

# minutes

## Policy Committee

MEETING HELD ON **MONDAY 2 OCTOBER 2017**

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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  
2 OCTOBER 2017.

### ATTENDANCE

#### Committee Members

Cr Liam Gobbert *Presiding Member*  
Cr Kerry Hollywood  
Cr Philippa Taylor  
Cr Christine Hamilton-Prime  
Cr John Chester *Deputy Presiding Member*  
Cr Russ Fishwick, JP

#### Officers

Mr Mike Tidy Director Corporate Services  
Mr Jamie Parry Director Governance and Strategy  
Ms Dale Page Director Planning and Community Development  
Mr Chris Leigh Manager Planning Services  
Mrs Lesley Taylor Governance Officer  
Mrs Sinead McCarthy Governance Officer

### DECLARATION OF OPENING

The Presiding Member declared the meeting open at 7.00pm.

## **DECLARATIONS OF INTEREST**

Nil.

## **APOLOGIES/LEAVE OF ABSENCE**

### **Apology:**

Mayor Troy Pickard.

### **Leave of Absence Previously Approved:**

Cr Sophie Dwyer        23 September to 8 October 2017 inclusive;  
Cr Nige Jones         25 September to 11 October 2017 inclusive.

## **CONFIRMATION OF MINUTES**

### **MINUTES OF THE POLICY COMMITTEE HELD ON 12 JUNE 2017.**

**MOVED Cr Chester SECONDED Cr Hollywood that the minutes of the meeting of the Policy Committee held on 12 June 2017 be confirmed as a true and correct record.**

**The Motion was Put and**

**CARRIED (6/0)**

**In favour of the Motion:** Crs Gobbert, Chester, Fishwick, Hamilton-Prime, Hollywood and Taylor.

## **ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**

Nil.

## **IDENTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

In accordance with Clause 5.2 of the City's *Meeting Procedures Local Law 2013*, this meeting was not open to the public.

## **PETITIONS AND DEPUTATIONS**

Nil.

**REPORTS****ITEM 1                    INVESTMENT POLICY REVIEW**

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	101272, 101515
<b>ATTACHMENT</b>	Attachment 1    Revised Investment Policy
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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**PURPOSE**

For Council to review and consider proposed amendments to the City's *Investment Policy*.

**EXECUTIVE SUMMARY**

The *Investment Policy* governs the investment of the City's surplus operational funds that may be available from time to time, as well as funds held in the City's reserve and trust accounts. The current policy was developed and initially adopted by Council at its meeting held on 15 April 2008 (CJ052-04/08 refers). The Council subsequently adopted two significantly revised policies 24 September 2013 (CJ187/09-13 refers) and 15 March 2016 (CJ048-03/16) respectively.

The current *Investment Policy* requires a review at least once a year to ensure it continues to best support and preserve the City's cash holdings.

*It is therefore recommended that Council ADOPTS the revised Investment Policy forming Attachment 1 to this Report.*

**BACKGROUND**

The uncertainty and turmoil that existed in financial markets at the time of the last significant review of the *Investment Policy* has abated considerably, but fundamental systemic weaknesses as well as economic and political volatility remain significant concerns for investors.

Since the last review of the *Investment Policy*, questions about Australia's long-term economic robustness have led to some Australian banks experiencing credit ratings downgrades.

In May 2017 Standard and Poor's (S&P) downgraded the long-term ratings of a number of financial institutions. Following this, in June 2017 Moody's also revised several long-term ratings including the four major banks. This highlights the on-going risks in the financial environment.

The Reserve Bank of Australia reduced the cash rate in August 2016 to 1.5%, where it currently sits.

A review is necessary to ensure that the City's investment objectives set out in the policy continue to be upheld, while still enabling its practical application, as well as meeting legislative compliance obligations and ensuring that returns are maximised while risk is minimised.

## DETAILS

### Issues and options considered

The current *Investment Policy* sets out the following:

- Investment objectives.
- Delegated authority to invest.
- Types of authorised and prohibited investments.
- Prudential requirements for engagement of investment advisors.
- Policy guidelines for the management and diversification of risk.
- Financial reporting.

The Department of Local Government, Sport and Cultural Industries developed an *Investment Policy Local Government Operational Guideline* that was published in 2008. The primary features of this guideline are already incorporated in the current policy.

The Department of Local Government, Sport and Cultural Industries issued an amendment to the *Local Government (Financial Management) Regulations 1996* in May 2017. This amendment to Regulation 19C now allows local governments to invest in deposits for fixed terms of up to three years, revised from the previous ceiling of 12 months.

The changes proposed to the current *Investment Policy* as a result of this review are highlighted in Attachment 1. In summary they are as follows:

- Section 3.4 Approved Investments has been amended in relation to Deposits with Authorised Deposit taking Institutions to reflect the amendments to Regulation 19C (2)(b) of the *Local Government (Financial Management) Regulations 1996*.

The current portfolio and counterparty limits have been reviewed and remain appropriate to the City's requirements. The ratings downgrades by Standard and Poor's and Moody's in May and June 2017 have not had significant impact on the City's investment opportunities.

Other restrictions on investment avenues (such as non-government bonds) in the *Local Government (Financial Management) Regulations 1996* remain in place. These are already reflected in the *Investment Policy* and no changes are proposed.

The proposed *Investment Policy* incorporating these changes is contained in Attachment 1.

**Legislation / Strategic Community Plan / policy implications****Legislation**

- *The Local Government Act 1995.*
- *The Trustees Act 1962.*
- *The Local Government (Financial Management) Regulations 1996.*
- *Australian Accounting Standards.*

**Strategic Community Plan****Key theme**

Financial Sustainability.

**Objective**

Effective management.

**Strategic initiative**

Manage liabilities and assets through a planned, long-term approach.

**Policy**

Not applicable.

**Risk management considerations**

There are significant risks involved in the management of the City's investment portfolio. The *Investment Policy* sets out provisions for compliance and governance that are designed to diversify and mitigate these risks. In addition to the policy there are internal processes and procedures governing investment activities and these are subject to both internal and external audit.

**Financial / budget implications**

No significant financial impact is expected from the change to the policy. The City's strategy currently does not involve investment terms in excess of 12 months but the change will permit consideration of opportunities beyond this limit where appropriate.

**Regional significance**

Not applicable.

**Sustainability implications**

Financial sustainability is imperative to the future growth and development of the City of Joondalup. The revised policy maintains the conservative approach to the City's investments which is a critical element of the long-term financial sustainability of the City.

**Consultation**

No consultation was undertaken during this review, however, investment policies currently in place at other similar local governments were reviewed.

**COMMENT**

The *Investment Policy* has been reviewed in light of existing market conditions and legislative requirements. It preserves the City's conservative approach to investment that is being practised and is considered most appropriate to the needs of the City and provides further clarity and transparency of the City's approach to investment of surplus operational funds that may be available from time to time as well as funds held in the City's trust and reserve accounts.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Fishwick, SECONDED Cr Chester that Council ADOPTS the revised *Investment Policy* forming Attachment 1 to this Report.**

**The Motion was Put and**

**CARRIED (6/0)**

**In favour of the Motion:** Crs Gobbert, Chester, Fishwick, Hamilton-Prime, Hollywood and Taylor.

*Appendix 1 refers*

To access this attachment on electronic document, click here: [Attach1agnPOLICY171002.pdf](#)

## **ITEM 2                    TWENTY YEAR RETROSPECTIVE EXHIBITION OF THE COMMUNITY INVITATION ART AWARD WINNERS**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Mike Tidy Corporate Services
<b>FILE NUMBER</b>	105646, 101515
<b>ATTACHMENT</b>	Attachment 1    Images of Artwork
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

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### **PURPOSE**

For Council to consider recommended changes to the annual acquisitive Community Invitation Art Award (CIAA) in 2018 (only) to celebrate 20 years of investment in the Visual Arts by the City of Joondalup.

### **EXECUTIVE SUMMARY**

This report presents options for the recognition of the CIAA and The City's Art Collection for 2018 in line with the City's *Visual Arts Policy* and the City's *Strategic Community Plan*.

The City of Joondalup's CIAA is an annual acquisitive professional contemporary art award that brings together a diverse selection of Western Australian artists through a competitive Expression of Interest (EOI) process and provides members of the public with access to a high standard of contemporary artworks. It started in 1998 and is approaching its 20 year anniversary in 2018. To date, it has been held at the Lakeside Joondalup Shopping City.

The acquired artworks have formed the cornerstone of the City's art collection. The list of artists included in the collection is an impressive syndicate of promising and mid-career Western Australian artists evidencing the City of Joondalup's commitment to the promotion of high calibre contemporary art.

In acknowledgment of the significance of this cultural asset and as a celebrative and educative opportunity, a one-off 2018 retrospective exhibition is proposed in-lieu of the usual CIAA exhibition format.

*It is therefore recommended that Council AGREES to host the 2018 CIAA art award as a retrospective exhibition of the past 20 years of art award winners to be held at the Joondalup Art Gallery.*

## BACKGROUND

The City of Joondalup has held an annual acquisitive professional contemporary art award for Western Australian artists since 1998. Initially named the 'Invitation Art Award' (IAA), in 2012 the Council renamed it to 'Community Invitation Art Award' (CIAA). Both the IAA and the CIAA involve a competitive process through EOI and an external selection panel that nominates the exhibiting artists.

In 2013 the Council resolved to make the following changes to the IAA. It was renamed the CIAA and the award for the first prize was reduced from \$15,000 to \$7,000, however the overall prize pool remained at \$15,000 as follows:

- The Overall Winner (acquisitive) \$7,000.
- The Overall Runner Up Award (non-acquisitive) \$2,000.
- The Award for Excellence (non-acquisitive) \$2,000.
- The Celebrating Joondalup Award (voluntary category) \$2,000.
- The People's Choice Award (all artworks eligible) \$2,000.

Furthermore, from 30 artists exhibiting one artwork each the format changed whereby 15 artists are invited to submit three artworks each. In addition, artists were paid a \$500 fee towards the costs of production of the multiple works.

Council also resolved that to be eligible' applicants must be either City of Joondalup residents or members of a Joondalup community art group or association.

The IAA and CIAA judging has been held each year at Lakeside Joondalup Shopping City. Over the years the City has acquired artworks from the CIAA and IAA to add to its art collection. Considerations for these additional acquisitions vary and are dependent upon the selection available from year to year.

## DETAILS

To celebrate the 20<sup>th</sup> anniversary of the City's art collection and award, it is proposed the City of Joondalup produces a retrospective exhibition that showcases investment by the City in a high end cultural asset.

When viewed as a group of artworks, it reveals years of competition and investment has led to a coherent collection. The archival referenced set becomes less about the idea of a single competition and more about the journey the City has taken with an elite group of visual arts professionals. The exhibition and catalogue would speak to and develop the unique cultural narratives from the past 20 years.

The 20 winners of the award are attached (Attachment 1 refers) along with the 14 artworks that the City of Joondalup has acquired via the exhibition.

From the pool of 34 artworks acquired over the past 20 years, a curatorial selection could be made for a one-off exhibition. It is proposed that the exhibition could be installed in a suitable space that allows for best practice in lighting, ambience and viewing over a period of time.

In addition to the exhibition, the City could invite curators, judges, selection panellists, artists and past prize winners to contribute to the exhibition catalogue by writing their reflections on their experiences and associations with the award and its place in Western Australia's history. A full colour catalogue with foreword and essay will accompany the exhibition.

The City of Joondalup retrospective exhibition has the potential to tour regional galleries in Western Australia and it is proposed that the City seeks assistance from 'Art on the Move' to expand the reach of this exhibition across the state.

'Art on the Move' is Western Australia's only organisation dedicated to touring contemporary visual art exhibitions across the regions, interstate and beyond. It tours quality contemporary art with appropriate learning and development opportunities that speak to and develop the unique cultural narratives of communities whatever the cultural practice, age, ability and engagement with culture. Regional galleries across Western Australia would host the exhibition. Locations could include Port Hedland Courthouse Gallery, Bunbury Regional Art Galleries, Goldfields Arts Centre, Geraldton Regional Art Gallery, Katanning Gallery and Vancouver Arts Centre. The catalogue produced by the City of Joondalup for the 2018 CIAA would become an educative tool showcasing the significant investment made by the City in Western Australia's cultural portfolio.

By touring the City's collection with appropriate learning and development opportunities, the educative potential of the combined show could include student arts activities, teaching resources and art theory for higher study.

### **Issues and options considered**

#### Option 1

In 2018, the City could move forward in the usual format to host the annual CIAA acquisitive exhibition in the Lakeside Joondalup Shopping City with no changes. Previously there was no charge to exhibit in the shopping centre. In 2017 the City was advised by the management at Lakeside Joondalup Shopping City that a charge would apply for hosting the exhibition. From 2018, the City has been quoted \$10,560 per annum to rent space at Lakeside for a three week period in October.

#### Option 2

In 2018, the City could host a curated retrospective exhibition as outlined in this Report. As the City already owns the artworks there would be no EOI marketing costs, no selection panel fees, no judges fees and the \$500 artist fee (to assist in the production of three artworks) would not apply. Although the production costs associated with the catalogue will increase, there would be no \$15,000 prize total offered in 2018. As a result, this option can be delivered under budget.

Best practice in the arts sector is a quiet, well lit, neutral space in which works can be viewed in a way that is not affected by hustle and bustle. Rather than measuring the success of the exhibition by the amount of foot traffic passing, it is preferred to facilitate engagements with the City's program, rather than encounters. A better suited venue for this one-off exhibition would resolve the issues raised above and enhance the overall experience of the exhibition for both artists and audience.

The City has investigated other venues within the City boundaries. These include the following:

- Libraries.
- Surf Clubs and Recreation Centres.
- Fleur Freame Pavilion.
- Whitford Shopping Centre.
- Hillarys Boat Harbour.
- AQWA.
- Joondalup Resort - Lakeside Ballroom.

- City of Joondalup Reception Centre.

As the exhibition would impact on the core activities of the above venues, many of these options were not considered viable. Several sites were not considered secure. The Lakeside Ballroom at the Joondalup Resort and the City's Reception Centre are well-maintained spaces suited to an exhibition and are outside budget.

The Joondalup Art Gallery (JAG) provides a secure environment for artworks and it is central to the civic area and the local arts community. The City holds a Memorandum of Understanding (MOU) with the Joondalup Community Arts Association (JCAA) outlining the City's commitment to activating the gallery for up to 10 weeks of the year. An exhibition of the quality described in this Report would allow for professional development opportunities to the JAG membership and may help to facilitate the inclusion of JAG onto the gallery exhibition circuit.

Although the space is small and dedicated to community driven arts, the exhibition area may include the rear workshop space for a period of up to one month. The cost to hire JAG for one month is approximately \$800 and it is designed to display artworks. The City would blanket book space during this time and the exhibition would be administered and supervised by gallery attendants as it has been at Lakeside for a minimum of one month.

### **Legislation / Strategic Community Plan / policy implications**

**Legislation** Not applicable.

#### **Strategic Community Plan**

**Key theme** Community Wellbeing.

**Objective** Cultural development.

**Strategic initiative** Invest in publicly accessible visual art that will present a culturally-enriched environment.  
Promote local opportunities for arts developments.  
Actively engage events promoters to host iconic, cultural and sporting events within the City.

**Policy**

- *Visual Arts Policy.*
- *Strategic Community Plan- Joondalup 2022.*

### **Risk management considerations**

#### Financial risks:

The available venue for consideration in this Report is under budget. There are no financial risks.

#### Physical risks:

Hosting exhibitions carries a small degree of risk that is often well mitigated within a professional museum or gallery environment.

**Financial / budget implications**

<b>Account no.</b>	4006
<b>Budget Item</b>	CIAA Operating Costs.
<b>Budget amount</b>	\$60,635
<b>Amount spent to date</b>	\$10,000 (2017-18)
<b>Balance</b>	\$50,635
<b>Proposed cost</b>	\$32,270 (2018-19) – Joondalup Art Gallery as venue.
<b>Account No.</b>	C1020
<b>Budget Item</b>	Community Invitation Art Award Acquisition-Capital Costs.
<b>Budget Amount</b>	\$7,000
<b>Amount spent to date</b>	\$0 (2017-18)
<b>Proposed cost</b>	\$0 (2018-19) No acquisition will be made as the City already owns the work.

**Regional significance**

The CIAA attracts entries from professional artists from across the state and is therefore considered to be a regional event hosted by the City. The on-going provision of an accessible and high-calibre art event is integral to the cultural development and vibrancy of the City of Joondalup and for the development of visual arts within the industry of local government. Such an exhibition will allow the City to showcase its collection not only to its residents, but also to the region, particularly if it tours.

**Sustainability implications**Environmental

Art strengthens the public realm by creating points of interest, animating spaces and providing beauty, character and colour to place.

Social

The relevance of the City's cultural position increases the value of the City's cultural resources.

Economic

Art is a driver for cultural tourism.

**COMMENT**

A retrospective event in lieu of the usual exhibition in 2018 would invite artists and curators from the past 20 years to contribute to a catalogue of works from the City's collection. After display at an agreed venue, this exhibition could potentially tour the state of Western Australia as part of 'Art on The Move', an educative initiative. By changing the venue, the one-off status of the 20 year anniversary event would allow the City to deliver something unique.

In lieu of a suitable gallery space, the use of the shopping centre for display of the work lessens the impact of the collection. It is recommended to change the venue of the 2018 exhibition from the Lakeside Joondalup Shopping City to the Joondalup Art Gallery.

### **VOTING REQUIREMENTS**

Simple Majority.

### **OFFICER'S RECOMMENDATION**

That Council AGREES to host the 2018 Community Invitation Art Award as a retrospective exhibition of the past 20 years of art award winners to be held at the Joondalup Art Gallery.

### **PROCEDURAL MOTION – THAT THE ITEM BE REFERRED BACK**

**MOVED** Cr Gobbert, **SECONDED** Cr Hamilton-Prime that **Item 2 – Twenty Year Retrospective Exhibition of the Community Invitation Art Award Winners BE REFERRED BACK** to the Chief Executive Officer in order to seek further advice on costs and appropriate venues that could accommodate the exhibit; in addition to the possibility of the exhibition and the Community Invitation Art Award being held in tandem.

The Procedural Motion was Put and

**CARRIED (4/2)**

**In favour of the Procedural Motion:** Crs Gobbert, Fishwick, Hamilton-Prime, and Taylor.

**Against the Procedural Motion:** Crs Chester and Hollywood.

*Appendix 2 refers*

To access this attachment on electronic document, click here: [Attach2agnPOLICY171002.pdf](#)

### ITEM 3 RECORDS MANAGEMENT POLICY REVIEW

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Mr Jamie Parry Governance and Strategy
<b>FILE NUMBER</b>	26542, 101515
<b>ATTACHMENT</b>	Attachment 1 Revised <i>Records Management Policy</i> Attachment 2 Current <i>Records Management Policy</i>
<b>AUTHORITY / DISCRETION</b>	Legislative – includes the adoption of local laws, planning schemes and policies.

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#### PURPOSE

For Council to adopt the revised *Records Management Policy* as part of the Policy Manual review process.

#### EXECUTIVE SUMMARY

As a result of the Policy Manual review process, the *Records Management Policy* was identified as requiring the following amendments:

- Amending the wording to improve consistency with other City policies and plans.
- Remove references to internal City documents unavailable to the public.
- Remove operational content.

The current *Records Management Policy* (Attachment 2 refers) was adopted by Council at its meeting held on 9 March 2004 (CJ040-03/04 refers) to ensure all City staff, contractors and Elected Members met their statutory obligations for record keeping. The policy was reviewed in both 2005 and 2012 as part of a complete Policy Manual review.

The policy statement and intent are still considered current. Amendments to be made to the policy reflect updates to align the wording with current City policies and plans.

*It is therefore recommended that Council ADOPTS the revised Records Management Policy as detailed in Attachment 1 of this Report.*

#### BACKGROUND

At its meeting held on 9 March 2004 (CJ040-03/04 refers), Council adopted the *Recordkeeping Responsibilities Policy* as part of the *Recordkeeping Plan* required by the *State Records Act 2000*.

The revised *Records Management Policy* was also reviewed in 2005 as part of the overall Policy Manual review. With the purpose and intention of the policy still remaining relevant, Council adopted the policy at its meeting held on 11 October 2005 (CJ206-10/05 refers).

In 2012, the *Records Management Policy* was again reviewed for relevance and to update the policy format into a new template. Minor reviews were also conducted to update reference documentation and create consistency with other City policies. Council subsequently adopted the revised *Records Management Policy* at its meeting held on 15 May 2012 (CJ093-05/12 refers). The policy has remained unchanged since 2012.

## **DETAILS**

Since the *Records Management Policy* was adopted, the City has continued to ensure its statutory obligations are met under the *State Records Act 2000*.

As no major changes have been identified in relation to the City's stance on record management, the policy has been subjected to review to ensure consistency, relevance and currency with relevant legislation and best practice guidelines. The following sections have been amended:

### Definitions

The definition section of the policy has been modified to align the wording with other City publications. In particular, the definition of "corporate document / record" has been changed to a definition of "corporate record" to remove the extraneous word, while the criteria have been changed from question to statement form.

The definition of "ephemeral record" has been significantly reduced due to a duplication of information available in the *General Disposal Authority for Local Government Records*. The definition now refers to the information contained within this document, rather than providing it in the City policy. As a result, the policy will remain current should any future changes to the guidelines occur.

### Statement

The statement has been simplified and references to internal City documents have been removed.

### Details

The details section has been modified to remove references to internal City documents and record-management systems. The intent and position of the policy remains unchanged by these amendments.

## **Issues and options considered**

Council has the option to either:

- adopt the revised *Records Management Policy* as shown at Attachment 1 to this Report
- suggest further modifications to the revised *Records Management Policy*  
or
- retain the *Records Management Policy* in its current format as shown at Attachment 2 to this Report.

Option 1 is the recommended option.

**Legislation / Strategic Community Plan / policy implications****Legislation**

- *Evidence Act 1906.*
- *Freedom of Information Act 1992.*
- *Local Government Accounting Directions 1994.*
- *Local Government Act 1995.*
- *State Records Act 2000.*
- *General Disposal Authority for Local Government Records.*

**Strategic Community Plan****Key theme**

Governance and Leadership.

**Objective**

- Corporate capacity.
- Effective representation.

**Strategic initiative**

- Continuously strive to improve performance and service delivery across all corporate functions.
- Demonstrate accountability through robust reporting that is relevant and easily accessible by the community.
- Ensure the elected body has a comprehensive understanding of its roles and responsibilities.

**Policy**

*Records Management Policy.*

**Risk management considerations**

In order to maintain transparency and to facilitate appropriate decision-making processes, it is imperative that policies reflect the current positions of Council and work practices at the City, as well as contemporary best practice approaches.

**Financial / budget implications**

Not applicable.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

Not applicable.

**COMMENT**

The *Records Management Policy* provides guidance to City staff, contractors and Elected Members with regard to the storage, access and destruction of records. The policy amendments will allow the City to continue to effectively manage City records, while also clarifying the content of the policy and removing operational content. As such, it is considered appropriate that the proposed *Records Management Policy* is adopted by Council.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED** Cr Hamilton-Prime, **SECONDED** Cr Fishwick that Council **ADOPTS** the revised *Records Management Policy* as detailed in Attachment 1 of this Report.

**The Motion was Put and**

**CARRIED (6/0)**

**In favour of the Motion:** Crs Gobbert, Chester, Fishwick, Hamilton-Prime, Hollywood and Taylor.

*Appendix 3 refers*

To access this attachment on electronic document, click here: [Attach3qnPOLICY171002.pdf](#)

## **ITEM 4                    DRAFT CASH-IN-LIEU OF CAR PARKING LOCAL PLANNING POLICY**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	72020, 101515
<b>ATTACHMENT</b>	Attachment 1     Draft <i>Cash-in-Lieu of Car Parking Local Planning Policy</i> Attachment 2     Existing <i>Cash-in-Lieu of Car Parking Policy</i>
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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### **PURPOSE**

For Council to consider the draft *Cash-in-Lieu of Car Parking Local Planning Policy* for the purposes of public advertising.

### **EXECUTIVE SUMMARY**

Clause 4.11 of the City's *District Planning Scheme No. 2 (DPS2)* allows Council to consider accepting a cash payment in lieu of car parking bays being provided onsite. The option of providing cash-in-lieu of car parking provides a potential alternative to the development of on-site car parking should there be a shortfall in the provision of bays required under DPS2. It does not replace the responsibility to provide onsite parking, but is a mechanism to enable otherwise desirable developments for which the full amount of parking cannot be provided on site to proceed.

The payment of cash-in-lieu is applied in accordance with the City's current *Cash-in-Lieu of Car Parking Policy*, which was last reviewed in 2012. The policy outlines when cash-in-lieu is applied and the basis for calculating the cash value per parking bay.

The current review of the policy includes minor formatting changes, the addition of definitions, the deletion of provisions for properties adjoining Royce Court (Lot 65 Winton Road), Joondalup and clarification regarding the parking bay valuation. These changes will align the policy with the provisions of draft *Local Planning Scheme No. 3 (LPS3)* and ensure the policy can be easily considered and applied. The policy will apply throughout the City, with the exception of the Joondalup Activity Centre. A separate cash-in-lieu policy will be prepared for the Joondalup Activity Centre.

It is therefore recommended that Council supports the draft revised policy for the purpose of advertising for a period of 21 days.

## BACKGROUND

The City's *Cash-in-Lieu of Car Parking Policy* has been in operation since 1999 and has been reviewed on a number of occasions including most recently in 2012 (CJ160-08/12 refers) as part of a review of the City's *Policy Manual*. The car parking fees applied per bay were last reviewed in 2009.

Clause 4.11 of DPS2 allows Council to consider accepting a cash payment in lieu of car parking bays provided onsite. Cash-in-lieu of car parking provides a potential alternative to the development of onsite car parking should there be a shortfall in the provision of bays outlined under Table 2 – Car Parking Standards of DPS2. Clause 4.11 does not replace the developer's responsibility to provide onsite parking, but rather serves as a mechanism to enable otherwise desirable developments, for which the full amount of parking cannot be provided on site, to proceed. However in accordance with Clause 4.11, there must be an adequate provision or a reasonable expectation that in the immediate future that there will be adequate provision for public car parking in the proximity of the proposed development.

The payment of cash-in-lieu is applied in accordance with the City's current *Cash-in-Lieu of Car Parking Policy* and DPS2. Cash-in-lieu is only accepted where the terms outlined in the policy and DPS2 can be met.

Where the cash-in-lieu is unable to be spent on appropriate public parking within the vicinity of the proposed development, Council would need to consider whether it is appropriate to accept cash-in-lieu, or if the car parking shortfall is acceptable without the provision of cash-in-lieu, to provide for additional off-site parking.

## DETAILS

The policy has been updated to include definitions to clarify new terms, ensure consistency with the provisions of LPS3 and provide clarification as to how the cash-in-lieu sum will be calculated.

### Definitions

To provide certainty to developers and the community in regard to how the funds will be spent and where that infrastructure may be provided, it is appropriate to include definitions for the terms 'transport infrastructure' and 'vicinity'.

The draft policy defines 'transport infrastructure' as follows:

*"The works and undertakings described below for the purpose of providing public transport infrastructure, walking and cycling infrastructure, parking infrastructure and demand management:*

- (a) public transport stops, shelters and station, signs, public transport lanes, vehicles track and catenary, priority signals and associated works/designs;*
- (b) paths, signs, bikes, end of trip facilities (showers and lockers), pedestrian and cycling crossings and any associated works and designs;*
- (c) on and off street parking bays, parking machines, parking signs, shelters and any associated works/ design and technologies."*

Currently, under DPS2, funds acquired by the City through cash-in-lieu payments for car parking can only be used to provide public car parks in the locality of the development that generated the need for the car parking.

As the availability of land for the development of public car parking is limited and the shift to other modes of transport (for example, cycling or public transport) is occurring, the opportunity to upgrade existing facilities and accommodate public transport options is increasing. It is accepted that cash-in-lieu may be used for transport infrastructure such as shelters, paths, signs, bicycle lanes, end of trip facilities and pedestrian crossings. This is consistent with the definition of transport infrastructure provided in the draft LPS3. Such improvements must be provided in the vicinity of the development that generates the parking demand.

To provide clarification as to what 'vicinity' means in the context of cash-in-lieu, a definition has been included in the policy. The draft policy defines 'vicinity' as follows:

*“The area within sufficient proximity to the site of the proposed development for which parking bays or transport infrastructure may be provided to address the parking demand. Based on the proposed definition the infrastructure or upgrades need to be provided within sufficient proximity to the development that generates the parking demand and to be of benefit to those accessing the development.”*

#### Parking bay valuation

Currently the fee per bay is calculated based on an area of 30m<sup>2</sup> (the area of a standard bay plus manoeuvring and landscaping area) plus a fixed fee based on whether the land is service industrial, commercial or beachfront commercial. It is proposed that the fee per bay will be based on the same minimum area plus a land valuation of that specific site. This makes the fee relative to the site specifically rather than a flat rate. It is considered this will provide a more accurate and appropriate valuation for an individual site.

#### Deletion of provisions for Royce Court

The provisions applicable to the lots that abut Royce Court, Lot 65 Winton Road, Joondalup have been deleted from the policy. This cash-in-lieu policy applies throughout the City, with the exception of the Joondalup Activity Centre (of which Royce Court is located within).

A separate cash-in-lieu policy will be prepared for the Joondalup Activity Centre. As part of this separate policy, the special concessions available to lots abutting Royce Court included in the current cash-in-lieu policy will be to consider whether they should be retained in the future policy.

#### Minor formatting modifications

Minor modifications are proposed to improve the formatting and consistency of the policy with the City's suite of local planning policies. These modifications are minor and do not materially change the intent of the policy.

**Issues and options considered**

Council has the option to either:

- advertise the draft *Cash-in-Lieu of Parking Local Planning Policy*, with or without modifications  
or
- not support the advertising of the draft *Cash-in-Lieu of Parking Local Planning Policy*.

**Legislation / Strategic Community Plan / policy implications**

- Legislation**
- *Planning and Development (Local Planning Schemes) Regulations 2015.*
  - *Draft Local Planning Scheme No. 3.*

**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** *Cash-in-Lieu of Car Parking Policy.*

**Risk management considerations**

As Council has the ability to accept cash-in-lieu of the provision of car parking, the dollar amount accepted must reflect the cost to the City of providing that car parking. There is a risk that the City would not be able to fund the provision of car parking should the amount accepted not reflect the costs involved. There is also the risk that if the scope of works which can be provided through the funds received for cash-in-lieu are not clearly outlined then the City would be unable to upgrade existing public parking areas or provide improved facilities to support other modes of transport.

**Financial / budget implications**

The costs associated with any public advertising and notice of any final adoption will be approximately \$1,000.

**Regional significance**

Not applicable.

**Sustainability implications**

Cash-in-lieu of car parking enables public car parking and transport infrastructure to be provided in appropriate locations and assist in reducing the amount of private land that is utilised for car parking which could be used for other development.

## Consultation

The deemed provisions as set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* require a new policy or non-minor amendment to a policy to be advertised for public comment for a period of not less than 21 days. Any proposed amendment to the existing policy would be advertised for 21 days as follows:

- A notice published in the local newspaper.
- A notice and documents placed on the City's website.

If, in the opinion of the City, the policy is inconsistent with any State Planning Policy, then notice of the proposed policy is to be given to the Western Australian Planning Commission. The proposed policy is considered to be consistent with State Planning Policy.

## COMMENT

It is considered that the minor formatting changes, the inclusion of definitions and updates to the parking bay valuation will ensure the policy is consistent with the provisions of draft LPS3 and cash in lieu can be considered and applied where appropriate in lieu of the provision of onsite car parking bays.

It is therefore recommended that Council advertise the draft *Cash-in-Lieu of Car Parking Local Planning Policy* for public comment for a period of 21 days.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED** Cr Fishwick, **SECONDED** Cr Hamilton-Prime that Council, in accordance with clauses 3, 4 and 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **PREPARES** and **ADVERTISES** the draft *Cash-in-Lieu of Car Parking Local Planning Policy*, as shown in Attachment 1 to this Report, for a period of 21 days.

**The Motion was Put and**

**CARRIED (6/0)**

**In favour of the Motion:** Crs Gobbert, Chester, Fishwick, Hamilton-Prime, Hollywood and Taylor.

*Appendix 4 refers*

*To access this attachment on electronic document, click here: [Attach4agnPOLICY171002.pdf](#)*

**ITEM 5                      DRAFT NON-RESIDENTIAL DEVELOPMENT IN THE RESIDENTIAL ZONE LOCAL PLANNING POLICY**

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<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	106888, 101515
<b>ATTACHMENT</b>	Attachment 1 <i>Draft Non-Residential Development in the Residential Zone Local Planning Policy</i>
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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**PURPOSE**

For Council to consider the draft *Non-Residential Development in the Residential Zone Local Planning Policy* for the purposes of public advertising.

**EXECUTIVE SUMMARY**

Currently, certain development requirements are contained in the City's *District Planning Scheme No. 2 (DPS2)*, while other development requirements are contained within local planning policies. In relation to the City's draft *Local Planning Scheme No. 3 (LPS3)*, it was proposed to Council in February 2016 that most development requirements be removed from LPS3 and contained within local planning policies (CJ005-02/16 refers).

The draft *Non-Residential Development in the Residential Zone Local Planning Policy* contains the development requirements for non-residential development on 'Residential' and 'Special Residential' zoned land. This includes land uses such as a Nursing Home and Civic Use. The draft policy includes provisions from DPS2 for car parking and landscaping and relevant provisions from other policies such as the *Height of Non-Residential Buildings Local Planning Policy* and the *Small Scale Renewable Energy Systems Policy*.

It is therefore recommended that Council supports the draft policy to allow it to be advertised for public comment for a period of 21 days.

**BACKGROUND**

Currently, certain development requirements are contained in the City's *District Planning Scheme No. 2 (DPS2)*, while other development requirements are contained within local planning policies.

During the preparation and Council adoption of draft LPS3 it was proposed that all of the general development requirements be located within local planning policies, with the exception of the necessary 'head of power' provisions, for example, cash-in-lieu for car parking and the dual density code provisions applied under the *Local Housing Strategy Scheme Amendment No. 73 (CJ005-02/16 refers)*.

This gives Council the ability to adopt and amend these policies without the need to initiate an amendment to the scheme and the need to seek the approval of the Western Australian Planning Commission (WAPC) and Minister for Transport, Planning and Lands. It also allows Council to formulate and adopt development provisions without needing to justify specific details to the WAPC. Essentially it provides Council with control over its own development provisions and will ultimately save time as any updates to the development provisions will only need to be approved by Council rather than via a lengthy scheme amendment process.

It should be noted that whether development provisions are located in the planning scheme or in a local planning policy, the ability to vary provisions where it is considered appropriate to do so is still available. Clause 34(2) of draft LPS3 allows the local government to approve an application for development approval that does not comply with the site and development requirements of the scheme. There is no greater certainty including development provisions in the scheme as opposed to a local planning policy as both can be varied.

In addition, locating the development requirements in local planning policies provides ease of use for applicants as the provisions are found in one place rather than some in the scheme and some in local planning policies.

The *Residential Development Local Planning Policy* was adopted by Council at its meeting held on 15 December 2015 (CJ228-12/15 refers). It applies to all residential development within the City. It does not however apply to non-residential development in the 'Residential' or 'Special Residential' zone. With the removal of the development provisions from LPS3, a policy is needed to cover the non-residential development requirements that were previously contained in DPS2.

The following non-residential land uses are permissible in the 'Residential' zone however are not currently covered by other LPS3 local planning policies:

- Caravan Park.
- Civic Use.
- Home Store.
- Land Sales Office (Temporary).
- Nursing Home.
- Park Home Park.
- Retirement Village.

As draft LPS3 does not contain development provisions, this local planning policy is required to be prepared concurrently with the scheme adoption process to ensure that once final approval is given to draft LPS3, the policy has also been advertised and adopted so that these documents can work together. If the policy is not progressed in a timely manner, there is a risk that the Scheme could be adopted and there would be no provisions to guide non-residential development in the 'Residential' and 'Special Residential' zones.

At its meeting held on 16 February 2016 (CJ005-02/16 refers), Council resolved to advertise draft LPS3. After undertaking a number of modifications required by the WAPC, draft LPS3 was advertised for public comment closing on 14 February 2017. Draft LPS3 was considered by Council at its meeting held on 16 May 2017 (CJ068-05/17 refers) and referred back to the Chief Executive Officer for further consideration. At its meeting held on 27 June 2017 (CJ089-06/17 refers), Council resolved to support draft LPS3 subject to modifications and the draft scheme has now been forwarded to the WAPC for consideration.

## DETAILS

The draft policy provides the development requirements for non-residential development in residential areas, which includes development within the 'Residential' and 'Special Residential' zones and structure plan areas where the 'Residential' zone is applied (Attachment 1 refers).

The current provisions contained within DPS2 regarding non-residential development have been reviewed and a local planning policy has been developed. The main provisions including proposed changes are outlined below.

### Setbacks to buildings

The building setbacks for non-residential buildings are currently contained in DPS2 and are applied to all non-residential development, whether or not the development is located in a residential area. The non-residential building setbacks are large, being a nine metre front setback, six metre rear setback and three metre side setback.

It is considered that the current setback requirements do not facilitate development of non-residential buildings that are in keeping with the residential area in which they are to be located. Therefore, it is proposed within the draft policy that building setbacks be assessed in accordance with Part 5 of the *Residential Design Codes* (R-Codes) and the table included in the draft policy. This will allow new buildings and additions to existing non-residential buildings to be setback in keeping with the residential environment and maintain the residential streetscape.

### Building height

The proposed building heights are the same as those in the existing *Height of Non-Residential Buildings Local Planning Policy* for development in the 'Residential' zone. The provisions contained in the *Height of Non-Residential Buildings Local Planning Policy* have now been incorporated into each relevant policy and therefore this policy can be revoked if / when the *Non-Residential Development in the Residential Zone Local Planning Policy* is finalised.

### Building design

DPS2 contains very few provisions regarding the design and built form of development. The draft policy requires that the appearance of buildings must be sympathetic to the residential environment in which they are situated. This provision is similar to that within the *Residential Development Local Planning Policy* and will help to ensure that non-residential buildings maintain a residential appearance, and integrate with the surrounding area.

### Parking and access

DPS2 does not list a car parking standard for every land use in the scheme. It is considered preferable however, that each land use has an applicable parking standard and therefore the draft policy proposes to include a parking standard for each non-residential land use that can be undertaken in the 'Residential' and 'Special Residential' zone.

Where DPS2 contained a car parking standard, this standard has been transposed to the new policy. The current visitor car parking requirement of 'one per 10 sites' for a caravan park within DPS2 is proposed to be modified to supplement the parking standard to clarify that one car bay is also required for each caravan or chalet site. Where there was no parking standard, such as for Retirement Village and Nursing Home, a parking standard based on similar land uses has been introduced.

Provisions for car park design, vehicle and pedestrian access have also been included to provide safe vehicle and pedestrian access to these lots.

### Landscaping

The proposed landscaping requirements are the same as DPS2 in regard to the perthree 3 metre wide landscaping strip along all street boundaries where a development has a car parking area abutting the street. There is no requirement for landscaping where a car parking area does not abut the street. The policy proposes a 1.5 metre wide landscaping strip adjacent to all streets regardless of whether there is a car parking area or not. A minimum size of 4m<sup>2</sup> for landscaped areas is proposed to be included to ensure a usable area of land is provided.

### Servicing

The provisions regarding servicing have been retained from DPS2 to state that bin storage areas must be screened. In addition, provisions regarding external fixtures such as air conditioning units, rainwater tanks and letterboxes have been included requiring that they are located on the roof, basement or rear of the building and concealed from view from the street. Provisions regarding lighting have also been included to minimise the impact of lighting by requiring it to comply with the relevant Australian Standards.

### Sea containers

The provisions of the City's *Use of Sea Containers Policy* that are relevant have been incorporated into this draft policy.

### Small scale renewable energy systems

The provisions of the City's *Small Scale Renewable Energy Systems Policy* have been incorporated into this draft policy. It is proposed that this policy be revoked as, if/when the *Non-Residential Development in the Residential Zone Local Planning Policy* is finalised, the provisions will have been incorporated into all the individual zone based policies.

## **Issues and options considered**

Council has the option to either:

- advertise the draft *Non-Residential Development in the Residential Zone Local Planning Policy*, with or without modifications  
or
- not support the advertising of the draft *Non-Residential Development in the Residential Zone Local Planning Policy*.

**Legislation / Strategic Community Plan / policy implications****Legislation**

- *Planning and Development (Local Planning Schemes) Regulations 2015.*
- *Draft Local Planning Scheme No. 3.*

**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**

- *Height on Non-Residential Buildings Local Planning Policy.*
- *Use of Sea Containers Policy.*
- *Small Scale Renewable Energy Systems Policy.*

**Risk management considerations**

General development provisions and standards are not included in draft LPS3 and instead are to be outlined in local planning policies. If the policies associated with the new planning scheme are not progressed, there is a risk that the new scheme may become operational without the development provisions and standards needed to assess development applications.

**Financial / budget implications**

The costs associated with any public advertising and notice of any final adoption will be approximately \$1,000.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

The deemed provisions as set out in the *Planning and Development (Local Planning Schemes) Regulations 2015* require a new policy or major amendment to a policy to be advertised for public comment for a period of not less than 21 days.

The policy is considered to be a new policy and therefore should be advertised for 21 days as follows:

- A notice published in the local newspaper.
- A notice and documents placed on the City's website.

If, in the opinion of the City, the policy is inconsistent with any State Planning Policy, then notice of the proposed policy is to be given to the Western Australian Planning Commission. The proposed policy is not considered to be inconsistent with any State Planning Policy.

## COMMENT

In accordance with the preparation and consideration of draft LSP3 by Council, it is recommended that the draft *Non-Residential Development in the Residential Zone Local Planning Policy* be progressed to ensure that provisions are in place to guide the establishment of non-residential development in residential areas in a manner that will not have an adverse impact on the amenity the residential area in which it sits.

In the event that the *Non-Residential Development in the Residential Zone Local Planning Policy* is finalised, it is recommended that the *Small Scale Renewable Energy Systems Policy* be revoked as the provisions will have been incorporated into the zone based policies and the policy will no longer be required.

It is therefore recommended that Council advertise the draft revised *Non-Residential Development in the Residential Zone Local Planning Policy* for public comment for a period of 21 days.

## VOTING REQUIREMENTS

Simple Majority.

**MOVED** Cr Hamilton-Prime, **SECONDED** Cr Fishwick that Council in accordance with clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **PREPARES** and **ADVERTISES** the draft *Non-Residential Development in the Residential Zone Local Planning Policy*, as shown in Attachment 1 to this Report, for a period of 21 days.

**The Motion was Put and**

**CARRIED (6/0)**

**In favour of the Motion:** Crs Gobbert, Chester, Fishwick, Hamilton-Prime, Hollywood and Taylor.

*Appendix 5 refers*

To access this attachment on electronic document, click here: [Attach5agnPOLICY171002.pdf](#)

## **ITEM 6                    DRAFT CHILD CARE PREMISES LOCAL PLANNING POLICY - CONSIDERATION FOLLOWING ADVERTISING**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	85510, 101515
<b>ATTACHMENTS</b>	Attachment 1    Draft <i>Child Care Premises Local Planning Policy – tracked changes</i> Attachment 2    Draft <i>Child Care Premises Local Planning Policy – as proposed</i>
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

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### **PURPOSE**

For Council to consider the draft *Child Care Premises Local Planning Policy*, following advertising, for the purposes of final adoption.

### **EXECUTIVE SUMMARY**

At its meeting held on 27 June 2017 (CJ107-06/17 refers), Council considered the draft *Child Care Premises Local Planning Policy* and resolved that it be advertised for public comment.

The draft policy was advertised from 13 July 2017 to 3 August 2017. No submissions were received, however, minor modifications are proposed to the draft policy to clarify building setbacks in the 'Residential' zone.

It is therefore recommended that Council endorses the *Child Care Premises Local Planning Policy*, with modifications.

### **BACKGROUND**

Currently, certain development requirements are contained in the City's *District Planning Scheme No. 2* (DPS2), while other development requirements are contained within local planning policies.

During the preparation and Council adoption of draft *Local Planning Scheme No. 3* (LPS3), it was proposed that all of the general development requirements be located within local planning policies, with the exception of the necessary 'head of power' provisions, for example, cash-in-lieu for car parking and the dual density code provisions applied under the *Local Housing Strategy Scheme Amendment No. 73* (CJ005-02/16 refers).

This gives Council the ability to adopt and amend these policies without the need to initiate an amendment to the scheme and the need to seek the approval of the Western Australian Planning Commission (WAPC) and Minister for Transport, Planning and Lands. It also allows Council to formulate and adopt development provisions without needing to justify specific details to the WAPC. Essentially, it provides Council with control over its own development provisions and will ultimately save time as any updates to the development provisions will only need to be approved by Council rather than via a lengthy scheme amendment process.

It should be noted that whether development provisions are located in the planning scheme or in a local planning policy, the ability to vary provisions where it is considered appropriate to do so is still available. Clause 34(2) of draft LPS3 allows the local government to approve an application for development approval that does not comply with the site and development requirements of the scheme. There is no greater certainty including development provisions in the scheme as opposed to a local planning policy as both can be varied.

In addition, locating the development requirements in local planning policies provides ease of use for applicants as the provisions are found in one place rather than some in the scheme and some in local planning policies.

The existing *Child Care Centres Policy* requires review as a result of the name and definition change of the land use in LPS3 and the removal of the development provisions from DPS2, which will now be included in the policy. If the revised policy is not progressed in a timely manner, there is a risk that LPS could become operative and there would not be sufficient provisions to guide the development of child care premises within the City.

At its meeting held on 16 February 2016 (CJ005-02/16 refers), Council resolved to advertise draft LPS3). After undertaking a number of modifications required by the WAPC, draft LPS3 was advertised for public comment closing on 14 February 2017. Draft LPS3 was considered by Council at its meeting held on 16 May 2017 (CJ068-05/17 refers) and referred back to the Chief Executive Officer for further consideration. At its meeting held on 27 June 2017 (CJ089-06/17 refers), Council resolved to support draft LPS3 subject to modifications and the draft scheme has now been forwarded to the WAPC for consideration.

At its meeting held on 27 June 2017 (CJ107-06/17 refers), Council resolved to proceed with the draft *Child Care Premises Local Planning Policy* for the purpose of advertising.

## **DETAILS**

As with the existing policy, the draft policy applies to all child care premises within the City of Joondalup (Attachment 1 refers).

The land use name and definition has changed from 'child care centre' in DPS2 to 'child care premises' in draft LPS3. The definition change is a result of reference to updated legislation, however, there is no fundamental change to the meaning of the land use.

The provisions contained within the existing policy and DPS2 were reviewed and a revised local planning policy was developed and advertised for public comment. It is noted that the majority of provisions have been working well and remain relevant. The main policy provisions including proposed changes are outlined below.

### Location

The location requirements in the current policy have been retained. These include the preference to locate child care premises adjacent to non-residential land uses and on local distributor roads.

### Building setbacks

The building setbacks for non-residential buildings are currently contained in DPS2 and apply to all child care premises regardless of the zone in which they are located. However, the current policy indicates that setbacks in the 'Residential' zone may be varied in order to more appropriately reflect the existing building setbacks in the immediate vicinity. The non-residential building setbacks are large, being a nine metre front setback, six metre rear setback and three metre side setback.

It is considered that these setbacks do not assist in creating buildings that are in keeping with the zone in which they are located. Therefore, it is proposed within the draft policy that building setbacks are in accordance with the relevant zone in which they are located.

Within the 'Residential' zone, the building setbacks to child care premises are proposed to be assessed in accordance with the *Residential Design Codes*. This will allow new child care premises and additions to existing child care premises to be setback in keeping with the existing residential environment and maintain the residential streetscape.

In other zones, the specific zone policy will guide the building setback requirements of child care premises in order to achieve consistent streetscapes in these areas.

### Building height

The proposed building height included in the revised policy matches the requirements of the *Height of Non-Residential Buildings Local Planning Policy* for development in the 'Residential', 'Commercial R40', 'Mixed Use R40' and 'Private clubs, institutions and places of worship' zones, being a maximum height equivalent to two storeys. This height requirement is considered appropriate and equivalent to other development within these zones and will facilitate consistent streetscapes in these areas.

### Car parking and access

The proposed car parking standard is the same as within DPS2 and the current policy which is based on the number of children plus one bay per employee.

The car park design and access requirements have been retained from the current policy, but have been reformatted in accordance with the tables in the other LPS3 policies. These requirements have also been streamlined and simplified to assist in the useability of the document.

### *Bicycle parking*

As it is considered appropriate that bicycle parking is provided for staff, a bicycle parking standard has been introduced of one space per eight employees. The standard is based on the Austroads guidelines standard for consulting rooms as there were no standards specifically for child care premises.

Landscaping

The proposed landscaping requirements are the same as DPS2 in regard to the percentage of landscaping required, being 8% of the site. However, DPS2 requires a minimum three metre wide landscaping strip along all street boundaries where a development has a car parking area abutting the street. There is no requirement for landscaping where a car parking area does not abut the street. The policy proposes a 1.5 metre wide landscaping strip adjacent to all streets regardless of whether there is a car parking area or not. A minimum size of 4m<sup>2</sup> for landscaped areas is proposed to be included to ensure a usable area of land is provided.

Hours of operation

The hours of operation for child care premises located in, or adjoining, the 'Residential' zone are proposed to be the same as in the current policy, being Monday to Friday 7.00am to 6.00pm, Saturday 8.00am to 1.00pm, with no operation on Sundays. There are no restrictions on the hours of operation for premises located in non-residential areas.

**Issues and options considered**

Council has the option to either:

- proceed with the policy, with or without modification  
or
- not proceed with the policy.

**Legislation / Strategic Community Plan / policy implications**

- |                    |   |
|--------------------|---|
| <b>Legislation</b> | <ul style="list-style-type: none"> <li>• <i>Planning and Development (Local Planning Schemes) Regulations 2015.</i></li> <li>• <i>Draft Local Planning Scheme No. 3.</i></li> </ul> |
|--------------------|---|

**Strategic Community Plan**

<b>Key theme</b>	Quality Urban Environment.
<b>Objective</b>	Quality built outcomes.
<b>Strategic initiative</b>	Buildings and landscaping is suitable for the immediate environment and reflect community values.
<b>Policy</b>	<i>Child Care Centres Policy.</i>

**Risk management considerations**

General development provisions and standards are not included in draft LPS3 and instead are to be outlined in local planning policies. If the policies associated with the new planning scheme are not progressed, there is a risk that the new scheme may become operational without the development provisions and standards needed to assess development applications.

**Financial / budget implications**

The costs associated with the public advertising and notice of any final adoption will be approximately \$1,000.

**Regional significance**

Not applicable.

**Sustainability implications**

Not applicable.

**Consultation**

The draft policy was advertised for public comment in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* from 13 July 2017, closing on 3 August 2017, by way of:

- a notice published in the local newspaper
- a notice and documents placed on the City's website.

No submissions were received during the public consultation period.

**COMMENT**

Minor modifications are proposed to the draft policy to clarify building setbacks in the 'Residential' zone. The advertised policy stated that setbacks in the 'Residential' zone are to be in accordance with the R-Codes. This is considered appropriate for the lower density codes, however for the higher density codes such as R80, a primary street setback of two metres is not considered appropriate for a child care premises and therefore a table has been introduced to specify the street setbacks. In addition, the secondary street setback for R40 and above is one metre under the R-Codes, whereas the minimum landscaping requirement adjacent to a street boundary is 1.5 metres. This has been modified to 1.5 metres for R40 and above.

These modifications are considered to be minor and it is recommended that Council proceed with the *Child Care Premises Local Planning Policy*. It is noted that the policy will come into effect when a notice is published in the local newspaper, however this will not occur until after *Local Planning Scheme No. 3* has been approved by the Minister for Transport, Planning and Lands and published in the *Government Gazette*.

**VOTING REQUIREMENTS**

Simple Majority.

**MOVED Cr Hollywood, SECONDED Cr Chester that Council:**

- 1** in accordance with subclauses 4(3)(b)(ii) and 5(1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, PROCEEDS with the *Child Care Premises Local Planning Policy*, as included in Attachment 1 to this Report;
- 2** NOTES that the *Child Care Premises Local Planning Policy* will come into effect when published in the local newspaper which will occur once *Local Planning Scheme No. 3* comes into effect.

**The Motion was Put and**

**CARRIED (6/0)**

**In favour of the Motion:** Crs Gobbert, Chester, Fishwick, Hamilton-Prime, Hollywood and Taylor.

*Appendix 6 refers*

To access this attachment on electronic document, click here: [Attach6agnPOLICY171002.pdf](#)

**URGENT BUSINESS**

Nil.

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

Nil.

**REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION**

**Verge Treatments**

Cr Chester requested a report defining what is acceptable / unacceptable with respect to verge treatments within the City of Joondalup and opportunities for flexibility in approach to management / enforcement.

**CLOSURE**

There being no further business, the Presiding Member declared the meeting closed at 7.52pm; the following Committee Members being present at that time:

Cr Liam Gobbert  
Cr Kerry Hollywood  
Cr Philippa Taylor  
Cr Christine Hamilton-Prime  
Cr John Chester  
Cr Russ Fishwick, JP