction of new plans and frameworks. As such, it is recommended for removal.

Recommendation: Reticulation and park classification provisions within the Reserves, Parks and Recreation Grounds Policy are removed.

- Floodlighting on Sporting Parks Policy (CJ189-06/01 refers).

Introduced in 2001, this policy sought to provide an equitable standard for floodlighting in active reserves; namely, a minimum of two floodlights per reserve with a 1,000 watt capacity per luminary.

The policy also outlined the criteria for assessing applications by sporting clubs and associations to increase floodlighting above this standard. The same criteria is now reflected in the City's guidelines and application form for Community Sport and Recreation Facilities Fund (CSRFF) projects, which is determined by the Department of Sport and Recreation.

During the 2005 Policy Manual review process, provisions within this policy were consolidated into the new Reserves, Parks and Recreation Grounds Policy with significant amendments (CJ206-10/05 refers). The assessment criteria for CSRFF floodlighting projects were removed, an outline of the City's minimum standards for floodlighting was introduced and a generic statement regarding responsibilities for the installation and maintenance of lighting infrastructure above this standard was outlined (as shown in Attachment 2). These standards and processes are now significantly out-of-date, are inconsistent with current Australian Standards for floodlighting and do not demonstrate a strategic approach to the provision and maintenance of this infrastructure type.

It is proposed that instead of revising the current policy to update the standards and approach to installing and maintaining floodlighting on active reserves, that the issue be incorporated into the review of the City's Parks and Public Open Spaces Classification Framework and the development of a Parks Asset Management Plan. This will enable all park asset types to be considered in a holistic manner, rather than establishing separate policies on discrete asset types. This action is currently listed in the City's Annual Plan 2012-2013 to be conducted over Quarters 2 and 3.

There are no anticipated impacts from removing the provision, given the outdated information currently presented within the policy and its misalignment with City operations and decision-making processes.

Recommendation: Sports lighting provisions within the Reserves, Parks and Recreation Grounds Policy are removed and incorporated into the review of the City's Parks and Public Open Spaces Classification Framework.

- Floodlighting Policy (CJ213-06/99 refers).

In 1999 the newly established City of Joondalup Council re-adopted many policies from the former City of Wanneroo, including the Floodlighting Policy.

This policy outlined the City's commitment to install and maintain floodlights on sports fields in accordance with Australian Standards. It also reinforced the position that the installation and maintenance of any additional floodlights was the responsibility for sporting clubs and associations to finance.

Given its clear duplication with the Floodlighting on Sporting Parks Policy, the two were consolidated into the Reserves, Parks and Recreation Grounds Policy as part of the Policy Manual review process in 2005.

Recommendation: Floodlighting provisions within the Reserves, Parks and Recreation Grounds Policy are removed and incorporated into the review of the City's Parks and Public Open Spaces Classification Framework.

- Commercial Usage of Beachfront and Beach Reserves Policy (CJ213-06/99 refers).

In 1999 the newly established City of Joondalup Council readopted many policies from the former City of Wanneroo, including the Commercial Usage of Beachfront and Beach Reserves Policy.

This policy specified in detail, the types of commercial trading activities that were permitted to occur within beachfront areas along the City's coast. (For example, the selling of drinks, ice creams, sunscreen, goods for hire and secure locker systems). As part of the 2005 Policy Manual review process, the decision was made to significantly reduce the detail of this policy and apply it more generally to all reserve areas, rather than just coastal locations (CJ206-10/05 refers).

As a result, a provision was incorporated into the new Reserves, Parks and Recreation Grounds Policy that required applications for commercial activities to be submitted to the City in accordance with the relevant local laws. General consideration of potential impacts, such as environmental, community demand and existing commercial activities were listed broadly in the policy and a requirement to produce a Certificate of Currency for public liability insurance was also acknowledged.

Given that the City's current *Trading in Public Places Local Law 1999* already outlines in detail the application process required to approve a commercial activity on City property, (including public liability insurance requirements), the policy provision seems an unnecessary duplication of existing legislative provisions.

Recommendation: Commercial activity provisions within the Reserves, Parks and Recreation Grounds Policy are removed based on their duplication of existing legislative requirements.

- Condition of Hire for City of Joondalup Facilities Child Protection Policy, (CJ269-11/04 refers).

Introduced in 2004, this policy required community groups with members under the age of 18 to provide the City with a copy of the organisation's Child Protection Policy in order to secure a permanent booking within a City facility.

In 2005, the provisions were consolidated into the previous Community Facilities – Built Policy and the Reserves, Parks and Recreation Grounds Policy as part of the Policy Manual Review process. In 2006 the State Government's *Working With Children (Criminal Record Checking) Act 2004* (the Act) came into effect and the former Community Facilities – Built Policy was amended to reflect the new requirements under the Act, until the five year phase in period for the legislation was complete (CJ168-09/06 refers). These changes were not reflected in the complementary provisions contained within the Reserves, Parks and Recreation Grounds Policy as part of this amendment process.

On 1 January 2011, the phase in period expired and the State Government became fully responsible for administering all legislative requirements pertaining to working with children. While the legal obligations under the Act reside with the Department of Child Protection, WALGA recently circulated information requesting local governments to consider promoting compliance with the Act to their facility hirers. This is considered best achieved through the incorporation of a statement within the City's Terms and Conditions of Hire for City Buildings, Parks, Reserves and Beaches, as hirer's are more likely to refer to an operational document than a Policy to obtain awareness of external legal obligations.

Given the promotional rather than policy-oriented nature of the provision and its duplication of existing legislation, it is considered unnecessary to be retained within the Reserves, Parks and Recreation Grounds Policy. Council recently endorsed this approach in the review of the Community Facilities – Built Policy, where similar provisions were transferred to the City's Terms and Conditions of Hire for City Buildings, Parks, Reserves and Beaches (CJ260-11/12 refers).

Recommendation: Child protection provisions within the Reserves, Parks and Recreation Grounds Policy are removed and reflected in the City's Terms and Conditions of Hire for City Buildings, Parks, Reserves and Beaches (as shown in Attachment 3).

As a result of all elements of the current Reserves, Parks and Recreation Grounds Policy being recommended for removal or incorporation into alternative policies and planning documents, it is proposed that the policy be revoked by Council.

Issues and options considered:

With regard to the Alcohol Management Policy, Council can either choose to:

- adopt the proposed amendments to the policy, as outlined in Attachment 1
- request further modifications to the policy
or
- retain the policy in its current format.

It is recommended that option 1 is adopted by Council.

With regard to the Reserves, Parks and Recreation Grounds Policy, Council can either choose to:

- revoke the policy
- retain the policy with modifications
or
- retain the policy in its current format.

It is again recommended that option 1 is adopted by Council.

Legislation / Strategic Community Plan / policy implications

Legislation	<i>Liquor Control Act 1988</i> <i>Liquor Licensing Act 1988</i> <i>Trading in Public Places Local Law 1999</i> <i>Local Government and Public Property Local Law 1999</i>
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Strategic Community Plan

Key Theme Community Wellbeing.

Objective Community safety.

Strategic Initiatives

- Build a community that works in partnership with government and non-government organisations to achieve real and long lasting improvements in safety and wellbeing.
- Build a healthy community that is aware of and responsive to current public health risks.

Policy Alcohol Management Policy and Reserves, Parks and Recreation Grounds Policy.

Risk Management Considerations

In order to remain transparent and to facilitate appropriate decision-making processes, it is imperative that policies reflect the current positions of Council and work practices at the City. If not effectively maintained, there are risks associated with potentially misleading the community through publicly available, unreviewed policies.

Financial/Budget Implications

There are no identified financial or budget implications in amending the Alcohol Management Policy or revoking the Reserves, Parks and Recreation Grounds Policy.

Regional Significance

Not applicable.

Sustainability Implications

The responsible sale and consumption of alcohol is an important management issue that aims to reduce the social and economic cost of alcohol-related harm and injury within the community. The City's Alcohol Management Policy provides a framework for the City to appropriately allocate resources and provide assistance in achieving a reduction in alcohol-related issues within the community.

Consultation

Not applicable.

COMMENT

In reviewing the Policy Manual many incidences of duplication were identified, particularly in relation to alcohol management-related provisions. To avoid unnecessary repetition and inconsistency, it was considered appropriate that all related provisions be incorporated into a single policy.

With regard to the Reserves, Parks and Recreation Grounds Policy, the City has introduced more detailed and appropriate decision-making frameworks and planning documents to support effective park and public open space management. As such, it was considered appropriate that out-of-date policy statements be revoked and more recent and relevant documents be relied upon, namely, the Parks and Public Open Spaces Classification Framework and future Parks Asset Management Plan.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Ritchie, SECONDED Cr Gobbert that Council:

- 1 ADOPTS the revised Alcohol Management Policy as shown in Attachment 1 to this Report;**
- 2 REVOKES the current Reserves, Parks and Recreation Grounds Policy as shown in Attachment 2 to this Report.**

AMENDMENT MOVED Cr Hollywood, SECONDED Cr Hamilton-Prime that Part 1 of the Motion be AMENDED to read as follows:

“1 ADOPTS the revised Alcohol Management Policy as shown in Attachment 1 to this Report, subject to:

- 1.1 AMENDING clause 2.2.2(a) by replacing the words ‘1 hour’ with the words ‘2 hours’.*”**

The Amendment was Put and

CARRIED (6/0)

In favour of the Amendment: Cr Corr, Mayor Pickard, Crs Gobbert, Hamilton-Prime, Hollywood and Ritchie.

AMENDMENT MOVED Mayor Pickard, **SECONDED** Cr Hamilton-Prime that new Parts 1.2 and 1.3 be **ADDED** to the Motion as follows:

“1.2 DELETING clause 2.2.3(b) from the policy;

1.3 AMENDING clause 2.2.2(b) by adding the words ‘and/or parks’ after the word ‘facilities’.”

The Amendment was Put and

CARRIED (6/0)

In favour of the Amendment: Cr Corr, Mayor Pickard, Crs Gobbert, Hamilton-Prime, Hollywood and Ritchie.

The original Motion as amended:

That Council:

1 ADOPTS the revised Alcohol Management Policy as shown in Attachment 1 to this Report, subject to:

1.1 AMENDING clause 2.2.2(a) by replacing the words ‘1 hour’ with the words ‘2 hours’;

1.2 DELETING clause 2.2.3(b) from the policy;

1.3 AMENDING clause 2.2.2(b) by adding the words ‘and/or parks’ after the word ‘facilities’;

2 REVOKES the current Reserves, Parks and Recreation Grounds Policy as shown in Attachment 2 to this Report.

Was Put and

CARRIED (6/0)

In favour of the Motion: Cr Corr, Mayor Pickard, Crs Gobbert, Hamilton-Prime, Hollywood and Ritchie.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2POLICY110313.pdf](#)

ITEM 4 REVIEW OF HOME BUSINESS POLICY

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	03170, 101515
ATTACHMENT	Attachment 1 Home Business Policy
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider advertising proposed modifications to the Home Business Policy for public comment.

EXECUTIVE SUMMARY

In line with the recent review of the existing Policy Manual, it is considered that improvements to the Home Business Policy can be made, including textual and formatting changes. The review has also identified the need to extend the operating hours allowed under the policy to allow for greater flexibility.

In addition, Council at its meeting held on 12 December 2012 (CJ268-12/12 refers) agreed to commence advertising of the proposed Omnibus Amendment to the City's *District Planning Scheme No. 2* (DPS2). The Omnibus Amendment proposes an increase in the allowable floor area of a Home Business Category 1 from 20 square metres to 30 square metres, and it is proposed that this policy be amended to reflect that change.

This policy covers the whole of the City of Joondalup and it is considered the reformatted policy will provide clear guidelines for those wishing to operate a business from their place of residence. It is recommended that the proposed modifications be advertised for a period of 21 days.

BACKGROUND

The Home Business Policy applies to the whole of the City of Joondalup and ensures that residential areas remain primarily a place to live while recognising that working from home is an expanding area of employment.

The policy was last updated on 1 November 2005 (CJ238-11/05 refers) and has generally been working well since that time. The policy provides guidance on the requirements for Home Business applications for each category as defined within the DPS2. The policy in addition identifies elements which are taken into consideration during the assessment process to ensure that the amenity of residential neighbourhoods is maintained.

The City has recently undertaken a review of the existing Policy Manual, and it was noted that the existing Home Business Policy was required to be modified in line with recent policy updates within respect to formatting and textual changes. A change in the operating area from 20 square metres to 30 square metres as proposed as a part of the Omnibus Amendment (CJ268-12/12 refers) has also been incorporated into this update and reflected within the definition of a Category 1 contained within the policy.

Further improvements to the policy also include the removal of those elements which are currently covered under separate legislation and a review of the existing hours of operation within the policy to be modified to reflect the demand in the number of applicants seeking extensions to those hours.

DETAILS

The proposed modifications to the Home Business Policy are as follows:

- Text and format changes in line with the current policy manual review.
- Removal of commentary and irrelevant wording from policy.
- Reorganisation of the criteria applying to Home Businesses for ease of reading.
- Removal of references to other legislation.
- Inclusion of the definitions of “amenity” and each category of Home Business in line with City’s *District Planning Scheme No. 2*.
- Increase in the operating hours from 8.00am to 5.00pm to 8.00am to 6.00pm Monday-Friday.
- Increase in the maximum size of a Home Business Category 1 from 20 square metres to 30 square metres in line with the Omnibus Amendment.

These proposed modifications are highlighted in red (additions) and red strikethrough (deletions) within Attachment 1.

Issues and options considered

Council has the option to:

- advertise the amended policy for public comment
- advertise the amended policy for public comment with further modifications
or
- not support the advertising of the modified policy for public comment.

Legislation / Strategic Community Plan / policy implications

Legislation

City of Joondalup District Planning Scheme No. 2.

Clause 8.11 of DPS2 enables Council to prepare, amend and add to local planning policies that relate to any planning and development matter within the Scheme area.

Strategic Community Plan

Key theme

Quality Urban Environment.

Objective

Quality built outcomes.

Strategic initiative Buildings and landscaping is suitable for the immediate environment and reflect community values.

Policy Home Business Policy.

Risk management considerations

Should the policy remain unchanged it is considered that there will be minimal risk given that the majority of amendments sought relate to improving wording and formatting of the policy.

Financial/budget implications

The costs associated with advertising the amended policy in the local newspaper and notice of any final adoption of the amended policy, will be approximately \$810.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Clause 8.11 of DPS2 requires a new policy or amendment to a policy to be advertised for public comment for a period of 21 days. The proposed amendment would be advertised as follows:

- A notice published once a week for two consecutive weeks in the local newspaper.
- A notice and documents placed on the City's website.

COMMENT

The proposed amendments to this policy consist for the most part of formatting and wording modifications. The inclusion within the policy of the definitions of "amenity", and "home business category 1", "home business category 2", and "home business category 3" in line with the definitions contained within *District Planning Scheme No. 2* will ensure that applicants have easy reference to operational requirements without the need for the cross referencing of documents.

It is noted that there has been an increase in the number of applicants seeking approval for extended operating hours into the evening in order for businesses to cater to customers who are unavailable during the standard working day. To reflect this need the policy is proposed to be amended to extend the operating hours from 8.00am to 5.00pm to 8.00am to 6.00pm Monday to Friday to allow for a small extension to the "after-hours" operation. It is considered that this amendment will allow for slightly more flexibility while ensuring that the residential amenity is not detrimentally affected.

The definition of Home Business Category 1 has been amended to include the increase in the maximum area from 20 square metres to 30 square metres in line with the Omnibus Amendment to DPS2 adopted by Council at its meeting held on 11 December 2012 (CJ268-12/12 refers) for the purpose of advertising. It is envisaged that the amendments to this policy will come into effect in conjunction with the Omnibus Amendment.

All other formatting changes and removal of references to separate legislation do not change the intent of the policy. All proposed modifications are in line with recent policy updates undertaken during the review of the City's policy manual.

It is recommended that the modified Home Business Policy be advertised for a period of 21 days for public comment.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Ritchie, SECONDED Cr Hamilton-Prime that Council:

- 1 ADOPTS the proposed amendments to the Home Business Policy as detailed in Attachment 1 to this Report, for the purpose of public advertising;**
- 2 in accordance with Clause 8.11 of the *City of Joondalup District Planning Scheme No. 2*, ADVERTISES the proposed amendments to the Home Business Policy for public comment for a period of 21 days.**

AMENDMENT MOVED Mayor Pickard, SECONDED Cr Hamilton-Prime that Part 1 of the Motion be amended to read as follows:

- “1 ADOPTS the proposed amendments to the Home Business Policy as detailed in Attachment 1 to this Report, for the purpose of public advertising, subject to:**
- 1.1 RETAINING the limitation of customers and vehicles for Home Business – Category 2 and Home Business – Category 3 that exist in the current policy;**
 - 1.2 AMENDING clause 5.2.2(a) by:**
 - 1.2.1 DELETING clause 5.2.2(a)(ii);**
 - 1.2.2 AMENDING clause 5.2.2(a)(i) by replacing the words ‘8.00am to 6.00pm’ with the words ‘9.00am to 5.00pm’.**

The Amendment was Put and

TIED (3/3)

In favour of the Amendment: Mayor Pickard, Crs Gobbert and Hamilton-Prime.

Against the Amendment: Crs Corr, Hollywood and Ritchie.

There being an equal number of votes, the Presiding Member exercised his casting vote and declared the Amendment **LOST (3/4)**

PROCEDURAL MOTION – MOTION TO DEFER

MOVED Cr Corr, SECONDED Cr Hollywood that the Policy Committee DEFERS consideration of the Review of the Home Business Policy to the next meeting of the Policy Committee.

The Motion was not put and was deemed to have lapsed.

PROCEDURAL MOTION – MOTION TO DEFER

MOVED Mayor Pickard, **SECONDED** Cr Hollywood that the Policy Committee **DEFERS** consideration of the Review of the Home Business Policy to the next meeting of the Policy Committee to allow the Administration to review:

- 1** the maximum and type of employees permitted under the Home Business Categories;
- 2** the maximum number of vehicles permitted for employees and customers under the Home Business Categories;
- 3** the reduction of hours of operation for Category 2 and 3 home businesses;
- 4** the placement of signage for home businesses;
- 5** the occupancy area for Category 1 home businesses.

The Motion was Put and

TIED (3/3)

In favour of the Motion: Crs Corr, Hollywood and Ritchie.

Against the Motion: Mayor Pickard, Crs Gobbert and Hamilton-Prime.

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

CARRIED (4/3)

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3POLICY110313.pdf](#)

ITEM 5 REVIEW OF SIGNS POLICY

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	01907, 101515
ATTACHMENT	Attachment 1 Modified Signs Policy
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider advertising proposed amendments to the Signs Policy for public comment.

EXECUTIVE SUMMARY

The Signs Policy, which has been in operation since October 2009 (CJ255-10/09 refers), provides guidance on the permissible types and locations of signage within the City. The operation of the policy was reviewed in 2012 and, although it was found to be operating well, amendments were adopted by Council in August 2012 (CJ167-08/12 refers) to provide greater clarity in relation to the permissibility of illuminated variable message board signs.

It is now recommended that the policy be updated further to include provisions for monolith signs and to make minor amendments to the standard requirements for pylon signs. It is also proposed to clarify that signs should be site specific and not located within the road reserve. An update to the policy wording to reflect the terminology used within the draft Joondalup City Centre Structure Plan (JCCSP) is also proposed.

Since amendments were approved to the policy in August 2012, a concern has been raised about the new limitations on the permissibility of illuminated variable message board signs. This report provides some information on the restriction of illuminated variable message signs within the City and a minor modification is proposed to this aspect of the policy.

It is recommended that the modified policy be advertised for public comment for a period of 21 days.

BACKGROUND

Council, at its meeting held on 13 October 2009 (CJ225-10/09 refers), adopted a new Signs Policy that provides guidance for the types and locations of signage within the City.

A modified Signs Policy was adopted by Council in August 2012 (CJ167-08/12 refers) which provides additional provisions for inflatable signs, and deals with the permissibility of illuminated variable message board signs.

A further review of the policy has now been undertaken as a result of potential improvements that have been identified through the application of the policy in the assessment of development applications. While the latest review has found that the Signs Policy is operating effectively, it has been identified that certain modifications would further improve the operation of the policy.

DETAILS

The proposed modifications to the Signs Policy are as follows:

- Clarification in Section 4.1 of the policy that signs should be located on land to which they relate, and are not to be located within the road reserve.
- Minor amendments to the standard sign requirements of pylon signs to clarify the permitted number of free standing signs per frontage, and the provision or maintenance of vehicle sightlines within the lot.
- Addition of the category 'Monolith Signs' and the provision of standard sign requirements applicable to this type of signage.
- Amend the Variable Message Board sign requirements to include use of this type of sign for a period of time that is in accordance with a Traffic Management Plan approved by the City.
- Updating the 'Applicable Zones' categories to reflect the terms used in the draft JCCSP.

Although no changes are proposed in this regard, this report also provides further clarification on the permissibility of illuminated variable message board signs within the City.

The proposed modifications are outlined in Attachment 1.

Issues and options considered

Council has the option to:

- advertise the modified policy for public comment
- advertise the modified policy for public comment without further modifications
or
- not support the advertising of the modified policy for public comment.

Legislation / Strategic Community Plan / policy implications

Legislation

City of Joondalup District Planning Scheme No. 2.

Clause 8.11 of DPS2 enables Council to prepare, amend and add to the local planning policies that relate to any planning and development matter within the Scheme area.

Strategic Community Plan

Key theme

Quality Urban Environment.

Objective

Quality built outcomes.

Strategic initiative

Buildings and landscaping are suitable for the immediate environment and reflect community values.

Policy Signs Policy.

Risk management considerations

While there is minimal risk if the proposed modifications to the Signs Policy are not made, the modifications will improve the operation of the current policy.

Financial/budget implications

No costs are associated with the policy remaining in its current form. Advertising the amended policy in the local newspaper and notice of any final adoption of the amended policy will be approximately \$810.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Clause 8.11 of DPS2 requires a new policy or amendment to a policy to be advertised for public comment for a period of 21 days. The proposed amendment would be advertised as follows:

- A notice published once a week for two consecutive weeks in the local newspaper.
- A notice and documents placed on the City's website.

COMMENT

Site specific signage and location within the road reserve

To ensure that signs are appropriate to their location and function, they should only advertise products or services that relate to the land use on the site upon which they are erected. Furthermore, signs are to be erected on the land to which they relate to enable a clear means of identification and relevance within the context of the streetscape. It is therefore proposed to clarify within the policy that signs should only be located on land to which they relate to ensure that signage is site specific.

As the erection of a sign within the road reserve is currently not addressed in the policy, it is proposed to be modified to include an additional requirement which specifically states that signs should not be located within a road reserve.

General advertising signs within the road reserve may create a hazard to pedestrians and road users and could potentially interfere with safe movement through a public space. Liability and ownership in the event of damage to the sign is also an issue of concern when signs are placed in the road reserve.

Minor amendments to pylon sign standard requirements

The overuse of signage can contribute to visual clutter and negatively impact on the aesthetics and amenity of the streetscape. As such, minor amendments are proposed to the standard requirements for pylon signs, with wording changes and additional detail added to clarify that only one free standing sign should be erected on a frontage. Additional detail is also provided to ensure that vehicle sightlines within the lot are maintained.

Monolith signs

A monolith sign is similar to a pylon sign; however, it is solid in structure from ground level to the top of the sign as the supporting columns cannot be seen.

The policy currently does not provide guidance on this specific signage type. The policy is therefore proposed to be modified to include requirements for monolith signs, with regard to size, location, design and permissibility, dependent on zoning or other classification of land on which the sign is to be erected. These requirements are similar to those that apply to pylon signs. Specifically, a monolith sign is not to exceed six metres in height or two metres in width and only one free standing sign is permitted on any one frontage. The sign cannot impede vehicle sightlines and is to be no closer than 15 metres to intersecting points of corner truncations.

Applicable zones

At its meeting held on 11 December 2012 (CJ271-12/12 refers), Council adopted the revised draft JCCSP and Scheme Amendment No. 64. The existing Joondalup City Centre Development Plan and Manual divides the City Centre into seven districts, while the revised draft JCCSP divides the City Centre into nine new districts, as depicted in the table below. It is envisaged that the amendments to this policy will coincide with the finalisation and implementation of the draft JCCSP. As such, the Signs Policy has been amended to reflect the new district names under the draft JCCSP.

Existing - Joondalup City Centre Development Plan and Manual	Proposed - Draft Joondalup City Centre Structure Plan
<ul style="list-style-type: none"> • Central Business • City North • Western Business • Campus • Lakeside • Southern Business • Northern Recreation 	<ul style="list-style-type: none"> • Central core • Lakeside • City fringe • Mixed use corridor • Business boulevard • Business support • Inner city residential • Arena • The Gateway

Illuminated variable message board signs

In August 2012 (CJ167-08/12 refers), Council adopted modifications to the Signs Policy that prohibit usage of illuminated variable message board signs for the purposes of advertising as these signs are considered to be potentially distracting to passing motorists and therefore considered to be a hazard. They are also considered to contribute to visual clutter, particularly in the commercial and industrial areas.

Since adoption of the policy modifications mentioned above, a concern has been raised that the modifications prevent the use of illuminated variable message board signs by community groups to advertise forthcoming events. It has been queried whether this type of signage could be considered appropriate if it is advertising a significant community event by an appropriate community organisation.

Currently, the Signs Policy does not permit the use of illuminated variable message board signs by commercial operators or community groups. The policy does recognise that there are certain circumstances under which usage of illuminated variable message board signs are appropriate and therefore allows the use of these signs if they erected by or on behalf of a public utility or authority or for the purpose of temporary traffic management for a period of less than 48 hours.

It is recognised that for larger traffic management issues, the use of a variable message board sign for 48 hours may not be long enough. Given that these larger traffic management issues require a Traffic Management Plan to be approved by the City, it is considered appropriate that variable message board signage be permitted for a longer period provided it is outlined in that approved plan.

The amount of signage within the streetscape can potentially be a distraction to motorists. Signs which display dynamic, moving content provide a greater distraction than familiar or static displays. For this reason, the extent of the permissibility of variable message signs, with their animated content, needs to be seriously considered.

It is generally considered that variable message signs should only be used as traffic control devices, limited to the delivery of road related information to road users within real time. This includes the electronic message signs installed by Main Roads Western Australia to display text information to road users, and be erected in accordance with the relevant Australian Standards. Conversely, content relating to the advertising of goods and services can divert driver attention away from the road. As such, variable message signs are usually only appropriate when providing pertinent traffic operational and guidance details only, and do not give the appearance of advertising.

Given the above, it is considered difficult to distinguish between variable message signs used by commercial operators versus those used to advertise events by community groups, given that the potential impact on the streetscape and motorists is the same.

On 8 March 2012, the State Administrative Tribunal (SAT) heard an application for review of the City's refusal of a development application for the use of an illuminated variable message board sign in Winton Road, Joondalup. The SAT dismissed the application for review and upheld the City's decision on the basis that the proposed signage did not satisfy the objectives of the provisions for the control of advertisements contained in the District Planning Scheme and did not meet the objectives of the City's Signs Policy.

It is important to note that the SAT hearing took place before the Council decided to adopt the modified policy for the purposes of advertising. The SAT therefore made its decision on the basis of the requirements of the District Planning Scheme and the Signs Policy at that time and did not rely on the modifications that specifically prevent the use of illuminated variable message board signage.

Given all of the above, it is considered that these forms of signs, whether of a commercial or community nature, not be permitted unless erected on the verge on a temporary basis by or on behalf of a public utility or authority or for the purpose of temporary traffic control or other directional reasons.

VOTING REQUIREMENTS

Simple Majority.

PROCEDURAL MOTION – MOTION TO DEFER

MOVED Cr Corr that the Policy Committee DEFERS consideration of the Review of Signs Policy to the next meeting of the Policy Committee.

There being no SECONDER, the Motion was deemed to have lapsed.

MOVED Mayor Pickard, SECONDED Cr Ritchie that Council:

- 1** ADOPTS the proposed amendments to the Signs Policy as detailed in Attachment 1 to this Report, for the purpose of advertising;
- 2** in accordance with Clause 8.11 of the *City of Joondalup District Planning Scheme No. 2*, ADVERTISES the proposed amendments to the Signs Policy as detailed in Attachment 1 to this Report, for public comment for a period of 21 days.

AMENDMENT MOVED Mayor Pickard, SECONDED Cr Ritchie that Parts 1 and 2 of the Motion be amended to read as follows:

- “1 ADOPTS the proposed amendments to the Signs Policy as detailed in Attachment 1 to this Report, for the purpose of advertising, subject to allowing the use of illuminated variable message signs by not for profit organisations to promote significant community events;*
- 2 in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No. 2, ADVERTISES the proposed amendments to the Signs Policy as detailed in Attachment 1 to this Report and as amended, for public comment for a period of 21 days.”*

The Amendment was Put and

CARRIED (6/0)

In favour of the Amendment: Cr Corr, Mayor Pickard, Crs Gobbert, Hamilton-Prime, Hollywood and Ritchie.

The original Motion as amended:

That Council:

- 1** ADOPTS the proposed amendments to the Signs Policy as detailed in Attachment 1 to this Report, for the purpose of advertising, subject to allowing the use of illuminated variable message signs by not for profit organisations to promote significant community events;
- 2** in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No. 2, ADVERTISES the proposed amendments to the Signs Policy as detailed in Attachment 1 to this Report and as amended, for public comment for a period of 21 days.

Was Put and

CARRIED (6/0)

In favour of the Motion: Cr Corr, Mayor Pickard, Crs Gobbert, Hamilton-Prime, Hollywood and Ritchie.

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4POLICY110313.pdf](#)

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

Investment Policy

Mayor Pickard requested a report be presented to the next Policy Committee meeting in relation to the City's Investment Policy, to reflect the new regulations introduced by the State Government.

CLOSURE

There being no further business, the Presiding Member declared the Meeting closed at 8.26pm, the following Committee Members being present at that time:

Cr Brian Corr
Mayor Troy Pickard
Cr Liam Gobbert
Cr Christine Hamilton-Prime
Cr Kerry Hollywood
Cr Teresa Ritchie