

CITY OF JOONDALUP POLICY MANUAL REVIEW

Current Policy Manual		Recommended action	Proposed Policy type	Comment
Policy No	Title			
2.1.1 2.1.2 2.1.3 2.1.4 2.1.5 2.1.6 2.5.3	Employment Equal Employment opportunity Occupational Health and Safety Payment to Employees in addition to contract or award Selective Voluntary Severance Staff Uniforms Council Vehicles – Mayor and Council Offices	New policy entitled - Employment	City	<p>This recognises statutory responsibilities under Equal Opportunity Act and Local Government Act. It has incorporated matters relating to senior employees and the wearing of uniforms in order to meet the ATO requirements. A new amendment to regulations requires that the payment to employees in addition to contract or reward be governed by legislation by 2010. This has not been referred to on the basis that the policy will be subject to review prior to that time.</p> <p>Mayoral vehicle removed and incorporated into proposed policy ‘Elected Members Allowances’.</p>
2.1.7	Completion of Primary and Annual Returns	Policy to be deleted	-	The Act specifies who should complete annual and primary returns. As such, this is unnecessary as a policy of Council. The City may wish to retain it in its internal HR policy directions.
2.2.4 2.2.5 2.2.6 2.2.7 2.2.9 2.2.11 2.3.4 (part)	Deputising for the Mayor at a Function Council Chambers and Meeting Rooms – Use of Recording of Proceedings Acknowledgement of Service – Elected Members Elected Members Advertising Corporate Logo Provision of Information	New policy entitled - Elected Members - General	City	This has combined many of the matters associated with elected members.

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Policy No	Title			
2.2.8	Legal Representation for Elected Members	Current policy to be retained.	City	Under the current circumstances this has not been touched.
2.2.13	Payment of Fees, Allowances and Expenses	New policy entitled - Elected Member Allowances	City	<p>This details allowances. The position has been taken that the maximum of all annual allowances will be paid and the City will provide no equipment other than a laptop and printer. This removes the necessity for some lengthy and detailed procedural matters that tend to be the focus of contention.</p> <p>The amended policy is substantially reduced. The earlier policy (2.2.13) has been re-drafted as a handbook or guide for elected members. It requires some additional work such as the inclusion of the various forms, which elected members may use from time to time.</p>
-	-	New policy entitled - Review and Development of Policies	City	<p>No policy currently exists and the previous policy 2.3.1 – <i>Policy Development and Review Process</i> – was deleted in April 2005 (Item CJ064-04/05 refers)</p> <p>Proposed policy reflects the Council endorsed Policy Framework</p>

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2.3.2 2.3.3 2.3.6 2.3.4. (part)	Communications Use of Common Seal and the Signatories for Contract Execution Public submissions Provision of Information	New policy entitled – Communication	City	This policy refers to communications between elected members and staff; communications with the media; and the status of elected member communications. All administrative instructions to staff have been removed. It is envisaged that these would form part of an internal administrative instruction from the CEO and would probably refer to the City's Style Guide.
2.3.5	On line Services Code of Practice	Policy to be deleted	-	This relates to internet usage in the library.
2.3.7	Tendering	Policy to be deleted	-	This relates to fulfilling the requirements of the tender regulations.
2.3.8 (part)	Record keeping responsibilities	New policy entitled - Records Management	City	Adopted in January 2005. This is a statutory requirement and must be signed off by the State Records Office.
2.4.1	Accounting	Policy to be deleted	-	This is adopted each year as part of the budget adoption process. It will ultimately cause confusion if it is left in the policy manual. It also contained some areas where it was in conflict with the Local Government Act 1995.
2.4.2	Investment	Current policy to be retained	City	No change made to this policy.

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2.4.3	Setting Fees and Charges	Current policy to be retained	Council	This relates to fees and charges. It should be considered as part of a larger strategic approach to the provision of services. At this stage it has not been amended.
2.4.4	Rates and Charges	New policy entitled – Payment of Rates And Charges	City	Statutory requirements and procedures have been removed.
2.4.5	Budget Timetable	Policy to be deleted	-	This is an instruction and should be considered as part of a larger strategic financial planning policy
2.4.6 2.5.2 2.5.5 4.1.3 4.3.3 4.3.5	Lending authority or Loan Guarantor for Sporting Clubs or other External Organisations Procurement of Council Buildings Consent to Alter Council Leased Premises Leisure Facilities Capital Works Funding Storage and Consumption of Alcohol at Community Recreation Facilities and Reserves Conditions of Hire – Child Protection	New policy entitled - Community Facilities – Built	City	This has been incorporated into a policy on community facilities. It should be noted that there might be more than one directorate responsible for different sections of the policy.

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Policy No	Title			

2.5.1 4.3.4 4.3.5 5.2.2 5.2.5	Commercial Usage of Beachfront and Beach Reserves Floodlighting on Sporting Parks Conditions of Hire for City of Joondalup Facilities – Child Protection Council Reserves and Parks Floodlighting	New policy entitled - Reserves, Parks And Recreation Grounds	City	This combines a range of matters relevant to parks reserves and recreation grounds. The original commercial usages on the beachfront has apparently been used only once in the past six years. It has been reduced to the bare bones and applied to all reserves. Matters relating to flood lighting, booking and reticulation have been incorporated. The references to Child Protection and Alcohol have also been incorporated into this policy.
2.5.4	Official Vehicles – Use of	Policy to be deleted	-	Administrative and contractual matter
2.5.6	Disposal of Surplus Personal Computers	New policy entitled - Disposal of surplus assets	City	Expanded to include an asset surplus to requirements at the discretion of the CEO
2.5.7	Purchasing Goods and Services	Policy to be deleted	-	This is an instruction to staff regarding promoting the City as a purchaser of goods and services.
2.6.1 2.6.2	Access to Information for People with Disabilities Access to Council Services and Facilities for People with disabilities, their families and carers.	New policy entitled - Access and Equity	City	Combined and refers to Disability Service Plan as the strategic document for implementation
2.6.3	Public Participation	Current policy to be retained	Council	Part of a larger issue – to be dealt with by the Policy Committee and community consultation
2.6.4	Environmental Sustainability	Current policy to be retained	Council	Part of a larger issue – to be dealt with by the Policy Committee and community consultation

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Policy No	Title			
3.1.1 3.1.3 3.1.5 3.1.6 3.1.7 3.1.9 3.1.11 3.1.12 3.1.13 3.1.14	Child Care Centres Alfresco Dining Nomenclature – Public Facilities Uniform Fencing – Subdivision Retaining Walls – Subdivision Height and Scale of Buildings within a Residential Zone Home Business Cash-in-lieu of Car parking Telecommunications Facilities Building set back from the boundary additional acceptable development provisions – Clause 3.3.1 of the Residential Design Codes 2002	Current policies to be retained.	Council	The majority of the Town planning policies are statutory documents. To review them will require utilising the process as outlined in the Town Planning Scheme. Review process currently underway. Separate report(s) to be provided to Council.
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3.2.4 3.2.5 3.2.6 3.2.7 3.2.8	Design Guidelines Carine Glades Mews Estate, Duncraig Design Guidelines for Waterview Estate, Kingsley Subdivision and Development Adjoining Areas of Public Open space Pedestrian Accessways Centres Strategy	Current policies to be retained	City	The majority of the Town planning policies are statutory documents. To review them will require utilising the process as outlined in the Town Planning Scheme. Review process currently underway. Separate report(s) to be provided to Council.
			City	
			City	
			City	
			Council	

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Current Policy Manual		Recommended action	Proposed Policy type	Comment
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4.1.1 4.1.2 4.1.4	Community Funding Sports Development Program Junior and Disabled Sport and Recreation Donations	New policy entitled - Community Funding	City	Removed all procedural matters. CEO delegated authority up to \$10,000
4.2.1	Library and Information Services	Policy to be deleted	-	Reproduces statutory requirement and sets in place an administrative framework. As such it is an administrative instruction
4.2.2	Online Service Provision	Policy to be deleted	-	Administrative instruction
4.3.1	Leisure	Current policy to be retained	Council	Part of a larger issue – to be dealt with by the Policy Committee and community consultation
4.3.2	Management of Community Facilities	Current policy to be retained	City	Part of a larger issue – to be dealt with by the Policy Committee and community consultation
4.4.1 4.4.2 4.4.3	Art Collection Museum Collections and Operations Public Art	New policy entitled - Cultural Development	City	This has combined the relevant policies. It is considered to be a high order policy that requires substantial consultation and consideration. As such, this should be superseded when such a policy is developed.
4.5.1	Community Service Provisions and Obligations	Policy to be deleted	-	This restates a number of self-evident matters including some legislative requirements. It is also part of the customer service charter.
4.5.2	Sunsmart	Policy to be deleted	-	If it were considered necessary and advisable to have such a policy, then it could be incorporated into the proposed Policy – Community Facilities Built.

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Current Policy Manual		Recommended action	Proposed Policy type	Comment
Policy No	Title			

5.1.1	Waste Management	Current policy to be retained	City	The policy is currently under review.
5.2.4	Memorial Plaques	Policy to be deleted	-	Retain as a delegation
5.2.6	Median and Road Reserve Landscaping – Undeveloped Future Roads Reserves	Policy to be deleted	-	There is a program in place which covers this matter
5.3.1	Verge Treatments – Protective Devices	Policy to be deleted	-	Retain in Delegations Register
5.3.2	Sand Drift Control	Policy to be deleted	-	The Private Property Local Law requires this to occur. If the City is not satisfied with this as an avenue for enforcement, then perhaps it should be a condition of subdivision approval and demolition approval.
5.3.3	Vehicle Crossing – Construction and Maintenance	Policy to be deleted	-	This is covered in the Uniform Provisions (Local Government) Section 18.
5.3.4	Removal of Graffiti and repair of vandalism	Policy to be deleted	-	Covered by management practices
5.3.5	Road Works – Opening Up	Policy to be deleted	-	Retain as a delegation.
5.3.6	Coastal Limestone Cliff Hazard	New policy entitled - Coastal Limestone Hazards	City	This has been reduced to the policy intent, with the administration/implementation as a separate instruction. The insurance brokers must sign off on any change related to this policy.

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5.4.1	Tennis Court Lighting Standards	Current policy to be retained.	City	This policy has not been changed. Consideration was initially given to merging it with the policy relating to parks and reserves (4.3.4), however, it deals with some relatively complex and sensitive matters that have potentially far-reaching financial implications for the City. The advice of officers was that it was useful and regularly used.
5.4.2 5.4.3	Stormwater Drainage into Wetlands Prevention of Stormwater Discharge into Natural Area	New policy entitled – Stormwater Drainage	City	Combined – ultimately, this should be a subset of an environmental sustainability policy
5.5.1	Burning of Garden Refuse and Cleared Vegetation	Current policy to be retained and retitled as “Burning on Private Property”	City	This has not been changed, however consideration should be given to incorporating the policy into the local law, which is now due for review.
-	State Administrative Tribunal – Mediation and Revised Development Proposals	New policy	City	Developed at Council’s request.
	Code of Conduct	New Policy	Council	The current Code of Conduct has been incorporated into the Policy Manual as a Council policy and will be referred to the Policy Committee for review and further development.



INTRODUCTION TO POLICY MANUAL

Council established a Policy Committee and endorsed a new Policy Framework on 26 April 2005. (*Refer CJ064 – 04/05*). The framework separated the policies of the Council into two categories:

- 1 Council Policies - Strategic policies that set governing principles and guide the direction of the organisation to align with community values and aspirations. These policies have a strategic external focus and align with the Mission, Vision and Strategic Directions; and
- 2 City Policies - Policies that are developed for administrative and operational imperatives and have an internal focus.

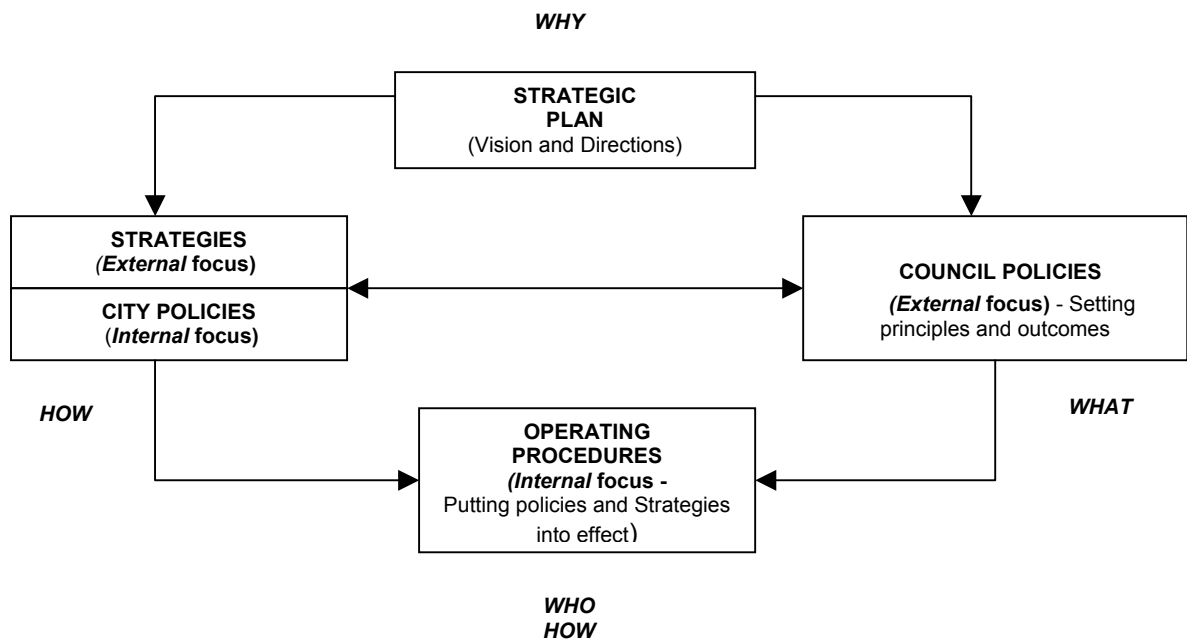
Council policies are to be developed and reviewed by the Policy Committee and may be subject to community consultation processes in recognition of the community leadership role Council has in guiding the formation and development of the City, and in representing the values and interests of the broader community.

City policies will be drafted by officers for Council consideration and these policies will still require Council endorsement however this will occur as part of the normal Council meeting cycle. Council may direct that some or all City Policies be advertised for public comment prior to endorsement. In the case of Local Planning Policies it is a statutory requirement that draft policies are to be advertised, and that public submissions are to be considered prior to adoption of the policy.

The Policy Framework also delineates operating procedures from policies. Operating procedures are administrative procedures and implementation plans giving effect to the Council Policies and Strategies determined by Council and supporting sound administration of the organisation.

Operating procedures are to be approved by the CEO unless the CEO specifically refers them to Council.

Policy Framework



This policy manual has been divided into sections that align to the key focus areas of the City's Strategic Plan, being:

Community Wellbeing:

- To develop, provide and promote a diverse range of lifelong learning opportunities.
- To meet the cultural needs and values of the community.
- To continue to provide services that meet the changing needs of a diverse and growing community.
- To work with the community to enhance safety and security in a healthy environment.

Caring for the Environment:

- To plan and manage our natural resources to ensure environmental sustainability.
- To manage waste effectively and efficiently in alignment with environmentally sustainable principles.

City Development:

- To develop and maintain the City of Joondalup's assets and built environment.
- To develop and promote the City of Joondalup as a tourist attraction.
- To continue to meet changing demographic needs.
- To provide integrated transport to meet regional and local needs.
- To provide and maintain sustainable economic development

Organisational Development:

- To manage the business in a responsible and accountable manner.
- To provide quality services with the best use of resources.
- To ensure the City responds to and communicates with the community.
- To develop community pride and identity.
- To manage our workforce as a strategic business resource.



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COUNCIL POLICIES

Section 1	Key Focus Area:	Community Wellbeing
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1-1	Leisure	Existing Policy
1-2	Public Participation	Existing Policy

Section 2	Key Focus Area:	Caring for the Environment
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2-1	Environmental Sustainability	Existing Policy
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Section 3	Key Focus Area:	City Development
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3-1	Child Care Centres	Under review
3-2	Height and Scale of Buildings within Residential Areas	Under review
3-3	Centres Strategy	Under review

Section 4	Key Focus Area:	Organisational Development
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4-1	Code of Conduct	Draft Policy
4-2	Setting Fees and Charges	Existing Policy



CITY POLICIES

Section 5 Key Focus Area: Community Wellbeing

5-1	Access and Equity	Draft Policy
5-2	Community Funding	Under review
5-3	Cultural Development	Under review

Section 6 Key Focus Area: Caring for the Environment

6-1	Reserves, Parks and Recreation Grounds	Draft Policy
6-2	Coastal Limestone Hazards	Draft Policy
6-3	Stormwater Drainage	Draft Policy
6-4	Tennis Court Lighting Standards	Existing Policy
6-5	Burning on Private Property	Existing Policy
6-6	Waste Management	Draft Policy

Section 7 Key Focus Area: City Development

7-1	State Administrative Tribunal – Mediation and Revised Development Proposals	Draft Policy
7-2	Disposal of Surplus Assets (Minor)	Draft Policy
7-3	Community Facilities – Built	Under review
7-4	Management of Community Facilities	Under review
7-5	Alfresco Dining -Joondalup City Centre	Under review
7-6	Naming of Public Facilities	Under review
7-7	Uniform Fencing – Subdivision	Under review
7-8	Retaining Walls – Subdivision	Under review
7-9	Home Business	Under review
7-10	Cash-in-lieu of Car Parking	Under review
7-11	Telecommunications Facilities	Under review
7-12	Buildings set back from the boundary additional acceptable development provisions – Clause 3.3.1 of the Residential Design Codes 2002	Under review
7-13	Design Guidelines Carine Glades Mews Estate, Duncraig	Under review
7-14	Design Guidelines for Waterview Estate, Kingsley	Under review

7-15	Subdivision and Development Adjoining Areas of Public Open Space	Under review
7-16	Pedestrian Accessways	Under review

Section 8	Key Focus Area:	Organisational Development
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8-1	Review and Development of Policies	Draft Policy
8-2	Elected Members - Allowances	Draft Policy
8-3	Elected Members – General	Draft Policy
8-4	Records Management	Draft Policy
8-5	Employment	Draft Policy
8-6	Communication	Draft Policy
8-7	Legal Representation for Elected Members and Employees	Existing Policy
8-8	Payment of Rates and Charges	Draft Policy
8-9	Investment	Existing Policy

POLICY 1-1 – LEISURE

STATUS: **Council Policy** - *A strategic policy that sets governing principles and guides the direction of the organisation to align with community values and aspirations.*

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

**RESPONSIBLE
DIRECTORATE:** Planning and Community Development

OBJECTIVE: To guide the provision of leisure services, facilities and programmes to assist in the achievement of the City of Joondalup's Mission, Vision and strategic objectives.

STATEMENT:

The City of Joondalup is committed to making a significant and sustainable contribution to the quality of life of its citizens, by supporting a broad range of leisure services, facilities and programmes.

Beliefs and Values

- Participation in leisure makes a significant contribution to the health, well-being and quality of life of the people of Joondalup.
- Leisure makes a positive contribution to the local economy.
- All people should have the opportunity to participate in leisure regardless of age, ability, discretionary income, ethnicity, gender and geographical location.
- The City must manage its limited leisure resources, including human, financial and physical assets, in a manner that ensures equity, efficiency and effectiveness.
- Leisure provides an ideal vehicle and provides "tools" to build and engender community spirit.
- The social and economic values of services are of equal importance and as such each programme/service must be carefully assessed in light of its financial return and economic viability as well as its social benefit.

Roles

- Advocating on behalf of the community and community groups to local, regional and national service providers.
- Co-ordinating the provision of leisure via the development of a city-wide Leisure Strategic Plan.
- Monitoring and evaluating the provision of leisure services in Joondalup in accordance with all policies and strategic plan.
- Promoting:
 - The benefits of participation in Leisure Activities.
 - Joondalup as a leisure events city.
 - Opportunities for leisure in Joondalup.
- Providing leisure information and advice.
- Providing assistance to community groups via grants, subsidies, and contracts.
- Providing services, facilities and programmes where there is a proven need.
- Researching existing and future needs and trends in leisure.
- Working in partnerships with other providers wherever viable.

Outcomes

- Joondalup residents are aware of and have access to a broad range of leisure activities.
- Consultation with the Joondalup community, leisure participants and service providers is ongoing and effective.
- Physical assets meet the identified and viable leisure needs of Joondalup and minimum legal standards.
- Leisure is making a positive contribution to the city's economy.
- Research into the existing and future leisure needs and trends of Joondalup is ongoing and findings are taken into account in the planning and provision of all services, facilities and programmes.
- Identified target groups are aware of, have access to, and are increasing their participation in a broad range of leisure activities.
- Resources are allocated and services, facilities and programmes are delivered efficiently, effectively and equitably.
- Services, facilities and programmes meet the leisure needs of the Joondalup community.
- Services, facilities and programmes complement and enhance the city's unique character and environment.
- Joondalup is widely recognised for hosting successful local, regional, and national recreation, sports and cultural events and festivals.
- Volunteers are acknowledged and supported.

File No:

Previous Policy No: 4.3.1, R15

Amendments: CJ213-06/99

Related Documentation: N/A

Issued:

POLICY 1-2 – PUBLIC PARTICIPATION

STATUS: **Council Policy** - *A strategic policy that sets governing principles and guides the direction of the organisation to align with community values and aspirations.*

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

**RESPONSIBLE
DIRECTORATE:** Office of the CEO

OBJECTIVE: To outline the City's commitment to actively involve the community in Council's planning, development and service delivery activities.

STATEMENT:

The City has a stated objective to enhance the capacity of the community to actively participate in decision-making and strategic direction setting.

The City is committed to improving its public participation practices. The City recognises that this will require:

- adequate resourcing;
- in-house and external training;
- the establishment of best practice public participation mechanisms; and
- a program of review to evaluate public participation processes.

The City will develop a Public Participation Strategy that will address:

- the identification of issues requiring public participation;
- the inclusion in the annual budget process of funding for public participation activities;
- increasing staff awareness and skills in public participation techniques;
- how all sectors and groups within the community can have the opportunity to participate in the City's activities; and
- a community education program relating to public participation in the City's affairs.

Definitions

Public participation – can be defined as:

The provision of opportunities for the public to be involved in a range of issues affecting their communities and lifestyles. Such opportunities would enable the public to provide information, ideas and opinions on plans, proposals, policies and services; partner the City in working towards specific objectives; or actively contribute to physical works (eg. Environmental projects.)

While public participation can include the following elements it is far more than:

- Public consultation
- Public relations
- Information dissemination
- conflict resolution.

Budget

Where a specific public participation program relates to a budgeted item or City proposal, the costs of the participation program will be met from the budget concerned.

Where a specific public participation program relates to an independent proponent's proposal, the cost of the public participation program will be met by the proponent.

Reporting and review

The City's Public Participation activities will be reviewed in relation to specified performance measures which include:

- level of public knowledge regarding opportunities to participate;
- level of public satisfaction with the opportunity to participate; and
- range of public participation projects undertaken throughout the organisation.

In order to provide the community with summary information regarding the City's public participation program, the review will be reported on in the City's Annual Report in accordance with statutory requirements and Council's Strategic Direction.

File No:

Previous Policy No: 2.6.3

Amendments: CJ213-06/99

Related Documentation:

Issued:

POLICY 2-1 – ENVIRONMENTAL SUSTAINABILITY

STATUS: **Council Policy** - *A strategic policy that sets governing principles and guides the direction of the organisation to align with community values and aspirations.*

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

**RESPONSIBLE
DIRECTORATE:** Office of the CEO

OBJECTIVE: To:

- 1 progressively enhance environmental, social and economic sustainability;
- 2 protect and enhance the natural and human environments for the benefit of present and future generations;
- 3 minimise, as far as practicable, any adverse environmental impacts associated with its activities;
- 4 take advantage of and maximise environmentally beneficial opportunities;
- 5 adopt appropriate management practices to facilitate sustainability;

in the City of Joondalup

STATEMENT:

The City of Joondalup recognises its responsibility to work with its community towards an environmentally, socially and economically sustainable future. The City is committed to the development, implementation and management of programs that will ensure continual improvement in its environmental and sustainability performance, and will safeguard environmental quality and well being for its present and future communities and employees.

In establishing the City's strategic direction in supporting and enhancing environmental, social and economic sustainability, the City will:

- identify key sustainability issues for the City and adopt appropriate management practices;

- address the environmental impacts of its activities and operations and take action as appropriate to minimise and manage such impacts;
- encourage the protection and conservation of the natural environment;
- adopt appropriate environmentally beneficial initiatives;
- minimise waste production and energy consumption;
- prepare plans and strategies which set objectives and targets for environmental and sustainability performance;
- establish an effective strategic framework for addressing environmental issues;
- publicly report on the effectiveness of environmental performance;
- develop effective internal and external communications processes on environmental and sustainability issues, including awareness raising and educational programmes.

In order to achieve this, the City will -

- implement programs and actions in accordance with its Strategic Plan;
- develop, implement and progressively review the City's Local Agenda 21 Sustainability Plan;
- ensure the community's health and environment is protected by implementing effective waste management and recycling services;
- develop and implement environmental performance evaluation techniques;
- publicly report on environmental, social and economic sustainability performance through periodic Sustainability Indicator Reports;
- adopt the most appropriate technology and work practices to minimise the effects that its operations have on the environment;
- seek, assess, and where appropriate adopt, environmentally beneficial initiatives;
- encourage technology transfer and sharing of environmental experiences with other Local Government authorities;
- encourage suppliers and contractors to adopt best environmental operational and management practices;
- conduct public consultation programmes.

File No:

Previous Policy No: 2.6.4

Amendments: CJ213-06/99, CJ121-06/02

Related Documentation:

Issued:

POLICY 3-1 – CHILD CARE CENTRES

STATUS:	Council Policy - <i>A strategic policy that sets governing principles and guides the direction of the organisation to align with community values and aspirations.</i> Council policies are developed by the Policy Committee for approval by Council.
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	The purpose of this policy is to provide guidance for the location and development of Child Care Centres to maximise user convenience and maintain a high level of amenity in residential areas.

STATEMENT:

Relevant Legislation

District Planning Scheme No.2 Clause 1.9:

CHILD CARE CENTRE means premises used for the daily or occasional care of children in accordance with the Community Services (Child Care) Regulations 1988.

Table No 1 Zoning Table

The use class **Child Care Centre** is a 'D' use in the Residential, Mixed Use, Business, Commercial, Civic and Cultural, Private Clubs/Recreation and Special Residential Zones. A 'D' use is a use that is not permitted, but the Council may grant its approval after following the procedures of the scheme that relate to matters to be considered by Council and advertising. The use is not permitted in the Service Industrial and Rural zones.

TABLE 6

USE	NUMBER OF CARS
Child Care Centre	Not less than 5 and 1 per staff member

Related Legislation And Policies

Community Services (Child Care) Regulations 1988 (Government Gazette 25/11/1988)

Location

1 Road Hierarchy

Child Care Centres are reasonably high traffic generators and therefore should not be located on Primary District Distributors where the primary function is to cater for through traffic or on Local Distributors in close proximity to District Distributors or in or adjacent to Access Roads in residential areas where amenity, safety and aesthetics must take priority. Accordingly, these Centres should be located on Local Distributor roads in such a fashion that they will not conflict with traffic control devices and will not encourage the use of nearby Access Roads for turning movements.

2 Neighbouring Uses

Wherever possible it is preferred to locate Child Care Centres adjacent to non-residential uses such as Shopping Centres, Medical Centres/Consulting Rooms, School Site, Parks and Community Purpose Buildings to minimise the impact such Centres will have on the amenity of residential areas.

3 Existing Child Care Centres

When submitting an Application for Approval to Commence Development for a new child care centre, the proponents should demonstrate their awareness of the number, size and location of existing or approved centres within the locality.

Parking

1 Location

All parking areas should be located in front of buildings or at least be easily visible from the entry to the site so that patrons are encouraged to use the on-site parking and not the road verges. Any difficult to use or access parking bays should be allocated to staff.

2 Design

Parking areas should preferably be designed to allow traffic to flow through using entry and exit crossovers so that traffic conflicts and congestion do not unnecessarily restrict the use of the parking area. For the purposes of determining parking requirements, designs incorporating through flow are referred to as **Type 1** and those accessed only by a two-way crossover as a **Type 2**. In certain circumstances, detailed below, Type 2 designs require more parking bays than Type 1 designs.

3 Number - Children And Staff

All Child Care Centres must provide a minimum of one parking bay for each staff member and at least five parking bays for up to 25 children. For Centres with more than 25 children the required parking bays are determined by reference to the attached figure. The actual parking requirement for Centres in this category varies with the configuration of the parking area and the number of children.

At least one parking bay must conform to ACROD standards and be set aside for that purpose.

Setbacks

1 Street

In residential areas all buildings should be set back from the street boundary at least as far as the lesser of the two adjoining residences and if the adjoining lots are vacant should be set back a minimum of six metres.

2 Other

Side and rear setbacks should generally be in accordance with the Residential Planning Codes for residential buildings. Care should be taken to ensure outdoor play areas are not located adjacent to private open space or living areas.

Landscaping

1 Onsite

All street frontages of the site to a depth of three metres are required to be suitably landscaped and reticulated to assist to preserve the character of residential areas.

2 Verge

The verge area in front of all Child Care Centres is required to be suitably landscaped and reticulated and maintained to discourage patrons from parking on the verge instead of using the parking areas provided. Under no circumstances is the verge to be paved or sealed as this would encourage its use for parking and detract from the amenity of the area.

Advertising

1 Application

Because of the possible detrimental effect Child Care Centres can have on the amenity, safety and aesthetics of residential areas, all applications must be advertised for public comment prior to consideration for approval.

Approved Child Care Centres can display only one advertising sign approved by the Chief Executive Officer. The maximum lettering height is 20cm. Where letters or numerals are individually fixed to walls, the Chief Executive Officer shall approve the colours and materials. Where signboards are used the board shall not exceed 50cm in height and 100cm in length, and lettering shall be black on a gold/bronze background. Signs shall not be illuminated after 8.00pm each night.

File No:

Previous Policy No: DS1, 3.1.1

Amendments: CJ213-06/99, CJ318-09/01

Related Documentation: Delegated Authority Manual

Issued:

POLICY 3-2 – HEIGHT AND SCALE OF BUILDINGS WITHIN RESIDENTIAL AREAS

STATUS: **Council Policy** - *A strategic policy that sets governing principles and guides the direction of the organisation to align with community values and aspirations.*

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

**RESPONSIBLE
DIRECTORATE:** Planning and Community Development

OBJECTIVE: To ensure that all development within a residential area of significant height and scale is given appropriate consideration with due regard to the protection and enhancement of the amenity and streetscape character of the surrounding area.

Area

This planning policy applies to all development in the Residential Zone within the City of Joondalup with the exception of areas in which building height and scale is otherwise addressed in structure plans made in accordance with Part 9 of District Planning Scheme No 2.

Definitions

- 1 “Amenity” shall mean the quality of the environment as determined by the character of an area, its appearance and land use, which contributes to its pleasantness and harmony and to its better enjoyment.
- 2 “Building Threshold Envelope” shall mean the invisible envelope over a building site described by a height above natural ground level of 3.5m at the side and rear boundaries increasing in line with the distance to the closest boundary to a height of 8.5 metres but not extending closer than three metres to the street boundary.
- 3 “Natural Ground Level” shall mean:
 - (a) the contour or spot levels (RL) of previously undisturbed land noted on a site plan or site survey plan;
 - (b) land within areas having been recontoured with or without retaining walls as part of the approved subdivisional works shall be deemed to have natural ground level coinciding with the recontoured ground as approved;
 - (c) where land has been previously disturbed, natural ground level shall be deemed to be based on existing records or where there are no adequate records, an estimate as determined by the Chief Executive Officer.

STATEMENT

- 1 Applications for development approval and for building licences for developments which do not exceed the building threshold envelope are deemed to comply with the objectives of this policy and shall be processed by Approval Services in the normal manner. If it is unclear from the application due to lack of detail whether the threshold is exceeded or not, the application shall be considered to exceed the building threshold envelope.
- 2 Applications for development approval and for building licences for developments which exceed the building threshold envelope except as outlined in Paragraph 5 of this statement shall be accompanied by:
 - (a) A site contour plan showing natural ground level (as defined in this policy) with 0.5 metre contours prepared by a licensed surveyor;
 - (b) Plans showing finished floor levels, wall heights and roof heights of the proposed building(s);
 - (c) Written justification by the applicant for those aspects of the development which exceed the threshold set out in this policy, including the likely impact of the height and location of the building(s) on the amenity of nearby landowners and the surrounding area generally.
- 3 In the case of applications referred to in paragraph 2 of this statement, Council will seek written comments on the proposal for a period of 14 days from the date of notification from affected landowners of land within 15 metres of the boundaries of the subject land and on the opposite side of the street.
- 4 Applications which exceed the building threshold envelope shall be deemed to be non-complying applications for which Council's development approval is required. Non-complying applications shall be processed as follows:
 - (a) In cases in which notified landowners have raised no concerns or objections AND the application is supported by the Manager Approvals, Planning and Environmental Services, the application shall be processed under delegated authority;
 - (b) In cases in which notified landowners have raised concerns or objections OR the application is not supported by the Manager Approvals, Planning and Environmental Services, the application is to be presented to Council for determination.
- 5 The following may encroach beyond the building threshold envelope without restriction:
 - (a) fascias, gutters, downpipes, eaves to a maximum width of 600mm, chimneys, flues, pipes, air conditioning plant, aerials, light fittings, electricity or gas metres or other services;
 - (b) pergolas, screens or sunblinds.

File No:

Previous Policy No: G3-17, DS4, 3.1.9

Amendments: CJ213-06/99, CJ086-04/00

Related Documentation: Delegated Authority Manual

Issued:

POLICY 3-3 – CENTRES STRATEGY

STATUS: **Council Policy** - *A strategic policy that sets governing principles and guides the direction of the organisation to align with community values and aspirations.*

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

**RESPONSIBLE
DIRECTORATE:** Planning and Community Development

OBJECTIVE:

STATEMENT:

1.1 OBJECTIVE AND PRINCIPLES

The main objective of the strategy is to adopt a new policy that seeks to take a fresh approach to the distribution, size and nature of centres in the City of Joondalup. In doing so the strategy adopts new terminology in classifying centres to help reflect this fresh approach to the reader or user. The new centres are city centre, town centre, small town centre and village centre. These equate to centres classified in the *Metropolitan Centres Policy* as shown in Table 1.

The strategy also interprets, applies and implements the draft 1999 *Metropolitan Centres Policy*, having regard to the particular circumstances that exist in the City of Joondalup. In the approach city centres replace the former regional centres, town centres replace former district centres, village centres replace the former neighbourhood centres, and local shops replace the previous local shops. Multiple ownership, integration, diversity, service and employment are key words synthesising the intent of the strategy.

The specific objective of this policy is to promote retail and incremental expansion of existing centres throughout the City of Joondalup as part of a catch-up strategy until 2006.

The Vision for Joondalup is to develop City Centre as:

- A viable alternative to Perth – in status and function.
- A major centre for commerce.
- A vibrant, living place filled with people day and night, the focus of the community, not only of Joondalup but the whole North-West Corridor for employment, entertainment, employment, shopping, restaurants, arts culture and university life.
- A high technology business environment, taking advantage of leading-edge opportunities to stimulate economic growth.

To promote throughout the suburbs the continuing evolution, development and expansion of small town and village centres, each a microcosm of the city centre, to

become the meeting places for people, the economic and social focus, in harmony with the local communities in which they are situated.

Strategy principles are:

The Centres Hierarchy

Promote Joondalup Centre as the primary commercial, social and cultural centre for the North West corridor, and as a 'city in the suburbs' and the preferred location for major offices and retailing as well as a rich mix of leisure, entertainment, recreation and community facilities.

Maintain town centres at Whitford City and Warwick Grove as significant regional nodes offering community focus by providing a mix of retail, office, leisure, entertainment, recreation and community facilities.

Promote small town centres more actively than has been the case to now. Allow such minor expansion as can be accommodated on site at Greenwood City. Consider allowing Woodvale to expand, or convert to, a small town centre. Promote Currabine as a small town centre in the medium term. Encourage mixed business to establish adjacent district centre sites.

Maintain the existing structure and distribution of neighbourhood centres for the period of the strategy. Subject to good urban design as envisaged by the Centre Zone and structure plans in the Town Planning Scheme, on a case by case basis, allow minor expansion and extensions as part of the redevelopment, renewal process which some centres are now due.

Mixed Business Areas/Community Business Parks¹

Opportunities for new developments of this type are limited. Notwithstanding this, and subject to good urban design, promote initiatives to establish new mixed business areas accommodating bulky goods outlets, warehouses, showrooms, service industries and small and medium scale business uses as part of all designated city, town and small town centres. These areas should be located in planned precincts, having good accessibility and exposure, on the fringe of industrial areas; and in locations convenient to the regional and district road network and accessible to public transport.

As a means of increasing the amount of retail floor area in Joondalup, and at the same time promoting diversity and multiple ownership of smaller retail establishments, one of the proposals in this strategy is to define a shop, or shops, not exceeding 200 m² nla on a separate lot as a mixed business with adequate street frontage and exposure.

Similarly, promote new initiatives for technology parks and community business parks in association with existing and planned centres and in appropriate freestanding locations.

¹ Community Business Parks are business centres, on sites, ideally, ranging from 4-10 hectares, which provide primarily for office-related activity. However, because such sites will be difficult to find in the City of Joondalup smaller projects should also be considered. They may be developed in association with existing centres or in freestanding locations.

The Nature and Form of Centres

Promote evolutionary revitalisation and re-modelling of existing centres, where practicable, along 'main street' principles, as integrated, mixed use, safe, attractive and vibrant centres that provide a community focus. This, in some instances, will involve the transition of existing residential uses to commercial uses.

Promote, as the preferred model, the expansion or redevelopment of selected parts of city centres, town centres, small town centres, village centres and local shops in the form of 'main street' centres, as proposed in the *Liveable Neighbourhoods: Community Design Code*.

Promote greater diversity of land use and community activity in and close to centres at all levels in the hierarchy.

Employment

A key objective of this strategy is the promotion of employment within the whole city. While Joondalup city centre should always remain the focus for employment generation in the North-West Corridor, much more must be done to permeate employment opportunities into the town and village centres. This is in addition to the growth in home based employment that is expected to occur.

If employment self-sufficiency trends discussed in Section 3.2.1 of this report are to be improved, and for reasons discussed in that section it is important that they are, then much more emphasis must be placed on attracting employment generating uses to the city, town and village centres in Joondalup.

While public sector employment in government and local government is an important component of employment, it can never be the major component. Commerce, in its many forms, must fulfil that role. To boost opportunities for employment a primary objective for the strategy must be to attract more commerce to Joondalup.

Community Infrastructure

Make the best use of existing and planned community infrastructure, including public transport, arterial roads, trunk services and community facilities, in planning for centre development.

At the lower end of the shopping hierarchy in Joondalup, the practice has been to locate village (neighbourhood) centres on local residential distributor roads away from the more important roads and public transport routes. The Council should investigate the possibilities for new or expanded village centres to take advantage of the better exposure offered at entrances into residential neighbourhoods. The use of 'main street' shopping planning principles could be most productive in this regard.

Attitude and Approach to Centre Development

Promote a more flexible, open and innovative approach to centre development, providing for individual initiative and enterprise, wherever appropriate, and encouraging the emergence and implementation of new ideas. Encourage a diverse range of attractions for all age groups, including 'shoppertainment', 'eatertainment' and 'edutainment' type concepts, through family entertainment centres.

Conclusions

Implicit in the above statements is that expansion of commercial uses (of which retailing as defined in the Metropolitan Centres Policy (1999) is only a part) is a primary objective of this strategy and must be encouraged at all levels of the shopping centre hierarchy. The primary mechanism by which this can be accomplished in an orderly way is through the use of the structure plans in Centre zone in the Town Planning Scheme.

Centre zones should be created around all existing centres encompassing peripheral areas relative to the size of the centre. For example, a Village Centre zone might encompass a 100 metre wide peripheral area around the centre. A small town centre may encompass 200 metres, a large town centre 400 metre radius and a city centre 800 metres.

Within these centre zones structure plans should be used to delineate areas for different uses ranging from residential at higher densities to intensive commercial development. Obviously these structure plans will be tailored to maximise the attributes of each site – but should have the underlying objective of providing for an evolutionary transition to employment generating land uses.

1.2 Hierarchy of Centres

The hierarchy of centres² in the City of Joondalup is as follows:

City Centre:	Joondalup
Town Centres:	Whitford City Warwick Grove
Small Town Centres:	Currambine Greenwood Village Woodvale
Tourist Centres:	Hillarys Boat Harbour Ocean Reef Boat Harbour
Village Centres:	Beach Road, Duncraig Burrage Way, Duncraig Sheppard Way, Marmion Arnisdale Road, Duncraig Marri Road, Duncraig Coolibah Drive, Greenwood Moolanda Boulevard, Kingsley South Warburton Avenue, Padbury Kingsley Drive/Creaney Drive, Kingsley Hillarys (Flinders Avenue) Trappers Drive, Woodvale Perilya Road, Craigie Oceanside Promenade, Mullaloo Koorana Road, Mullaloo Gunter Grove, Beldon

² For the purpose of this classification:

- City, town, small town equate to strategic regional, regional and district centres as designated in the draft 1999 *Metropolitan Centres Policy Statement*.
- Village (neighbourhood) centres generally provide 1000-5,000m² nla retail floorspace.
- Local centres generally provide less than 1,000m² nla retail floorspace.

	Wisteria Parade, Edgewater
	Gwendoline Drive, Beldon
	Marina Boulevard, Ocean Reef
	Caridean Street, Heathridge
	Glenelg Place, Connolly
	Constellation Drive, Ocean Reef
	Iluka
	Currambine
	Candlewood Boulevard, Joondalup
	Kinross
Local Shops:	Lilburne Road, Duncraig
	Adalia Street, Kallaroo
	Moolanda Boulevard, Kingsley North
	Kinross Drive, Kinross
	Blackwattle Parade, Padbury
	Alexander Road, Padbury
	Harman Road, Sorrento
	West Coast Drive, Sorrento
	Hillarys (Whitfords Ave)
Other Centres:	Waldecks, Wanneroo Road, Kingsley
	West Coast Drive, Sorrento
Rail Station Precincts	Warwick Station
	Whitfords Station
	Edgewater Station
	Currambine Station

1.3 The Functions of Centres

Each level of centre in the hierarchy is intended to serve a set of functions. These are summarised in Table 1. In general centres at the different levels are supposed to be complementary rather than competitive in that they are supposedly servicing different segments of the market.

Nevertheless all centres are comprised of shops which are competitive to a greater or lesser extent. Generally a higher order centre will contain all the functions of lower order centres which will compete, but will also contain other additional functions which will not.

1.4 Recommendations for Specific Centres for the Strategy Period (2006)

1.4.1 City Centre

It is recommended that:

- For the period of this strategy, until 2006, the policy of actively promoting Joondalup in favour of competing centres should be continued, but should be reviewed after that time.
- In the long term, the Joondalup City Centre should continue to develop in accordance with approved structure plan towards a nla of approximately 100,000 m² although this figure should not be restrictive .
- There should be a sustained effort (including active lobbying by the Council) to attract tertiary sector (office) employment generating land uses. The

employment target of 45,000 jobs, while optimistic on current trends, should be retained.

1.4.2 Town Centres

It is recommended that:

Warwick Centre

- The Council consider any proposals for expansion of the centre or the establishment of mixed business in peripheral areas in the context of an approved structure plan based on 'main street' principles.

It is recommended that:

Whitford Centre

- Expansion to Whitford Centre be restricted to 50,000 m².
- Expansion should be in accordance with regional guidelines, in the context of intensification of surrounding land use (conversion of adjoining houses to non-retail mixed use), diversification of land use within the site, and an agreed structure plan

1.4.3 Small Town Centres

It is recommended that:

Currambine Centre

- No expansion over 10,000m² be permitted until it can be demonstrated that the planned commercial structure of the centres in the north of the City has been substantially developed to their planned sizes and trading patterns have settled.
- Nothing in the recommendation above shall preclude the incremental expansion of Currambine along 'main street principles' as envisaged under Section 5.2.6 of the Metropolitan Centres Policy contained in Statement of Planning Policy No 9 (17/10/00).

It is recommended that:

Greenwood Centre

- The shopping centre site and a peripheral area of about 200 metres wide around the site should be included in a Centre zone in the Town Planning Scheme.
- The Council consider any proposals for expansion of the centre or the establishment of mixed businesses in peripheral areas in the context of an approved structure plan based on 'main street' principles.

1.4.4 Tourist Centres

It is recommended that:

- The Council and the WAPC consider any proposals for expansion of a marina complex or the establishment of additional leisure orientated commercial business at Hillarys Marina and Ocean Beach Boat Harbour and in adjacent areas in the context of an approved structure plan.

1.4.5 Village Centres

It is recommended that:

- The Council progressively include village centres and peripheral areas, about 100 metres wide, in a Centre zone in the Town Planning Scheme as structure plans are approved.
- The Council consider any proposals for expansion of a centre or the establishment of mixed business in peripheral areas in the context of an approved structure plan based on 'main street' principles.

1.4.6 Local Shops

It is recommended that:

Insert new definition for local shops to not exceed 200 m² nla with an aggregate of not more than 1000 m², and on a separate lot of not less than 1000 m² with direct street frontage of not less than 20 metres. Local shops be permitted in the Business and Mixed Use zones as outlined in Schedule 3. No expansion should be permitted without the preparation of an acceptable centre plan.

1.4.7 Mixed Business Areas/Community Business Parks

It is recommended that:

- Facilitate provision of mixed business areas in centres at Whitford City, Warwick Grove, Currambine, Greenwood Village and Woodvale Boulevard.
- Encourage further growth and development of existing mixed business areas at Joondalup Service Trades Area and Canham Way.
- Promote and provide for community business parks:
 - within or adjacent to centres at all levels in the functional hierarchy;
 - on appropriate freestanding sites which:
 - are located within 500 metres of rail stations and public transport termini;
 - are located on major arterial roads which are easily accessible and benefit from good exposure;
 - have good road access, other services and a high quality physical environment;
 - are located so as not to adversely affect the amenity and character of existing -residential areas by way of privacy, traffic generation or other consequences incompatible with residential development;

- have minimum and maximum site areas of 4 hectares and 10 hectares respectively.

1.4.8 Station Precincts.

It is recommended that:

- The Council co-operates with Westrail to maximise commercial and other employment generating opportunities at railway stations.

1.5 CONCLUSIONS

At present the City of Joondalup is under-supplied with retail and commercial floor area, relative to its population, when compared with the metropolitan region as a whole, or the more mature urban areas immediately to the south of the City, in the City of Stirling. Over the next 7-8 years Joondalup will be reaching maturity. Its residential areas will be fully developed. In time land uses will begin to evolve into the higher order uses which are more prevalent in the older areas of the metropolitan region. This strategy sets the initial stages of this in motion. The thrust of the recommendations is that the period to 2006 should be a catch up period for the City with respect to commercial activity – in its broadest sense – recognising that such landuses provide a service to the community and create employment.

The basis for this recommended strategy is that the Council should be positive and pro-active towards expanding the retail and commercial base in the City as a primary means of generating employment.

Notwithstanding that the community can be alarmed at, and antagonistic towards, unforeseen or ad hoc proposals to expand or introduce new shopping centres or commercial development in residential areas, this can be achieved if carried out sensitively and with full community consultation. The tools to achieve this are already incorporated in the Town Planning Scheme 'Centre' zone and structure plan provisions.

File No:

Previous Policy No: 3.2.8


Amendments: CJ351-11/00

Related Documentation:

Issued:

TABLE 1 - CITY OF JOONDALUP CENTRES STRATEGY

Centre Functions

	CITY CENTRE	TOWN CENTRE	SMALL TOWN CENTRE	TOURIST CENTRE	VILLAGE CENTRE	LOCAL SHOPS	CENTRES ADOPTING 'MAIN STREET' PRINCIPLES
ALTERNATIVE MCP NAMES	Strategic Regional Centre	Regional Centre	District Centre	Tourist Centre	Neighbourhood and Local Centre		
PRIMARY FUNCTIONS	Multi purpose and major employment centres for a full range of retail, commercial, administrative, entertainment, leisure, recreation and regional community facilities	Multi-purpose centres for retail, commercial, community, leisure and entertainment facilities.	Centres for weekly retail, service and community facilities	Centres for tourist, commercial recreation and tourist and marine business open seven days a week till late.	Low key centres for convenience shopping, small offices and local services and community facilities within easy access from residential neighbourhood.	Daily consumables and services.	As for centres in the hierarchy.
PREFERRED LOCATION	Primary road, rail station and major public transport services.	Primary road, rail station and major public transport services.	Major distributor road, and public transport services.	Suitable coastal or other tourist location	District distributor road intersection and bus route, on the edge of the catchment area.	Main local distributor road intersection.	As for centres in the hierarchy
Office and Community Uses	Major offices of businesses and government, professional offices and major entertainment and leisure facilities.	Office development, professional offices and entertainment facilities.	District level offices such as professional, sales and service offices.	Offices and community services associated with tourist or marine business as appropriate. Some related professional offices may be appropriate.	Small offices and other low impact employment premises.	Not encouraged	As for centres in the hierarchy
Retail Types	Department stores, discount department stores, major supermarkets, major specialised stores, specialty and convenience stores.	Discount department stores, supermarkets, specialty stores and convenience stores.	Minor discount department stores, supermarkets, specialty stores and convenience stores.	Predominantly tourist orientated retail. Includes all marine and water based retailing. A Mix of convenience retailing should also be permitted.	Supermarkets, convenience stores and local shops.	Daily convenience goods only.	As for centres in the hierarchy
Licensed Premises*	Hotels, motels, taverns, restaurants, convention centre, liquor store, major amusement and recreational facilities	Hotels, motels, restaurants, liquor store, café, amusement & recreational facilities.	Hotel, taverns, restaurants and cafés.	Hotels, taverns, restaurants , night clubs, amusement parlours and cafes.	Low key café.	Small licensed café, less than 100 m ²	As for centres in the hierarchy



	CITY CENTRE	TOWN CENTRE	SMALL TOWN CENTRE	TOURIST CENTRE	VILLAGE CENTRE	LOCAL SHOPS	CENTRES ADOPTING 'MAIN STREET' PRINCIPLES
Fast Food Outlet	Free-standing appropriate	Free-standing appropriate	Free-standing appropriate	Free standing as appropriate.	Low key in centre	Not permitted	As for centres in the hierarchy
Cinemas	Major multi screen cinema complexes	Major multi screen cinema complexes	Maximum of two cinemas screens.	Maximum of two cinemas screens.	Maximum of one cinema screen.	Not permitted	As for centres in the hierarchy
Shopping Floorspace Guide	Unrestricted, or up to 100,000 m ² as specified	Up to 50,000 m ²	Up to 15,000 m ²	Size determined by structure plan.	Up to 3,000 m ² , or 4,500 m ² where siting criteria is satisfied.	200 m ² max for each shop, aggregate less than 1,000 m ²	Up to 100,000 m ² depending on the hierarchy and MCP qualifications.
Plans	Structure Plan	Structure Plan	Structure Plan	Structure plans supported by architectural perspectives and artists impressions.	Structure Plan	Outline Plan	Structure Plan
Other Retail/ Commercial**	To be provided adjacent to main centre.	To be provided adjacent to main centre.	To be encouraged.	To be encouraged – especially craft industries and sales.	Permitted subject to siting criteria.	Not permitted	As for centres in the hierarchy
Per Capita nla Rate	Combined with regional centres	0.62 m ²	0.41m ²	Per capita ratio not applicable	0.55 m ²	Not applicable	
Other Design Criteria				Main street principles with as much 'public domain' as possible.		Designed to service 200 homes.	Main Street principles.

* Approvals subject to licenses granted under the provisions of the Liquor Act, 1988.

** Any commercial use which is harmonious in its context to surrounding uses.

SCHEDULE 3 – RETAIL NET LETTABLE AREA FOR CENTRES

MAP REF NO	LOCALITY	CENTRE TYPE	MAXIMUM NLA (m ²)
	Joondalup City Centre including Lakeside Shopping Centre	C	Up to 100,000
	Whitford City	T	50,000
	Warwick Grove	T	38,000
	Currambine	ST	10,000
	Greenwood Village	ST	10,000
	Woodvale	ST	10,000
	Hillarys Boat Harbour	Tourist	To be determined by Structure Plan
	Ocean Reef Boat Harbour	Tourist	To be determined by Structure Plan
1	Beach Road, Duncraig	V	Below 4,500*
2	Burragah Way, Duncraig	V	Below 4,500*
3	Sheppard Way, Marmion	V	Below 4,500*
4	Arnisdale Road, Duncraig	V	Below 4,500*
5	Marri Road, Duncraig	V	Below 4,500*
6	Coolibah Drive, Greenwood	V	Below 4,500*
7	Moolanda Boulevard, Kingsley South	V	Below 4,500*
8	Warburton Avenue, Padbury	V	Below 4,500*
9	Kingsley Drive/Creaney Drive, Kingsley	V	Below 4,500*
10	Hillarys (Flinders Avenue)	V	Below 4,500*
11	Trappers Drive, Woodvale	V	5,000*
12	Perilya Road, Craigie	V	Below 4,500*
13	Oceanside Promenade, Mullaloo	V	Below 4,500*
14	Koorana Road, Mullaloo	V	Below 4,500*
15	Gunter Grove, Beldon	V	Below 4,500*
16	Wisteria Parade, Edgewater	V	Below 4,500*
17	Gwendoline Drive, Beldon	V	5,000*
18	Marina Boulevard, Ocean Reef	V	Below 4,500*
19	Caridean Street, Heathridge	V	Below 4,500*
20	Glenelg Place, Connolly	V	Below 4,500*
21	Constellation Drive, Ocean Reef	V	Below 4,500*
22	Iluka	V	Below 4,500*
23	Currambine	V	Below 4,500*
24	Candlewood Boulevard, Joondalup	V	Below 4,500*
25	Kinross	V	Below 4,500*
	Lilburne Road, Duncraig	LS	Below 1,000**
	Adalia Street, Kallaroo	LS	Below 1,000**
	Moolanda Boulevard, Kingsley North	LS	Below 1,000**
	Kinross Drive, Kinross	LS	Below 1,000**
	Blackwattle Parade, Padbury	LS	Below 1,000**
	Alexander Road, Padbury	LS	Below 1,000**
	Harman Road, Sorrento	LS	Below 1,000**
	West Coast Drive, Sorrento	LS	Below 1,000**
	Hillarys (Whitfords Avenue)	LS	Below 1,000**

NOTES

- * Generally Village Centres over 3,000 m² or expansion to over this figure will not be supported unless it can be shown there is a need and that the proposed expansion will be based on 'mainstreet' shopping principles.
- ** Generally local shops over 1,000 m² or expansion to over this figure will not be supported.

CLASSIFICATION OF CENTRES

C	City Centre
T	Town Centre
ST	Small Town Centre
V	Village Centre
LS	Local Shops

POLICY 4-1 – CODE OF CONDUCT

STATUS:	Council Policy - <i>A strategic policy that sets governing principles and guides the direction of the organisation to align with community values and aspirations.</i> <i>Council policies are developed by the Policy Committee for approval by Council.</i>
RESPONSIBLE DIRECTORATE:	Office of the CEO
OBJECTIVE:	To provide guidance to Elected Members and Staff in relation to: <ul style="list-style-type: none">➤ The duties and responsibilities that apply to each; and➤ The minimum standard of conduct that the City expects from Elected Members and Staff.

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PART 1 - INTRODUCTION

The Council of the City of Joondalup is the elected body responsible for the administration of the City in the best interests of its residents. The Council is committed to providing open, responsive and accountable government. It must do that in accordance with the applicable legislation.

The Local Government Act confers considerable powers on the Council. Because of this, Elected Members, Committee Members and Employees must seek actively to achieve and retain public trust if they are to deserve the responsibilities entrusted to them.

The Code of Conduct provides a framework for behaviour that must be observed in the wide range of interactions and scenarios experienced in the conduct of Council activities. The Code of Conduct does not establish a rule for every situation, but provides guidance and a basis of expectations for good public administration by Elected Members, Committee Members and Employees of the City.

The local community and the public in general is entitled to expect that:

- The business of the Local Government will be conducted with efficiency, impartiality and integrity;
- Elected Members, Committee Members and Employees will obey the spirit and the letter of the law and, in particular, the provisions of all relevant statutes, ordinances, regulations and instruments; and
- Duty to the public will always be given absolute priority over the private interests of Elected Members, Committee Members and Employees.

A Code of Conduct is an important instrument of the Council, necessary due to the particular relationships and responsibilities that arise from being a public institution. To ensure the effective and efficient administration of the City of Joondalup, a set of standards is essential to clearly outline these responsibilities and the behaviours that need to be observed to retain the good faith and trust of all parties involved.

The Code of Conduct does not override or affect the legislation applicable to local government. It is not intended to be read as a set of rules where each word is scrutinised for its legal meaning. The Code of Conduct is intended to convey in plain words the obligations placed on, and the behaviour expected of all of the Council.

This Code of Conduct applies to every individual Elected Member, Committee Member and Employee of the City of Joondalup.

PART 2 - GUIDING PRINCIPLES

Guiding Principles of Elected Members, Committee Members and Council Employees

The City of Joondalup's Strategic Plan 2000-2005 outlines the Guiding Principles of Elected Members, Committee Members and Council Employees based on a commitment to:

Community Focused

- We will develop a sense of belonging/ownership.
- We will understand community diversity and harmony, meeting changing customer needs.

Sustainability

- We will promote an integrated environmental, social and economic approach to all our activities.
- We will focus on improving quality of life for current and future residents and ratepayers.

Best Value

- We will provide value for money with our quality services.
- We will use the most efficient and effective processes continuously improving our delivery.

Leadership through Partnerships and Networks

- We will develop partnerships and networks.
- We will gain support from key stakeholders.

Flexibility in Service Delivery

- We will be flexible in our planning to accommodate changing circumstances.
- We will be flexible in our delivery of a range of services and programs.

Interaction Between Elected Members, Committee Members and Council Employees

The role of Elected Members and Committee Members compared to the role of Council employees is quite different. In essence, the Council decides policy objectives and the results it wishes to achieve and, subject to any specific directions from the Council, the CEO (and employees) has responsibility to put those policy decisions into practical effect.

A prime responsibility of council employees and delegates is to assist Elected Members and Committee Members in their decision-making role. Employees should always provide frank and professional advice.

The Council or individual Elected Members or Committee Members may request or direct the provision of advice on any topic but shall not under any circumstance direct or request the advice to contain any predetermined content or recommendation.

The CEO is responsible to the Council for performance and direction of all employees and delegates in the day-to-day management of Council. It is appropriate that all requests by Elected Members or Committee Members for information be directed to the CEO, Directors or Business Unit Managers as appropriate.

Therefore, just as there are different obligations under the Local Government Act for Elected Members and Committee Members in comparison to Employees, there is a distinction between the way the Code of Conduct applies to those parties.

PART 3 – VALUES AND ETHICAL STANDARDS

A Code of Conduct is determined by the values and ethical standards on which it is based. The Council of the City of Joondalup believes that acting ethically is central to its public accountability, the successful achievement of its vision and performance of its role.

Values

The City of Joondalup's Code of Conduct is governed by five key values.

- **Living our values**

As a progressive local government intent on 'creating the future', we have a special responsibility to the people of Joondalup. We show this by practicing our values in the work we do.

- **Customer Service Excellence**

We take pride in delivering excellent customer service in a professional, timely and courteous manner.

- **Leadership**

We encourage leadership and innovative thinking at all levels of the organisation.

- **Participation**

Throughout the ongoing process of change, we encourage participation and good communication. We encourage an active local democracy.

- **People**

We value our people by recognising their creativity, experience, commitment and potential. We welcome and encourage new ideas.

Ethical Standards

The Code of Conduct is also governed by three ethical standards:

Respect for Persons

This standard requires that we treat other people as individuals with rights to be honoured and defended, and empower people to claim their rights if they are unable to do it for themselves. We encourage honest relationships by being truthful and sincere when dealing with others.

- It is our respect for the rights of others that qualifies us as members of a community, not simply as individuals with rights, but also with duties and responsibilities to others.

Justice

This standard requires that we treat people fairly, without discrimination, and with rules that apply equally to all. We ensure that opportunities and social benefits are shared equally among individuals, with equitable outcomes for disadvantaged people. We uphold the laws of the Council of the City of Joondalup and comply with relevant State and Federal legislation.

Beneficence

This standard requires that we do for others what we would like done for ourselves – that we do good, and not harm, to others. We must be aware that the strong have a duty of care to the weak, dependent and vulnerable and uphold the rights of those who are unable to do so. We shall contribute to the well-being of individuals and society by exercising due diligence and duty of care to others.

PART 4 – IMPLEMENTATION, REVIEW AND COMPLIANCE

Implementation and Review

The original Code of Conduct for the City of Joondalup was first adopted on 23 April 1997 with immediate effect.

There is a requirement to review the Code within 12 months of every ordinary election of Council Members for the City. The review is designed to address any problems experienced within the preceding 12 months in regard to its application or interpretation, and recommend any amendments that may be appropriate. Amendments to the Code must be subsequently communicated to Elected Members, Committee Members, Employees and the community.

Enforcement of the Code

Any Council employees, Elected Members or Committee Members having concerns with regard to an actual, perceived, potential, intended or unintended breach of either the specific provisions or the spirit of the Code of Conduct, or any provisions of the Local Government Act or such regulations or local laws created thereunder, should discuss those concerns with the **CEO where such matters relate to Elected Members or employees, or the Mayor in the case of matters involving the CEO.**

Matters the subject of such reports shall be treated in the strictest confidence until such time as an appropriate investigation has been undertaken.

Any actions taken as a result of a breach will be made in accordance with the provisions of any applicable legislative requirement and the Council's responsibilities as an employer. It should be noted that the Corruption and Crime Commission Act 2003, requires the reporting to the Commission of certain matters relating to alleged 'corrupt conduct', 'criminal conduct' and 'serious improper conduct'. Definitions of these terms are provided in the Act and appear as annexure 1 to this Code.

PART 5 - CONFLICT AND DISCLOSURE OF INTEREST

5.1 Conflict of Interest

Elected Members, Committee Members and Employees should ensure that there is no actual or perceived conflict or incompatibility between the impartial fulfilment of their public or professional duties and either their personal interests, or those of their immediate family members, business partners or close associates. Specifically;

- (a) All employees have a duty of fidelity and good faith towards the City.

An employee must make written disclosure and receive written permission from the CEO before acting in or taking up an interest (direct or indirect) in any capacity in any trade, business or occupation whatsoever, other than the business of the City, that may interfere with or compromise the employee's performance.

Employees shall comply with the Local Government (Functions and General) Regulations 1996, in any instance where they are involved in any manner with tendering for a Council contract.

In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of public duties must be scrupulously avoided.

- (b) Employees must notify the CEO in writing prior to undertaking a dealing in land in the area of the Council (other than purchasing the principal place of residence, or site for such purpose.)

- (c) Employees who exercise a regulatory, inspectorial or other discretionary function must make disclosure before dealing with relatives or close friends and, whenever possible, or in doubt, should disqualify themselves from dealing with those persons. This disclosure must be made to their Director.

The mere fact that a person has both a public or professional duty and a private or personal interest in relation to a particular matter does not mean that the two must be in conflict. A conflict of interest arises if it is likely that the person with the private or personal interest could be prejudicially influenced in the performance of his/her public or professional duties by that interest, or that a reasonable person would believe that the person could be so influenced.

5.2 Disclosure of Interest

- (a) Elected Members, Committee Members and Employees will adopt the principles of disclosure of interest as contained within the Local Government Act 1995 and the Financial Interests Manual as prepared by the Department of Local Government.
- (b) Whenever disclosure is required by (a) above, or otherwise seems appropriate, it will be made promptly, fully, and in writing to the CEO prior to the Meeting.
- (c) Elected Members, Committee Members or Employees are required to disclose any interest, where they believe that the public may have a perception that their impartiality may come into question. The disclosure must occur when the matter is to be discussed at a Council or committee meeting where the person who has the interest will be in attendance and/or has given, or will give, advice.
- (d) The disclosing of an interest as detailed in (b) and (c) above is to be made immediately before the matter is discussed or at the time the advice is given, and shall be recorded in the minutes of the Meeting.
- (e) The disclosure of an interest in (c) above does not affect the ability of the Elected Member, Committee Member or Employee to discuss or vote on the matter.

PART 6 – CONDUCT OF ELECTED MEMBERS, COMMITTEE MEMBERS AND EMPLOYEES

Use of Confidential Information

Elected Members, Committee Members and Employees shall not use confidential information to gain improper advantage for themselves or another person or body in ways which are inconsistent with their obligation to act impartially in the public interest; or to improperly cause harm, detriment or impairment to any person, body, or the Council.

Due discretion shall be exercised by all those who have access to confidential or sensitive information.

Improper or Undue Influence

Elected Members, Committee Members and Employees shall not take advantage of their position to improperly influence any other person in order to gain undue or improper (direct or indirect) advantage or gain, pecuniary or otherwise, for themselves or for any other person or body.

Persons aggrieved by what they perceive as improper or under influence shall report such conduct, in confidence, to the CEO or Mayor. Notwithstanding this, aggrieved persons also have the right to report such conduct to the appropriate external authorities. In making reports of improper or undue influence, persons should not make unsubstantiated allegations and must present factual information, not based on rumour or suspicion, so as to avoid undue concern to others.

Gifts and Acts of Hospitality

Elected Members, Committee Members and Employees shall not seek or accept (directly or indirectly) from any person or body, any immediate or future gift, reward, donation, inducement or benefit for themselves or for any other person or body, relating to their status with the Council, or their performance of any duties or work which touches or concerns the Council.

The Mayor and/or CEO may accept acts of hospitality for local community related events. Where neither can attend, they may designate an appropriate person to attend in their place. The offering of these acts of hospitality must be promptly recorded in the relevant register kept by the Council, whether accepted or not.

Notwithstanding the preceding paragraph, Elected Members, Committee Members and Employees may accept token gifts and/or moderate acts of hospitality. The offering of all token gifts or acts of hospitality, must be promptly recorded in the relevant register kept by the City, whether accepted or not.

The term gift does not include:

- Items which are associated with the giving of gifts in accordance with social customs. These items include token gifts of appreciation or gifts of a symbolic nature such as ties, scarves, cuff links, pens or other small items.

Token gifts or moderate acts of hospitality are defined as where its estimation is less than \$200 in value. In determining the acceptance of token gifts and/or moderate acts of hospitality, the following guidelines must be adhered to:

- The offering of any token gift and/or moderate act of hospitality must be promptly recorded in the relevant register, including the name and address of the offeror, description of the token gift/act of hospitality, its estimated value, the date of the receipt of the token gift, and whether it was accepted or declined;
- Where a partner is invited to attend a function that is related to the City of Joondalup with the Elected Member, Committee Member or Employee, the partner may accept token gifts or moderate acts of hospitality;

- The acceptance of token gifts and/or moderate acts of hospitality by a particular Elected Member, Committee Member or Employee from a person(s) or organisation on a frequent basis shall not be permitted.

No company or individual with a proprietary or beneficial interest may pay or contribute to any expenses associated with the inspection, evaluation or trial of any goods or services which the Council may or may not wish to acquire, provided however that the Council may require the payment of those expenses as a standard condition applicable to all parties with an interest in providing the required goods or services to the Council.

In determining the acceptance of token gifts/benefits and moderate acts of hospitality, the following guidelines must be adhered to at all times by Elected Members, Committee Members or Employees.

All gifts not of a token kind and all offers of immoderate acts of hospitality must be:

- (a) promptly returned (except in the case of acceptances by the Mayor or CEO referred to above) or, at the CEO's or designated appropriate person's discretion, donated to charity and in either case, a letter of explanation must be sent to the donor; and
- (b) promptly recorded in the relevant register kept by Council. Elected Members, Committee Members and the CEO (or Employees to whom any power or duty has been delegated under Part 5, Division 4 of the Local Government Act) must disclose in a primary or annual return:
 - (i) the description of any gift received by them at any time during the return period;
 - (ii) the name and address of the person who made each gift to which paragraph (a) applies unless the amount of the gift does not exceed \$500.00 or was received from a relative.

The following notations are made in relation to accepting gifts (token or non-token) or acts of hospitality:

- gifts may be accepted where they become the property of the City of Joondalup;
- the register of disclosure shall be made available for access to the public at all times with the register being retained within the office of the CEO;
- the amount of a gift comprising property, other than money, or the conferral of a financial benefit is to be treated as an amount equal to the value of the property or the financial benefit at the time the gift was made;
- variations to these conditions are permitted where prior written approval is granted by the Mayor or CEO and recorded in the register of delegations.

Disclosure of election campaign contributions

In the interests of uncompromised decision making, the City of Joondalup requires all electoral candidates to comply with the Local Government Act 1995 and its associated regulations in disclosing electoral donations. A candidate is to disclose information about any electoral related gift with a value of \$200 or more that may be received within the six (6) month period prior to the relevant election day.

- a) A “gift” includes a gift of money, a gift which is non-monetary but of value, a gift in kind or an inadequate financial consideration or the receipt of a discount (where the difference or the discount is more than \$200 worth), financial or other contribution to travel, the provision of a service for no consideration or for inadequate consideration, and a firm promise or agreement to give a gift at some future time.

A gift does not include a gift by will; a gift by a relative; a gift that the candidate would have received notwithstanding his or her candidature; or the provision of volunteer labour.

- b) The disclosure of a gift is to be made to the CEO of the local government in the manner prescribed and in doing so identify specified information (see c).
- c) Details about each gift are to be disclosed on the prescribed form and submitted within three days of receiving the gift. Information to be supplied includes the name of the candidate, the name and address of the donor, the date the gift was promised or received, the value of the gift and a description of the gift.
- d) The disclosure period commences six months prior to the relevant election and finishes three days after the election day for unsuccessful candidates and on the start day for financial interest returns for successful candidates.
- e) The CEO is to establish and maintain an electoral gift register. Disclosure forms are to be placed in the electoral gift register upon receipt by the CEO in a manner that clearly identifies and distinguishes the candidates. The electoral gift register is to be kept available for public inspection.
- f) In accordance with the Local Government (Elections) Regulations, 1999, a maximum penalty of \$5,000 may be imposed on a candidate who fails to comply with the disclosure requirements.

Personal Behaviour

Elected Members, Committee Members and Employees shall:

- (a) *act, and be seen to act, properly and in accordance with the requirements of the law and the terms of this Code of Conduct in particular:*

- (i) *The Equal Opportunity Act 1984 (WA) and subsequent amendments made it unlawful to discriminate against people on the grounds of sex, marital status, pregnancy, race, racial harassment, religious status, family responsibility or age.*

The City will ensure compliance with the principles and provisions of the Equal Opportunity Act 1984 (WA), this commitment extends to ensuring that recruitment and selection, promotion and advancement will be solely on the basis of equity and fairness and that appointment will be based on merit;

- (ii) *All people have a right to work in an environment that is free from sexual harassment. Sexual harassment will not be tolerated in the City of Joondalup. Any Elected Member, Committee Member or Employee found to be committing sexual harassment will be subject to discipline and/or termination proceedings.*

- (b) perform their duties impartially to the best of their ability and in the best interests of the community, uninfluenced by fear or favour;
- (c) deal with all sections of the community in an open, honest and forthright manner;
- (d) act in good faith (ie honestly, for the proper purpose and without exceeding their powers) in the interests of Council and the community; and shall be particularly mindful to avoid interference in commercial relationships between developers and objectors or between developers competing for the right to develop;
- (e) make no allegations which are improper or derogatory (unless true and in the public interest) and refrain from any form of conduct in the performance of their official or professional duties, which may cause or is likely to cause any reasonable person unwarranted offence or embarrassment;
- (f) always act in accordance with their obligations of fidelity to the Council and not publicly reflect adversely upon any decision of the Council or the Executive Management Group; and
- (g) where practicable, be available for discussion with members of the public following Council and Committee meetings.

Elected Members should represent and promote the interest of their community as a whole, while recognising their particular duty to their own constituents, in accordance with their role as defined by the Local Government Act 1995.

At the same time, Elected Members, Committee Members and Employees should be mindful of the interests of ward members when dealing with issues relevant to a specific ward, and should use their best endeavours to inform Elected Members of such matters.

Civic Leadership

As the appointed leader of the community of Joondalup, the Mayor shall demonstrate the highest level of civic conscience, impartiality and personal conduct.

Respect for Title of Office

Elected Members, Committee Members and Employees shall respect the title of elected office, referring to the Mayor and Councillors by their formal title whilst in the public arena, and thereafter as circumstances dictate. The Mayor is to be addressed as either Mr/Madam Mayor or His/Her Worship the Mayor.

Honesty and Integrity

Elected Members, Committee Members and Employees shall:

- (a) observe the highest standards of honesty and integrity;
- (b) be frank and honest in their official dealings with each other; and
- (c) bring to the notice of the Mayor or CEO, any dishonesty on the part of any other Member, Committee Member or Employee;
- (d) endeavour to resolve serious conflict through initial discussion facilitated by either the Mayor, or the CEO.

Performance of Duties

While on duty, Employees shall give their whole time and attention to the Council business and ensure that their work is carried out efficiently, economically and effectively in accordance with their directions, duties, Council policies and corporate objectives.

In particular, Employees shall ensure that file notes are drafted and placed on record immediately following discussions on issues of substance with persons other than Employees, Elected Members or Committee Members. Such issues shall include matters before the Council, matters impacting on the Council or the organisation of the City of Joondalup, and matters affecting the public interest.

Employees shall at all times ensure that their standard of work and manner reflects favourably both on them and the Council, and is in accordance with the intent of the Council's Customer Service Charter.

In the conduct of their duties, employees are encouraged to develop networks within the local government industry, to encourage and assist their peers, and promote goodwill between local governments.

Compliance with Lawful Orders

- (a) Employees shall obey any lawful order given by any person having authority to make or give such an order, with any doubts as to the propriety of any such order being taken up with the superior of the person who gave the order and, if resolution cannot be achieved, with the CEO;
- (b) Employees should give effect to and uphold the lawful policies of the Council, whether or not they agree with or approve of them.

Administrative and Management Practices

Elected Members, Committee Members and Employees shall ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

Unless confidentiality is essential, administrative and management practices shall be open and accessible.

Elected Members, Committee Members and Employees shall at all times be mindful of their responsibility to maintain full and accurate records in the performance of their duties.

Relationships Between Elected Members, Committee Members and Employees

An effective Elected Member or Committee Member will work as part of the City of Joondalup team with the CEO and other Members and employees. That teamwork will only occur if Elected Members, Committee Members and Employees have mutual respect and co-operate with each other in order to achieve the City's corporate goals and implement the City's strategies. To achieve these outcomes, all parties need to understand each other's roles as specified in the Act and any relevant agreements.

To achieve this effectiveness in teamwork, all Elected Members and Committee Members will: -

- Accept that their role is one of Council leadership, and not a management or administration role;
- Acknowledge that they have no capacity to individually direct employees to carry out particular functions;
- Refrain from publicly criticising employees in a way that casts aspersions on their professional competence and credibility;
- Ensure that no restrictions or undue influence is placed on the ability of employees to give professional advice to the Council.

At the same time, Employees will recognise the Elected Members and Committee Members' views and opinions often reflect valid community viewpoints that should be considered in conjunction with professional opinion. Employees will therefore make every effort to assist Elected Members and Committee Members in the performance of their role, and to achieve the satisfactory resolution of issues that they may raise in the performance of their official role.

Appointments to Committees (External)

Elected Members and Employees representing the Council on external organisations are to ensure that they:

- a) Clearly understand the basis of their appointment;
- b) Provide regular reports on the activities of the organisation in accordance with the confidentiality requirements of that organisation;
- c) Represent the Council's interests on all matters relating to that organisation, whilst maintaining the confidentiality requirements of the City of Joondalup.

Defamation

Comments by Elected Members at meetings of the Council and/or Committees of the Council are covered only by qualified privilege against defamation and this qualified privilege may not extend to comments by employees.

An Elected Member can only rely on the defence of qualified privilege whilst exercising the proper discharge of his or her duties, and doing so in the public interest;

In order to maintain qualified privilege, an Elected Member should ensure that comments made are pertinent to the business of local government and, they are not made maliciously, or without due regard to whether they represent the truth.

PART 7 – DEALING WITH COUNCIL PROPERTY

Use of Council Facilities, Funds, Employees, Equipment and Intellectual Property

Elected Members, Committee Members and Employees shall:

- (a) be scrupulously honest in the use of Council facilities, funds, employees, materials and equipment and shall not misuse them or permit their misuse, or the appearance of misuse by any other person or body;
- (b) use Council resources entrusted to them effectively, economically and lawfully in the course of their duties, and not otherwise;

- (c) not use Council resources (including the services of Council employees) for private purposes, (other than when supplied as part of the contract of employment) unless properly authorised to do so;
- (d) not make unauthorised use of information and other intellectual property produced or registered by employees or external contractors for the Council. The ownership to Intellectual Property that is produced as a result of employment in official duties shall be assigned to the City of Joondalup upon its creation; and
- (e) promote the concept of pride in public property, fostering an awareness of the community's ownership of the City's natural and built environment.

Travelling, Sustenance and Expenses

Elected Members, Council representatives and delegates, and Employees shall only claim or accept travelling and sustenance expenses arising out of travel related to matters which have a direct bearing on the conduct of their duties, services or business of the Council.

Elected Members shall be diligent in ensuring that those other expenses claimed in accordance with Council policy relate strictly to their function as an Elected Member and are appropriately acquitted.

PART 8 – CORPORATE OBLIGATIONS

Communication with the Community

Elected Members, Committee Members and Employees should ensure that the Council effectively communicates with, and promotes participation by, all sections of their communities, in order to achieve proper accountability. At all times, Elected Members, Committee Members and Employees shall focus on the customer of the City's services as being of paramount importance.

Communication and Public Relations

All aspects of communication by employees (including verbal, written, electronic or personal) involving the City of Joondalup's activities, must be accurate, polite and professional, and in accordance with the City of Joondalup's communication guidelines and standards.

As a representative of the community, Elected Members need to be not only responsive to community views, but to adequately communicate the attitudes and decisions of the Council. In doing so, Elected Members must acknowledge that:

- (a) membership of the Council or its Committees, entails respect for the decision making processes of the Council, which are based on a decision of the majority of the Council or Committee;

- (b) information of a confidential nature must not be communicated until it is no longer treated by the City as confidential;
- (c) information relating to decisions of the Council must only be communicated in an official capacity by the Mayor or his/her representative, or a designated officer of the City of Joondalup;
- (d) information concerning adopted policies, procedures and decisions of the City of Joondalup must be conveyed accurately.

Health, Well Being and Safety

Elected Members, Committee Members and Employees should ensure that the Council's premises and places of work (including vehicles) are adequate to ensure the health, safety and well being of Employees and members of the public. Potential risks or hazards to employees or public are to be reported according to existing procedures.

Entrepreneurial Activities

Elected Members, Committee Members and Employees shall ensure that the Council impartially and properly assesses its own proposals for entrepreneurial activities, consistent with the scope and standard of the normal assessment applied to outside parties requiring Council approval (including subdivisions, development, buildings and tenders).

PART 9 – WHISTLEBLOWER PROTECTION

Protection of Employees Reporting Unacceptable or Illegal Behaviour

The CEO is to ensure that Employees who report unacceptable or illegal behaviour of Elected Members or Employees (that is, whistleblowers) are not in any way disadvantaged or victimised because of their actions.

Reporting of Unacceptable or Illegal Behaviour

Employees are encouraged to, in the first instance, report unacceptable or illegal behaviour to the relevant Supervisor or Manager. Behaviour of a serious nature must be reported directly to the CEO.

Corruption and Crime Commission Act 2003

Elected Members and Employees must be aware of the Corruption and Crime Commission Act 2003 which provides for the voluntary reporting of possible corrupt conduct to the Commission. Penalties will prevail if a person who makes a complaint: -

- a) Has his or her safety or career prejudiced, or threatened to be prejudiced;

- b) Is intimidated or harassed; or
- c) Has an act done to his or her detriment because of having assisted the Commission, or furnished information to the Commission.

CODE OF CONDUCT DECLARATION

Declaration:

I _____
have read and understand the conditions of the City of Joondalup Code
of Conduct and hereby agree to abide by the requirements of this
document.

DATE: _____

SIGNED: _____

*Note: Please sign and date the above declaration
and return to HR with your new starter forms.*

File No:
Previous Policy No:
Amendments:
Related Documentation:
Issued:

POLICY 4-2 – SETTING FEES AND CHARGES

STATUS: **Council Policy** - *A strategic policy that sets governing principles and guides the direction of the organisation to align with community values and aspirations.*

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

**RESPONSIBLE
DIRECTORATE:** Corporate Services and Resource Management

OBJECTIVE: To establish a fair and equitable fee structure on a user contributes basis which reflects actual costs for goods and services provided by council and takes into account the City's objectives and community obligations.

STATEMENT:

Goods

'Goods' includes the provision of anything that may be tangible, such as information reports or documentation.

The following shall apply to the provision of goods:

- (a) Fees for the provision of goods will aim at the full economic cost of producing the good;
- (b) Fees will be reviewed annually as part of the annual budget development program.

Services

'Services' includes licensing & inspection fees.

- (a) Fees for the provision of services shall aim at recovering the full economic cost of providing the service.
- (b) Fees will be reviewed annually as part of the annual budget development program
- (c) Authority to waive fees is delegated to the Chief Executive Officer.

Hire Charges

'Hire Charges' includes halls, community rooms and sporting or recreation venues, hired for a specific period.

'Junior' is defined as 18 years and under

'Senior' is defined as 60 years and over, or retired.

Outside venues

These are defined as parks, gardens, ovals and similar.

Council will aim to recover 20% of the annual maintenance cost for all outside recreation areas. To achieve this, hire charges will be set based on the following:

- (a) junior sport & recreation bodies - free of charge
- (b) senior sport & recreation bodies – free of charge
- (c) bodies where the majority of members are Pensioners or Seniors Cards holders - 50% of real cost of provision of area;
- (d) All other groups and individuals - 100% of real cost of provision of area

The area under use to be determined in consultation with the Director Community Development.

Inside venues

These are defined as all built areas, including leisure and aquatic centres, local and community halls, sports centres, clubrooms, and other council owned property.

Council will aim at 100% cost recovery of operating costs for all leisure activities undertaken by Council, bearing in mind the need to:

- (a) maintain premises; and
- (b) provide for future additional and replacement premises.

However the minimum standard benchmark for individual leisure centres will be that established by the centre for Environment and Recreation Management at the University of South Australia.

Hire charges will be determined on a venue-by-venue basis, using the following criteria:

- (a) peak or off-peak booking;
- (b) permanent, temporary or one-off booking;

- (c) whether the booking group is recognised as a charitable organisation by the ATO;
- (d) the type of use to which the venue will be put;
- (e) the age and condition of the venue; and

Costs associated with goods, services and hire charges will be reviewed annually as part of the annual budget development process. The basic principles considered in establishing fees and charges will be:

- (a) cost-contribution;
- (b) fee-for service on a cost-recovery basis; and
- (c) charges that reflect the true cost of providing a facility.
- (d) the venue's population pool and location limitations
- (e) inclusion of GST where applicable.

Lease fees

'Lease Fees' includes all property where a formal agreement to lease, contract to lease or license to occupy is in place or should be in place.

- 1 Council recognises that not-for-profit groups are generally
 - (a) providing a benefit to the community; and
 - (b) not in a position to pay commercial lease rates.
- 2 The standard lease fee is therefore set as follows:-
 - (a) not-for-profit organisations - equivalent of 1% of current capital replacement cost per annum
 - (b) lease fees will be determined in proportion to any contribution made by a user group to the capital cost;
 - (c) all others - market value.
 - (d) inclusion of GST where applicable.
- 3 Lease fees for vacant land provided to not-for-profit organisations will be that determined by the Valuer-General. Such leases or rental agreements will provide mechanisms for revaluation every three years.
- 4 Capital cost will be determined by the Director Corporate Services & Resource Management.
- 5 Any existing anomalies to this policy will be rectified as the opportunity arises.

- 6 Licence to Occupy agreements to be phased out as each agreement ends and then leases will be implemented.

Authority to Waive Fees

Authority to waive fees for goods, services or hire charges is delegated to the Chief Executive Officer on the written support of the responsible officer. This authority does not extend to statutory charges, the municipal rate or service charges incorporated within the Rate Notice

(See S6.16, 6.17, 6.18 & 6.19 of Local Government Act 1995).

File No:

Previous Policy No: 2.4.3, W2; F2-03

Amendments: CJ213-06/99, CJ148-06/00, CJ121-06/02

Related Documentation: National Competition Policy

Issued:

POLICY 5-1 ACCESS AND EQUITY

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Office of the CEO
OBJECTIVE:	To ensure that there is equitable access to the City's information, services and facilities for all residents.

STATEMENT:

The City is committed to ensuring that its activities and services are inclusive of all members, including people with disabilities and their families or carers. The City will make every effort to ensure that any person who lives or works in, or visits the City of Joondalup will not be denied access to any City facility, program, service or information prepared by the City on the basis of personal disability.

This will be achieved through the staged implementation and regular review of the City's Disability Services Plan, which shall incorporate matters relating to:

- Facilities;
- Services;
- Information Dissemination;
- The built environment;
- Staff employment and training;
- Elected Member Induction Program;
- Community consultation; and
- Strategic planning.

File No:

Previous Policy No: SP/DP1, F2-01, 2.6.1; 2.6.2

Amendments: CJ213-06/99

Related Documentation: Disability Service Plan

Issued:

POLICY 5-2 COMMUNITY FUNDING

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	To support the City's role as a community partner in building capacity, developing community ownership and community identity.

STATEMENT:

In order to support community development activities within the City, Council will provide an annual budget to be made available on a grants basis for the following:

- 1 Community funding opportunities;
- 2 Sports development program;
- 3 Leisure facilities Capital Works;
- 4 Financial assistance for individuals.

Funding priorities will be developed on the sustainability principles of sustainability.

Funding priorities will be determined on a triennial basis as part of the City's strategic planning process and incorporated into the funding guidelines developed and administered by the relevant staff, as determined by the Chief Executive Officer.

The guidelines will include the following:

- Eligibility
- Funding criteria;
- Terms of grants;
- Assessment & Approval process; and
- Accountability procedure.

The Chief Executive Officer may approve applications for funding up to and including \$10,000. These will be reported on through the CEO's regular publication to elected members and staff.

Applications recommended for funding greater than \$10,000 require the approval of Council.

File No:

Previous Policy No: H1-01, H1-02, H5-03, H5-04, H5-06, R16
4.1.1; 4.1.2; 4.1.3; 4.1.4

Amendments: CJ213-06/99; CJ303-09/99; CJ240-09/02;
CJ021-02/03, CJ193-08/03; CJ037-02/04;
CJ194-08/04,

Related Documentation: Community Funding Procedures
Funding Guidelines
Delegated Authority Register
Facilities Assessment Process

Issued:

POLICY 5-3 CULTURAL DEVELOPMENT

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	To enrich the cultural development of the Joondalup community

STATEMENT:

Council recognises the important role played by art, culture and heritage collections in shaping and developing a sense of community. It will foster such cultural development by focusing on the following:

Public Art

The state government's Percent for Art Policy will be utilised when developing proposals for new public buildings and extensions over the value of \$100,000. Developers of public facilities will be encouraged to adopt this policy. Projects shall be implemented according to the Public Art Implementation Process as determined by the Chief Executive Officer.

Art Collection, Acquisition and Management

The Council will support contemporary Western Australian art and artists through an acquisition program focusing firstly on high quality art work produced by Western Australian artists and secondly the development of a high quality regional collection. Acquisitions will be managed through a professional Art Consultant who will make recommendations on purchases to the Chief Executive Officer and may reserve pieces on behalf of the City within the annual budget allocation limit. The CEO may approve purchases under \$5,000.

The City's Arts Management Strategy will determine the long-term management, acquisition plan, display, valuation and sale of the collection. The City's Arts Consultant will consider all offers of gifts, donations and bequests and advise the City on the suitability and acceptability of the artwork as part of the Art Collection.

Archive & Memorabilia Collection

The City's archive and memorabilia collections will retain a focus on the local area and be displayed and promoted in such a manner as to promote the education, enjoyment and community participation in the collection. The Collection will be the responsibility of the Manager, Library & Information Services.

File No:

Previous Policy No: H7-01, R9, R11, H9-01, R10, 4.4.1; 4.4.2; 4.4.3

Amendments: CJ213-06/99

Related Documentation: Public art implementation process;
Art Collections and Acquisition management strategy;
Museum collection management strategy

Issued:

POLICY 6-1 RESERVES, PARKS AND RECREATION GROUNDS

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Infrastructure Management and Operations
OBJECTIVE:	To support best management practice for Council controlled reserves, parks and recreation grounds while recognising community needs and community and Council responsibilities.

STATEMENT:

Council will provide a variety of public open spaces that aim to fulfil the community's recreation and environmental needs.

The City will endeavour to provide a range of both passive and active, developed and undeveloped parks throughout the City.

Decisions regarding the development and maintenance approach to each park will relate directly to its classification in the City's Parks Management Plan. Individual management plans will be progressively developed for all parks within the City, in consultation with the community.

Reticulation:

Reticulation in parks will be established and maintained in accordance with the Reticulation Plan and individual park management plans.

Sports Lighting:

Council will install and maintain, at its cost, 2 lighting standards each fitted with up to two floodlights of approximately 1,000w capacity per luminary per cricket or football oval.

Any additional lighting will be the installation and ongoing responsibility of the sports association seeking lights. Installation of additional lights may only be undertaken following the receipt of the relevant Director's written consent and approval of the lighting design and provision of planning consent as required.

Commercial Activities

The City will support the provision of small-scale commercial activities where the applicant is a community organisation that utilises that facility, such as a local surf life saving club or football association.

Where such application is made, the written support and a resolution of the organisation's Management Committee must be provided as part of the application.

Applications for any such service must be made in accordance with the City's relevant Local Laws and must be accompanied by a Certificate of Currency for public liability insurance in accordance with the advice of the City's insurers.

In considering applications for such services, the following will be taken into consideration:

- Environmental impact;
- Demonstrated community demand;
- Provision of alternative commercial services already available.

Child Protection

Prior to making a permanent booking for the use of a City facility, all community groups and associations that have members under 18 years of age are required to provide the City with a copy of their organisation's Child Protection Policy. If the organisation does not have a current policy in place, a permanent booking will not be confirmed.

Alcohol on Council Parks & Reserves

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 pm;
 - Fridays & Saturdays to 12 midnight;
 - Sundays to 10.00 pm

File No:

Previous Policy No: R7, E2-01, H4-05, H4-06, P6, H4-08, P8
2.5.1; 4.3.4; 4.3.5; 5.2.2; 5.2.5

Amendments: CJ213-06/99, CJ189-06/01, CJ269-11/04,
CJ148-06/00, CJ253-11/03

Related Documentation: Local Government & Public Property Local Law 1999;
Trading in Public Places Local Law;
Parks Management Plans;
Reticulation Plan

Issued:

POLICY 6-2 COASTAL LIMESTONE HAZARDS

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Infrastructure and Operations
OBJECTIVE:	To recognise risks associated with coastal limestone cliffs

STATEMENT:

The City aims to manage its coastal limestone cliffs with a conservative approach, in order to minimize the potential for injuries and misadventure to residents and visitors, in a manner that does not render the environment sterile, detract from its natural beauty or unnecessarily diminish use and enjoyment in the process.

It will do this through the implementation of a risk management strategy, developed by the City's staff or external consultants as required, and approved by the City's insurer.

Note: This policy, its associated strategy and guidelines shall not be changed without prior consultation with the City's Insurer.

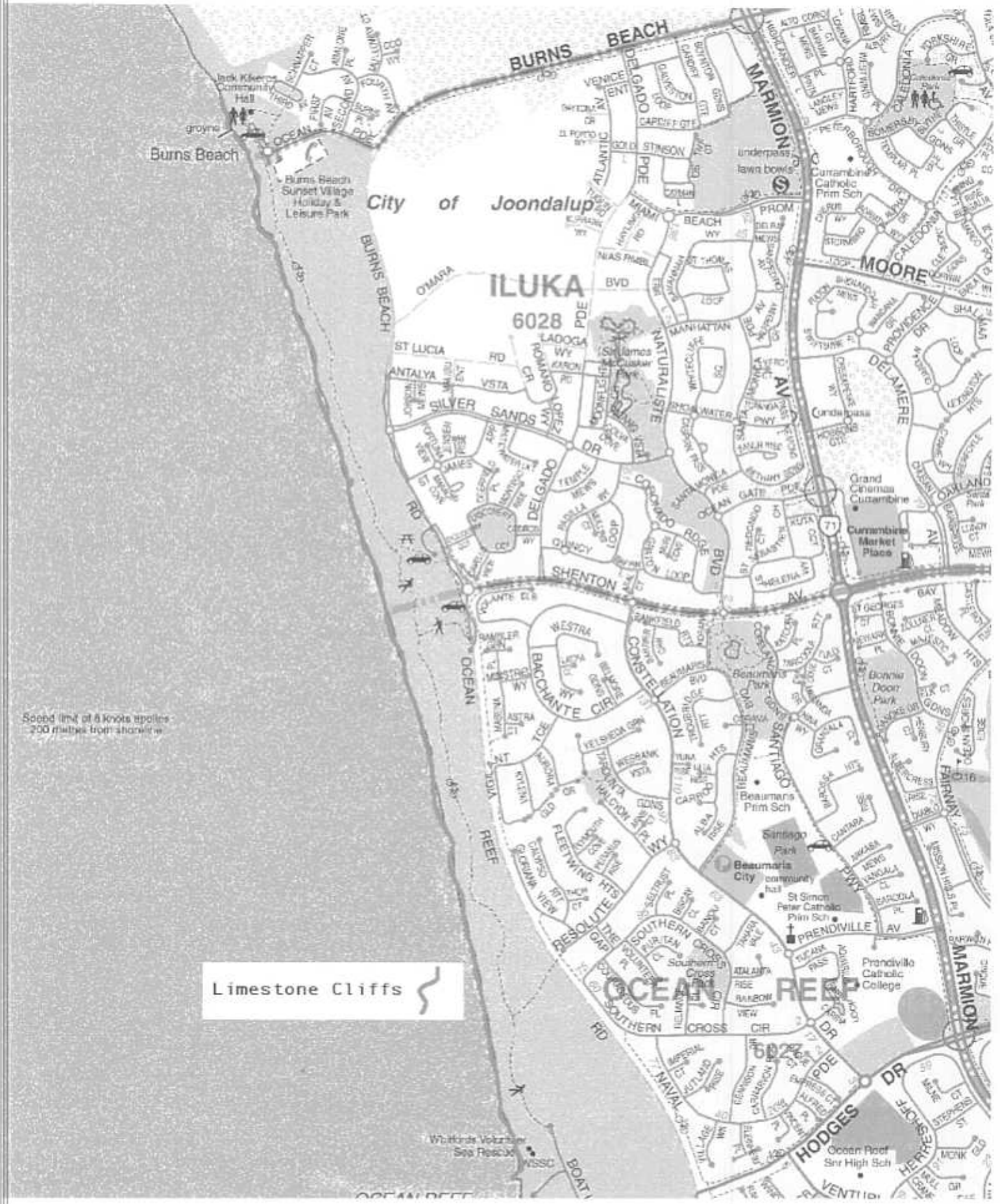
File No:

Previous Policy No: 5.3.6

Amendments: CJ279-11/04

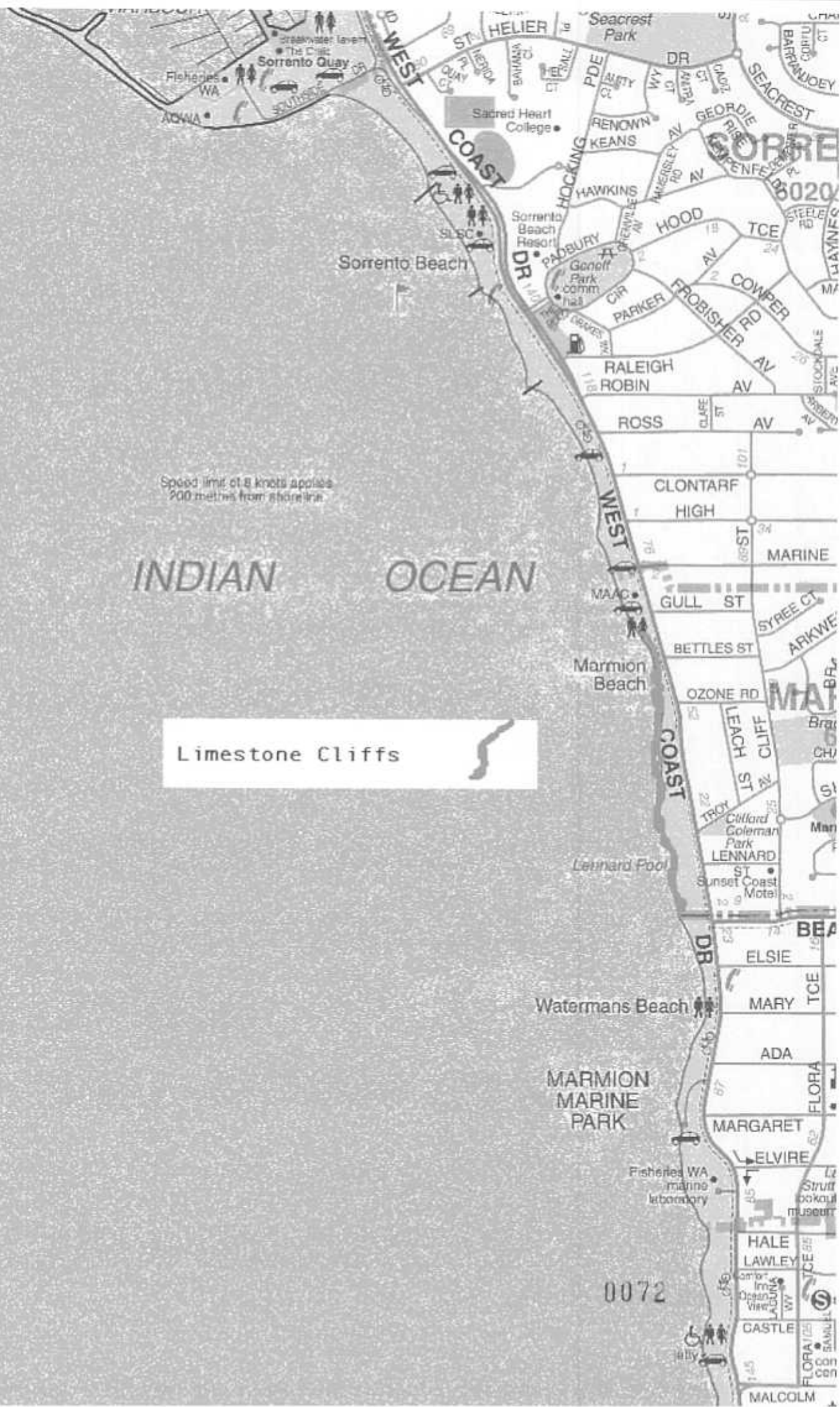
Related Documentation: Guide for assessing Risks for Coastal Limestone Hazards;
Minimising Coastal Limestone Hazards Strategy

Issued:



Speed limit of 6 knots applies
200 metres from shoreline

Limestone Cliffs

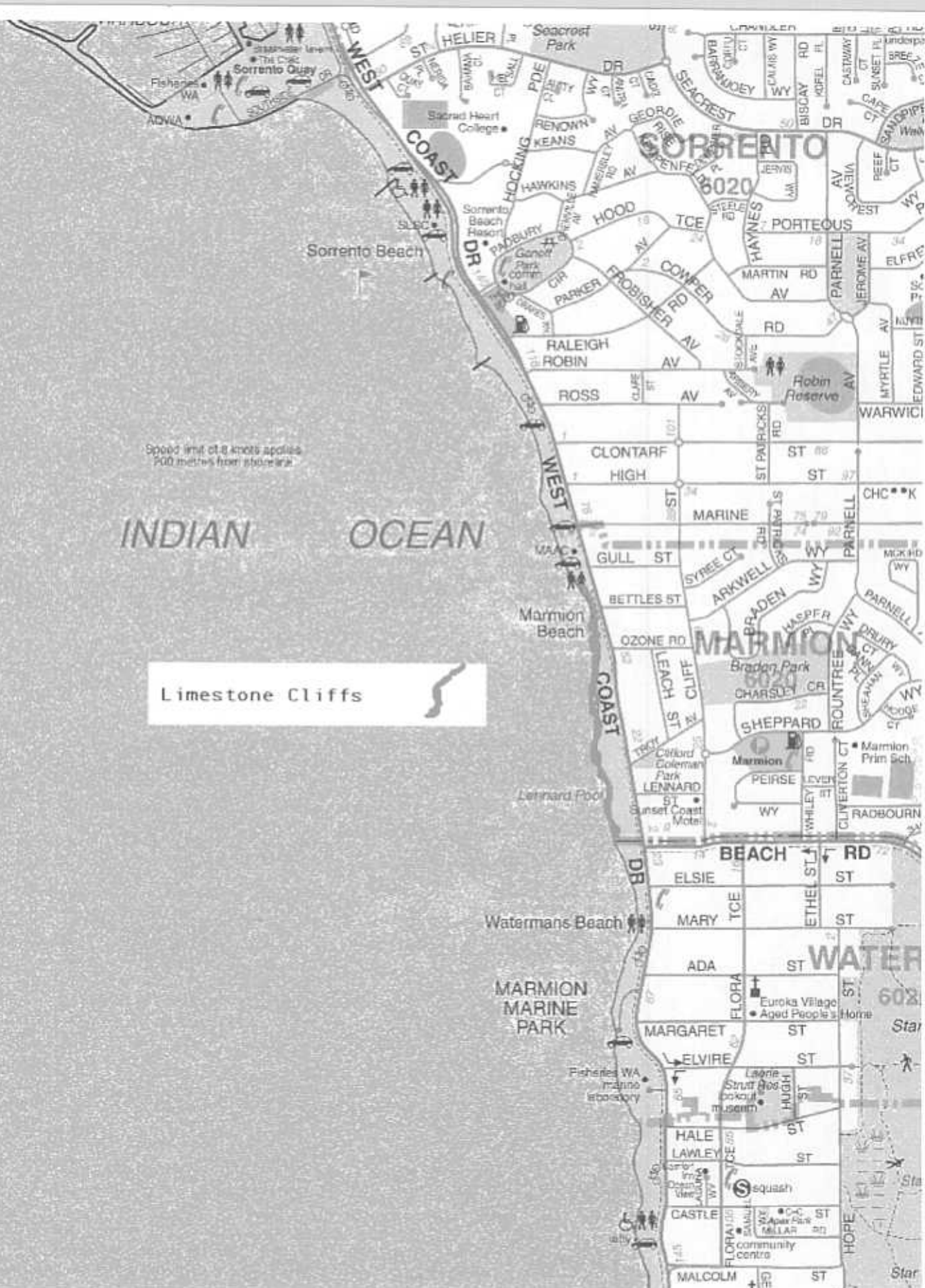


Speed limit of 8 knots applies
200 metres from shoreline

INDIAN OCEAN

Limestone Cliffs

0072



POLICY 6-3 STORMWATER DRAINAGE

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Infrastructure and Operations
OBJECTIVE:	To protect and improve natural areas within the City.

STATEMENT:

The disposal of storm water into natural areas is considered to be detrimental to the biodiversity of the area and is not viewed as a sustainable practice.

Stormwater drainage will not be permitted where land is:

- 1 Classified in Volume 26 of "Wetlands of the Swan Coastal Plain - wetland mapping, classification & Evaluation Atlas";
- 2 Listed as a system six wetland;
- 3 Land reserved for Parks and Recreation and foreshore;
- 4 Classified as Resource Enhancement or Multiple Use Management as per Water & Rivers Commission / Department of Environmental Protection (1996);
- 5 Listed as a coastal reserve;
- 6 A local waterway;
- 7 Any other land which, in the opinion of the Chief Executive officer, is likely to suffer adverse environmental impact from the effects of stormwater drainage.

From time to time the City may be prepared to accept the piped discharge of stormwater drainage to lakes or other wetlands in such reserve lands on the following basis:

- 1 The City is satisfied that no alternative disposal method is reasonably available to the proponent.
- 2 Provision has been made for the pre-treatment of the water to the satisfaction of the Director Infrastructure and Operations and in accordance with the water sensitive design principles/ practices.

File No:

Previous Policy No: G2-06, TS-ID-4, 5.4.2; 5.4.3

Amendments: CJ213-06/99, CJ148-06/00, CJ253-11/03
CJ214-09/04, CJ325-12/04

Related Documentation: Sustainable Joondalup Strategy

Issued:

POLICY 6-4 – TENNIS COURT LIGHTING STANDARDS

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	To ensure that tennis court lighting for facilities throughout the City are to the Standard specified in this policy and that an application must be received from the club using the facility to upgrade the lighting.

STATEMENT:

- 1 Tennis court lighting shall be provided to all new Council funded tennis courts unless there is a community or tennis club requirement for non-illuminated courts.
- 2 Tennis courts shall be illuminated to either an Association Standard or a Recreational Standard and these standards shall be the minimum standard as detailed below:
 - (a) Association Standard

Association Standard illumination shall be provided for tennis court facilities that are operated by Council for Tennis Clubs belonging to the NDTA or West Australian Lawn Tennis Association.
 - (b) Recreation Standard

Recreation Standard illumination shall be provided for tennis court facilities that are constructed and operated by Council for the casual and recreational usage by either the public or clubs.
 - (c) Determination of Standard

A club or users of a tennis court facility may request that the lighting be upgraded from Recreational to Association Standard based upon increase night time usage or as a requirement to enter a night time competition. All requests must be fully documented and supported by patronage figures and the requirements for night time competition. Council shall make a final decision as recommended by the Director Planning and Community Development. Funding for the upgrade, if approved, shall be subject to the allocation of expenditure in Council's Draft and Final Budget and Five Year Plan.

3 Illumination Standards

Council will maintain tennis court lighting installations to ensure illumination levels are as stated in Table 1 (see Appendix) in this policy as follows:

(a) Association Standard

- (i) The minimum average service illuminance within the total playing area shall be 180 lux with a minimum of 150 lux at any point
- (ii) The minimum average service illuminance within the principal playing area shall be 200 lux with a minimum of 180 lux at any point.
- (iii) The uniformity ratios shall be in accordance with Table 1 (see Appendix), which forms part of this policy.

(b) Recreation Standard

- (i) The minimum average service illuminance within the total playing area shall be 100 lux with a minimum of 80 lux at any point.
- (ii) The minimum average service illuminance within the principal playing area shall be 125 lux with a minimum of 100 lux at any point
- (iii) The uniformity ratios shall be in accordance with Table 1 (see Appendix), which forms part of this policy.

(c) Playing Areas

- (i) The principal playing area (PPA) shall extend to 200mm beyond the marked court area.
- (ii) The total playing area (TPA) shall extend to 6 metres beyond the baselines and 3.5 metres beyond the double lines.

4 Council will pay for tennis court lighting charges for tennis courts illuminated to either standard, unless prior or lease arrangements are in effect and therefore preclude this provision

5 If a tennis club requests an upgrade of the existing standard of lighting, then the club shall be responsible for all costs associated with the proposed upgrading beyond the standard determined for that facility. These costs include new or modified poles, luminaires, conduits, cables, fuses and switch boxes, cabinets, upgrade or modified power to the site, consulting engineering fees for investigation and design, pavement and surface reconstruction costs and all other capital costs of the installation.

- (a) The Club shall also be responsible for ongoing operating costs of the upgraded installation beyond the specified standard and shall include lamp, luminaire and control gear replacement and cleaning, wear and tear on the electrical installation and switching points, and all other maintenance costs.
 - (b) The Club shall be responsible for the additional power charges for the upgraded lighting beyond the specified standard.
 - (c) The tennis club shall apply for Council approval to increase or improve illumination levels beyond the specified standard. The application shall detail the proposed standard of lighting, reasons for requesting the change, a plan for the courts to be changed and sources of funding. The application shall be jointly considered by the Director Infrastructure and Operations and the Manager Community Development Services for a recommendation to Council.
- 6 If as a result of investigation, Council is required to upgrade an existing tennis court facility to achieve the minimum standard and the operating club requests approval to upgrade beyond this standard, Council may optionally make a contribution for the upgrading, up to the value of the works to achieve the minimum standard.
- 7 If new tennis courts are to be funded and constructed by Council and the operating club requests an illumination standard beyond that specified, then Council will accept a contribution from the club towards the construction. This contribution will be funded from sources external to Council and include all costs for the higher standard, as outlined in clause five. Construction of the non-electrical components of the courts may proceed prior to funding approvals. Installation of the electrical and lighting facilities will not proceed until the full amount of additional costs required for the higher illumination standard is provided for expenditure by Council.
- 8 Specified Standards
- Table 2 (see Appendix) attached to this policy specifies the standard illumination required for all courts within the City. Illumination standards for courts may be changed in accordance with this policy.
- 9 New Courts
- New courts added to a tennis court facility shall be illuminated to the existing standard in accordance with this policy.

File No:

Previous Policy No: K1-06; TS-ID-5, 5.4.1

Amendments: CJ213-06/99, CJ148-06/00, CJ121-06/02

Related Documentation: N/A

Issued:

ABLE 1 - ILLUMINATION STANDARDS

STANDARD	ILLUMINANCE LEVEL lux						UNIFORMITY			
	PPA			TPA			PPA		TPA	
	Init	Maint	Abs Min	Init	Maint	Abs Min	Emin/Eav	Emin/E _{max}	Emin/Eav	Emin/E _{max}
Association	250*	200	180	220*	180	150	0.6	0.4	0.5	0.3
Recreation	-	125	100	-	100	80	0.6	0.4	0.5	0.3

* - minimum values only - not to be used in design calculations

Table 2 - Standard of Illumination - All Tennis Courts

Court Locations	Number of Courts Illuminated		
	Specified Standard		
	Unlit	Recreation	Association
Blackboy Park, Mullaloo		2	
Camberwarra Park, Craigie		2	
Emerald Park, Edgewater		2	
Fenton Park, Hillarys		1	
Glengarry Park, Duncraig		2	
Heathridge Park, Heathridge: Ocean Ridge Tennis Club			10
James Cook Park, Hillarys		2	
Kingsley Park, Kingsley		2	
Penistone Park, Greenwood		2	
Percy Doyle Reserve, Duncraig (near library)		4	
Timberlane Park, Woodvale: Kingsley Tennis Club			12
Warwick Open Space, Warwick: Greenwood Tennis Club			12
Harbour View Park, Hillarys		2	

POLICY 6-5 BURNING ON PRIVATE PROPERTY

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Infrastructure and Operations
OBJECTIVE:	To preserve local amenity

STATEMENT:

In addition to the provisions in Section 25 of the Bush Fires Act 1954, and the Private property Local law, the following conditions apply to burning on private property.

Residential Garden Refuse and other Rubbish

Garden refuse and rubbish intended for burning shall be placed on the ground in a heap no more than one metre across and to a height of no more than one metre. Only one heap may be burnt at any one time.

Between 1 October and 31 May annually, provided that the day of burning is not designated as an extreme or very high fire danger rating, garden refuse may be burned between 6.00pm and 11.00pm. only.

Cleared Land Development Sites

The burning of cleared vegetation on subdivisional land development sites shall be prohibited at all times.

File No:

Previous Policy No: C1-03, C3-03, 4.6.1, 5.5.1

Amendments: CJ213-06/99, CJ253-11/03

Related Documentation: Private Property Local Law

Issued:

POLICY 6-6 – WASTE MANAGEMENT

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Infrastructure and Operations
OBJECTIVE:	To provide a comprehensive waste disposal service to the City.

STATEMENT:

The City will establish and maintain a comprehensive waste management strategy for public and private property that supports the policy directions of the State Government and other relevant agencies to reduce, re-use, recycle and safe disposal.

The strategy will incorporate the following components:

1 Domestic Waste Collection

Every occupied domestic property within the City shall be serviced with an effective, efficient and economical domestic rubbish service. The collection and disposal of domestic waste shall be in accordance with the Service Level Agreement as approved by Council.

Any variations to the general procedures requested by residents may be provided on a fee for service basis, such fee to be determined as part of the annual fees and charges schedule.

All domestic premises shall be subject to refuse collection charges, to be set as part of the annual budget each financial year.

2 Recycling

A domestic recycling service will be conducted regularly. Residents will be advised of any changes to items appropriate for recycling. The collection and sorting of recycled materials shall be in accordance with the Service Level Agreement as approved by Council.

3 Green Waste Disposal

In order to promote effective green waste recycling, Council shall issue four “clean green” vouchers to each property as part of the domestic rubbish rate each year. The vouchers will be posted with the first rate notice each financial year. New properties coming on to the domestic rubbish service shall be issued with four ‘clean green’ entry vouchers with their amended rate notice.

4 Street Litter

Council will provide litter receptacles in appropriate streets, parks and reserves and at buildings under the care, control and management of Council. These will be emptied on a daily or weekly basis dependent on usage.

A verge litter collection crew will assist with the regular maintenance of council verges.

Council will at all times work in conjunction with the Keep Australia beautiful Council to promote and encourage litter reduction.

File No:

Previous Policy No: 5.1.1, B3-14, G1-02 to G1-04, TS-EWS-2, TS-EWS-3, TS-EWS-5,

Amendments: CJ213-06/99, CJ148-06/00, CJ253-11/03

Related Documentation: Delegated Authority Manual

Issued:

POLICY 7-1 - STATE ADMINISTRATIVE TRIBUNAL – MEDIATION AND REVISED DEVELOPMENT PROPOSALS

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	To ensure that development matters that are brought before the State Administrative Tribunal (SAT) and involve the City of Joondalup, are dealt with in an open and accountable manner.

STATEMENT:

1. In the case of any mediation session before the SAT, where all parties consent, the City will request that the matter be heard in public.
2. In the case of any revised plans or other development matters that are presented by the applicant during the course of the SAT review, the City will request leave to advertise those revised plans or other matters for public comment, prior to establishing a position on the proposed revisions.
3. If leave is granted by the SAT to advertise amended plans or other development matters, the advertising is to be in the same format as the original advertising process. If the matter had not previously been advertised, the proposal is to be advertised in the normal manner appropriate to the application or development matter.
4. Where mediation is to take place, the CEO is to appoint an independent external advocate to represent the City.

File No:
Previous Policy No:
Amendments:
Related Documentation:
Issued:

POLICY 7-2 DISPOSAL OF SURPLUS ASSETS (MINOR)

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Corporate Services and Resource Management
OBJECTIVE:	To work in partnership with the community in building capacity.

STATEMENT:

Council recognises the need to support, develop and foster a harmonious community, and further recognises the role community groups, education facilities and schools play in this role.

To assist these groups the City may, from time to time, offer its surplus assets (minor) to these groups on a demonstrated-needs basis.

The City will consider disposal of such minor assets that have no commercial value to the City and where no risk liability is attached to the asset being given away.

The decision to make such an offer is determined by the Chief Executive Officer, in accordance with the City's budget, asset and cash flow needs and purchasing arrangements.

Where such a decision is made, the availability of the asset will be advertised and applications sought.

Applications will be assessed on the basis of:

- Demonstrated need; and
- Proposed use.

All applicants will be advised, in writing, of the outcome of their application.

File No:	
Previous Policy No:	2.5.6
Amendments:	CJ060-03/02, CJ213-09/03
Related Documentation:	Asset Management Plan Annual Budget
Issued:	

POLICY 7-3 COMMUNITY FACILITIES – BUILT

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	To provide a range of community facilities within the community which meet local and regional needs

STATEMENT:

The City recognises its responsibility to the community to ensure that community facilities:

- Achieve value for money;
- Have the widest possible application;
- Remain relevant to community needs; and
- Meet environmental, health and building standards;

while minimising the extent to which activities held at community facilities adversely affect local residents and the financial burden that they may impose on the wider Joondalup community.

Construction and Extensions/Alterations

Proposals for the construction of new community facilities or extension or alteration of existing community facilities fall generally into three categories:

- 1 Proposals for facilities where the City provides all funding;
- 2 Proposals for facilities where community based organisations seek external funding (eg grants) which require council support and a council contribution; and
- 3 Proposals for facilities where community based organisations seek council support and contributions.

1 City funded facilities:

Any building proposals within the City, whether for new buildings or for additions, shall be subject to review to ensure that they meet the objectives of the City's:

- Strategic Plan;
- Disabilities service Plan;
- Cultural Development Plan
- Corporate responsibilities, and
- identified needs.

A formal assessment procedure will be undertaken at the direction of the Chief Executive Officer. New buildings and substantial renovations will demonstrate the Council's commitment to sustainability, promotion of the arts and public consultation.

2 Community Proposals for Capital Works - grant applications:

Local Community organisations seeking council funding or contributions for capital works are required to:

- Meet eligibility criteria;
- Prepare a needs analysis and facility plan for the facility; and
- Have their proposal assessed using the Community Funding Assessment Plan.

All proposals will be assessed on the following criteria:

- Relevance to strategic plan and the stated Council strategic objectives;
- Demonstrated community support;
- Contribution to a sense of community identity; and
- Immediate or long term needs in the community

Funding for capital works projects will not be considered until such an assessment has been completed to the satisfaction of the Chief Executive Officer.

Applications may only proceed by resolution of Council on recommendation from the Chief Executive Officer. A decision to list such an application as a priority will not be reconsidered during the financial year in which the application was made.

3 Support for External Funding Applications

Where the City has supported external applications for funding and committed to providing a portion of the funds, but the application is unsuccessful, the proposal may proceed if the applying body contributes all the remaining funds.

Alterations to Leased Premises

Where alterations are proposed to any facility owned by the City whether leased externally or occupied by the City, the Chief Executive Officer may approve alterations and additions, where the value of the alteration is less than \$50,000, subject to budget allocation in the case of City owned and occupied facilities.

Loans and Guarantees

In recognition of the risks associated with the provision of self-supporting loans or guarantees, the City will not enter into any such agreements with any clubs or external organisations.

Child Protection

Prior to making a permanent booking for the use of a City facility, all community groups and associations which have members under 18 years of age are required to provide the City with a copy of their organisation's Child Protection Policy. If the organisation does not have a current policy in place, a permanent booking will not be confirmed.

Use of Community Facilities

The CEO may approve the use of community facilities for private parties and functions under the following circumstances:

- The Chief Executive Officer is satisfied that the application will not cause undue disruption to the community.
- Use of facilities not extending beyond:
 - Thursdays to 12 midnight;
 - Fridays & Saturdays to 12 midnight;
 - Sundays to 10.00 pm

Alcohol on Council owned community facilities

The Chief Executive Officer may approve the consumption and or sale of alcohol on community facilities 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 pm;
 - Fridays & Saturdays to 12 midnight;
 - Sundays to 10.00 pm

File No:

Previous Policy No: W2; F2-03, J1-02, H5-02, R5, H9-01, R10, R11
2.4.6; 2.5.2; 2.5.5; 4.1.3; 4.3.3; 4.3.5; 4.4.2; 4.4.3;
4.5.2

Amendments: CJ213-06/99, CJ148-06/00, CJ281-08/01,
CJ121-06/02, CJ021-02/03, CJ213-09/03,
CJ269-11/04

Related Documentation:

Local Government & Public Property Local Law 1999
Strategic Plan
Community Facilities Assessment Process

Issued:

POLICY 7-4 – MANAGEMENT OF COMMUNITY FACILITIES

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	To provide equity and access in the provision and management of community recreation facilities and services, and to meet the changing needs of the community.

Pre-School Centres

Pre-school committees shall be responsible for all utility and operating charges, cleaning (including after community use) and all interior maintenance excluding plumbing and electrical repairs.

Council shall be responsible for water rates, Western Australian Fire Brigades Board charges, exterior, structural, plumbing and electrical maintenance of the building, plus proportional costs associated with the Child Health Centres.

Surf Life Saving Clubs

Twenty-one year peppercorn leases may be issued to surf clubs.

Surf clubs shall be responsible for all utility and operating charges, cleaning (including after community use) and all interior maintenance.

Council shall be responsible for exterior and structural maintenance of the building and plumbing and electrical repairs.

Licences to Occupy

Clubs that contribute to the cost of a facility shall share usage and ongoing operational and maintenance costs with Council in proportion to the contribution of each. These arrangements are administered under a "Licence to Occupy" agreement.

Design and Furnishing

Standards shall be set for the construction of Council managed facilities in regard to size, design and finishes. Standard furnishings for any Council managed facilities shall be a domestic refrigerator and stove, chairs, tables, vinyl floorcovering and curtains if required. Any requirements over and above the standard are the responsibility of the organisation.

File No:

Previous Policy No: H5-07, R3, 4.3.2

Amendments: CJ213-06/99

Related Documentation: N/A

Issued:

POLICY 7-5 – ALFRESCO DINING – JOONDALUP CITY CENTRE

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	<p>To facilitate “Alfresco Dining” which refers to outdoor seating that is designed to be used by the general public for dining purposes on the street verge or in a public space, generally as an extension of an existing eating house already operating within an adjacent building.</p> <p>To allow for the operations of alfresco dining in such a manner that will not conflict with, or prejudice, the activities in adjacent premises (commercial and/or residential) or interfere with the traffic flow in the area or any other normal function of the area.</p> <p>To provide guidelines for the granting of planning approval for alfresco dining.</p> <p>To complement the provisions for outdoor dining as specified in Part 3 – Outdoor Dining – Trading in Public Places Local Law.</p> <p>The policy is to be implemented in conjunction with the provisions of Part 3 – Outdoor Dining of the City of Joondalup Trading in Public Places Local Law.</p>

STATEMENT:

Area

This policy shall apply to alfresco dining facilities **within the City of Joondalup**.

Requirements to operate an Alfresco Area

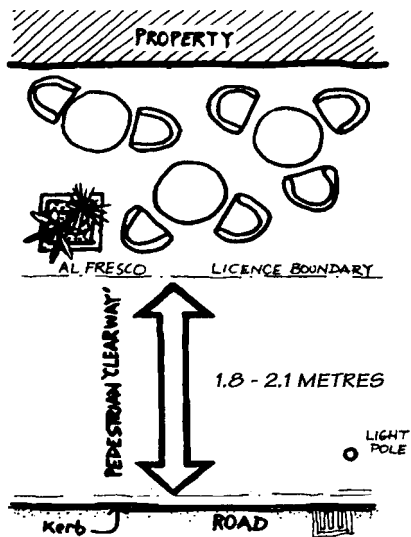
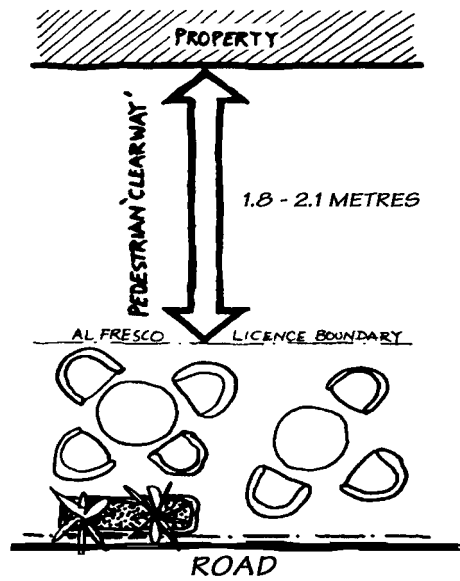
In order to operate an alfresco dining area prospective operators require

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

Statements

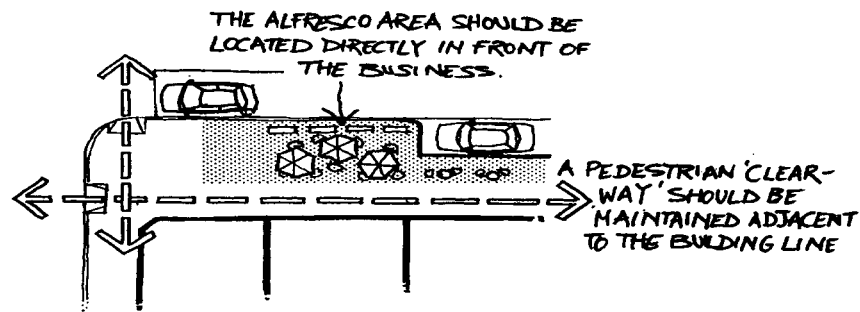
Guidelines for locating Alfresco Dining Areas

- 1 Alfresco dining areas should be appropriate to the character and functions of the area in which they are proposed to be located.
- 2 Alfresco dining areas will not be approved where, in the opinion of Council, the gathering of customers or the elements of design will impede pedestrian or vehicular movements, or cause conflicts with other activities.
- 3 Applications to establish alfresco dining areas will also need to comply with specific requirements of any relevant policy relating to the location and/or type of activity proposed, unless the Council considers such compliance is not necessary in a particular instance.
- 4 The establishment of alfresco dining facilities should not conflict with or inconvenience other adjacent activities.
- 5 Structures associated with alfresco dining areas may only be fixed to the footpath or to any other structures with the prior written approval of Council.
- 6 In instances where permanent structures are proposed, the proposal must be referred to the Minister for Local Government for approval.
- 7 The alfresco dining area is to be designed to accommodate disabled access.
- 8 The exits to a building that adjoins the alfresco area are not to be impeded in any way.
- 9 Any alfresco dining area should not obstruct pedestrian movement. A minimum clear footpath width of 1.8m to 2.1m should be provided dependent on the pedestrian traffic volume within the area. Determination shall be made by Council on the individual merit of the location. Pedestrians should be able to make normal use of the footpath without being obliged to step into the road at any point, or make other unwarranted detours.



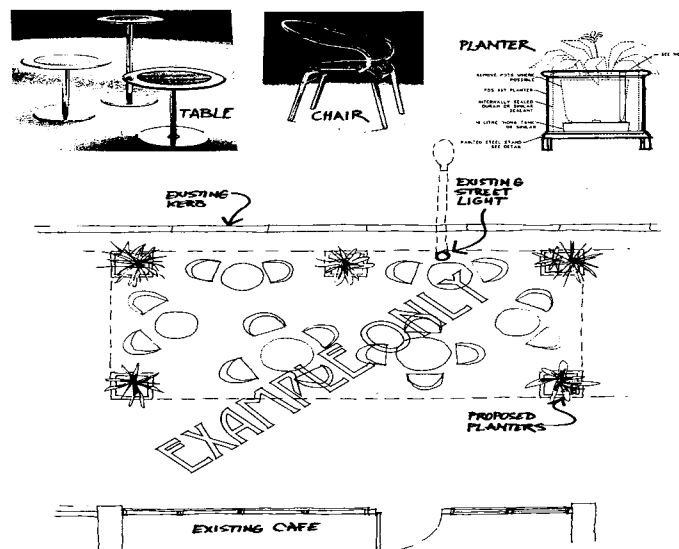
- 10 Any alfresco dining area should not obstruct sight lines for either vehicles or pedestrians, both at road junctions and vehicle access crossovers.

Location of alfresco dining on footpaths and car parking embayments



- 11 The alfresco dining area shall be presented in a way that enhances the amenity of the adjoining properties and the street in general. This may be achieved through using decorative pot plants and chairs and tables of an appropriate style. Any structures placed within the public domain in accordance with this clause must be considered in respect to other clauses in this policy and the City of Joondalup 'Trading in Public Places' local law.

Typical plan of a proposed alfresco dining area



- 12 Alfresco areas shall be demarcated (line marked) and details with respect to barrier fencing/bollards being provided if a risk assessment of the proposed alfresco dining area indicates that this is warranted.

Planning Approval requirements

- 1 Applications for alfresco dining will be treated as Development Applications (Form 1). The application form is required to be signed by DLI as the owner of the land.

- 2 Applications must be accompanied by plans and a management plan as outlined under part 3 (clause 17 d and e)– Outdoor Dining – City of Joondalup Trading in Public Places Local Law
- 3 A planning approval for alfresco dining is required to include the following conditions:
 - A. The licence holder make adequate insurance arrangements to the satisfaction of the Council, in the joint names of the Council and the operator, for public liability insurance cover to provide indemnity in respect to both injury to persons and damage to property. A copy of the policy will need to be provided to the City prior to the commencement of trading. The City shall be advised directly by the insurance company of any possible changes to the policy.
 - B Structures and furniture must be stable under windy conditions.
 - C. The operator shall not, without the prior approval of the Council:
 - (a) make use of any method of noise making (ie live music, record, tape, radio, etc);
 - (b) carry out any specific functions (ie fashion parades, art exhibitions, etc);
 - (c) prevent the public from using the alfresco area, whether paying customers or not.
 - D. The operator shall keep the alfresco area clean and free from rubbish to the satisfaction of the Council.
 - E The approval is valid for a period of 36 months.
 - F In granting approval, the Council may limit operating hours.
 - G The tables, chairs and all equipment associated with the alfresco area shall be removed from the public space outside normal trading hours.
 - H The City reserves the right to require the alfresco area to be removed at any time at the applicant's expense to undertake essential maintenance work.
 - I Any modifications of the street verge or any relocation of existing street furniture, trees or services shall not be undertaken without the prior approval of the Council.
 - J All costs associated with any such works will be totally at the applicant(s) expense.

Fees

Development Application Fee} To be set by Council as part of the annual schedule
of fees and charges.
Renewal Fee } As above.

File No:

Previous Policy No: G3-41, 3.1.3

Amendments: CJ213-06/99; CJ024-02/04

Related Documentation: Schedule of Fees and Charges Local Laws of the City

Issued:

POLICY 7-6 – NAMING OF PUBLIC FACILITIES

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	To provide a policy for the naming of public facilities.

STATEMENT:

The Chief Executive Officer shall arrange for the naming of streets and reserves, and the allocation of house numbers.

All naming of streets, reserves and buildings shall be in accordance with the Geographic Names Committee guidelines.

Parks and Reserves shall be named after an adjacent boundary road, where possible, to facilitate ease of identification.

The Chief Executive Officer shall liaise with Directors in determining the names of Council buildings and make a recommendation to the Council.

Buildings and facilities shall be named after the locality in which they reside or after an adjacent road, where possible, to facilitate ease of identification.

Notwithstanding the foregoing, exceptions may be permitted with the prior approval of Council.

File No:

Previous Policy No: G3-24, 3.1.5

Amendments: CJ213-06/99

Related Documentation: Delegated Authority Manual

Issued:

POLICY 7-7 – UNIFORM FENCING - SUBDIVISION

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	To provide a policy in respect of new and replacement uniform fencing. Such fences shall be designed and erected to be sympathetic to the amenity and aesthetics of the locality.

DEFINITIONS

“amenity” shall have the same meaning provided within the City’s District Planning Scheme No 2.

“height” means the vertical distance from the natural ground level to the top of the wall.

“lot” shall have the same meaning provided within the City’s District Planning Scheme No 2.

“natural ground level” shall have the same meaning provided within the Residential Design Codes of Western Australia.

“non sacrificial graffiti protection” means a coating applied to a fence or wall that is not removed in the process of removing graffiti.

“private property” means any real property, parcel of land or lot that has a separate certificate of title, which is in private ownership or subject of a lease or agreement with a company or person enabling its use for private purposes and includes any building or structure thereon.

“public place” means any place to which the public has access.

“reserve” includes parklands, reserves, foreshores and other lands included in or adjoining the district, and set apart for the use and enjoyment of the public and includes parks and other lands acquired for public purposes, and vested in or under the care, control and management of the local government.

“uniform fencing” means a fence of uniform style erected upon the external boundary of a subdivision of land and/or on boundaries abutting public open space, drainage sites, pedestrian accessways and major roads.

POLICY AREA

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

STATEMENT

In the case of all subdivision applications, where residential lots are proposed to directly abut public open space, drainage sites, pedestrian accessways and major roads, the City shall request the Western Australian Planning Commission (WAPC) to impose, as a condition of subdivision approval, that the applicant provides uniform fencing and landscaping.

For the purposes of this policy, subdivision includes the creation of a new lot or lots, the amalgamation of existing lots and any other land dealings that require the approval of the WAPC, including the creation of strata lots.

Construction Requirements

- 1 Uniform fences shall be impermeable (solid) and constructed to a maximum height of 1.8 metres above natural ground level.
- 2 Where extensive lengths of uniform fencing are proposed, these shall be articulated in the form of planting recesses, combination of materials, colours, textures and/or other similar detailing to reduce the vertical mass and provide visual interest.
- 3 Uniform fences must be constructed of materials or finished treatments to give a long lasting, aesthetically pleasing appearance, low-maintenance and complemented, where appropriate, with landscaping native to the locality.
- 4 Uniform fencing construction materials may include brick, masonry, or other materials as approved by the City. Brick or masonry piers shall project a maximum of 300mm above the fence line and provided at intervals of not more than 7.5 metres for brick or masonry fences and 6.0 metres for all other fences.
- 5 Where subdivision conditions require the construction of uniform fencing, it shall be constructed prior to seeking subdivision clearance from the City.
- 6 The construction of uniform fencing adjoining areas of public space must comply with specific requirements outlined within the City's Policy 3.2.6 Subdivision and Development Adjoining Areas of Public Space and 3.2.7 Pedestrian Accessways.

Uniform fencing abutting major road reserves

- 1 To reduce the extent of uniform fencing along major roads, subdivision and structure plans shall:
 - require the provision of other complimentary non-residential land-uses adjacent to major roads;
 - eliminate the need for uniform fencing by incorporating alternative design measures such as culs-de-sac head extensions to major roads, CAPS and Boulevard treatments, where direct lot access to internal subdivisional roads is prohibited under WAPC policy.

- 2 Where cul-de-sac heads and service roads are located immediately adjacent to major roads, the City shall require the provision of barrier fencing along the common boundaries of these road reserves. Such fencing shall consist of bollards, posts and rails or other low, open designs as approved by the City.
- 3 Where culs-de-sac heads abut major roads, any solid wall infill of these open sections between walls is prohibited in order to minimize the creation of 'walled estates', which is an undesirable urban design outcome.

Landscaping

Where the WAPC has imposed the condition for uniform fencing and landscaping on a subdivision approval, the City shall require the developer to submit a landscaping plan together with the uniform fencing plans. The landscaping plan will include details of any financial contribution to the City, or a written undertaking of the developer's preparedness to meet future costs for ongoing maintenance of the landscaping for a negotiated period (desired minimum of 2 years).

Maintenance and Replacement of Uniform Fencing

Refer to Part 4 of the City's Private Property Local Law 1998 relating to estate fences. The provisions contained within Clauses 24 and 25(1) to 25(3) relate to replacement, maintenance and anti graffiti finishes and shall apply to uniform fencing.

File No:

Previous Policy No: G3-38, 3.1.6

Amendments: CJ213-06/99; CJ018-02/03

Related Documentation: Delegated Authority Manual

Issued:

POLICY 7-8 – RETAINING WALLS - SUBDIVISION

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	To control the height and bulk of subdivision retaining walls to ensure that the amenity of the urban environment is not compromised by inappropriate development.

DEFINITIONS

“boundary fence” means a boundary fence referred to in section 16 of the Dividing Fences Act 1961.

“height” means the vertical distance from the natural ground level to the top of the wall.

“lot” shall have the same meaning provided within the Residential Design Codes of Western Australia.

“Natural ground level” shall have the meaning provided within the Residential Design Codes.

“non sacrificial graffiti protection” means a coating applied to a fence or wall, which is not removed in the process of removing graffiti.

“public place” means any place to which the public has access.

“Retaining Wall” means a wall designed to retain soil and superimposed load.

“Subdivision Retaining Wall” shall mean a wall designed to retain soil resulting from earthworks associated with compliance with a condition of subdivisional approval issued by the Western Australian Commission and pursuant to Section 20D of the Town Planning and Development Act 1928.

POLICY AREA

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

STATEMENT

Excessive retaining is discouraged. The raised height of buildings and the overlooking of an adjoining property resulting in the potential loss of privacy is a matter the City will have particular regard to when assessing retaining wall proposals.

- 1 A building licence must be obtained from the City prior to any work commencing on the construction of a proposed retaining wall.
- 2 Where an owner(s) of a lot fills that lot above the natural ground level then that owner(s) has an obligation to support that fill through the construction of a retaining wall wholly within the boundaries of the owner(s) lot.
- 3 Where an owner(s) of a lot excavates soil then that owner(s) must provide support for any adjoining lot and superimposed loads, through the construction of a retaining wall wholly within the boundaries of the owner(s) lot.
- 4 The Manager Infrastructure Management and Ranger Services may approve subdivision retaining walls not exceeding three (3) metres in height. However, where the subdivisional retaining wall abuts a lot in different ownership then the relevant provisions of the Residential Design Codes shall apply.
- 5 The Principal Building Surveyor is authorised to issue a building licence for any retaining wall which has been approved under point 4 above.
- 6 Subdivision retaining walls in excess of 3 metres in height require Council approval.
- 7 Subdivision retaining walls are to be designed in accordance with the City's guidelines for development and subdivision of land.
- 8 Alternatives to slab on ground construction are to be encouraged where it is obvious that due to the gradient and characteristics of the site, major excavation or filling as a result of raft slab construction would be inappropriate.
- 9 Retaining walls abutting a public place shall be treated with a non-sacrificial anti-graffiti coating.
- 10 Where any vegetation on adjoining land has been disturbed for the purposes of subdivision works it shall be rehabilitated within twenty-eight (28) days upon completion of the project. In the interim, erosion control measures must comply with Council Policy 5.3.2 *Sand Drift Control* and Private Property Local Law 1998.

File No:

Previous Policy No: J3-11, 3.1.7

Amendments: CJ213-06/99, CJ132-06/03

Related Documentation: Residential Planning Codes
Delegated Authority Manual

Issued:

POLICY 7-9 – HOME BUSINESS

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	To establish guidelines for the exercise of Council's discretion when assessing Home Business uses.

RELATED DOCUMENTATION

This Local Planning Policy is part of a wider framework of documents, which relate to people working from home. It should be read in conjunction with section 3.24 of the Town Planning Scheme ('The Scheme') and the 'Local Planning Strategy Relating to People Working From Home' which contains strategies and a statement of principles.

This Policy draws on these principles and supports the strategies by setting down aims and provisions, which the Council will consider before making a decision in relation to home business activities.

STATEMENT

1 Policy Aims

- (a) To maintain residential areas as primarily a place to live, not primarily a place to work whilst recognizing that working from home is an expanding area of employment, and a significant contributor to local employment.
- (b) To protect the amenity and character of residential areas by ensuring that potential impacts associated with home business such as noise, traffic, pollution, people and advertising signs are minimised and adequately controlled.
- (c) To enhance the effectiveness of Council's decision making through consultation with interested parties.
- (d) To provide a measure of the extent of the home business to ensure that it does not dominate the use of the land nor be so large or intensive that it changes the residential character of the neighbourhood.

- (e) To guide the location of home business proposals to minimise any impact on the amenity and character of residential locations.

2 Policy Area:

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

3 Policy Statement

- (a) The applicant must use the dwelling as the principal place of residence.
- (b) Only one Home Business Category may be undertaken on the site at any one time.
- (c) Where a Category 3 Home Business is proposed in either a Residential zone or Special Residential zone, the preferred location of the proposal is where it abuts or is directly opposite one of the commercial centres listed in the City of Joondalup Centres Strategy.
- (d) Where a Home Business attracts customers, the maximum number of customers must be as follows:-

Category 1:

No Customers permitted

Category 2:

- (i) Customer visits must be by appointment only;
- (ii) No more than 2 customers are to be at the premises at any one time.

Category 3:

- (i) No more than three customers may attend the premises at any one time;
- (e) Regular deliveries of goods and equipment including deliveries carried out at intervals of less than a month are not considered appropriate. Proposals involving intervals of less than a month will only be considered taking into account the following factors:
 - (i) nature of the goods delivered;
 - (ii) frequency of deliveries;
 - (iii) type of delivery vehicle used;
 - (iv) likely inconvenience to existing traffic.

- (f) A Home Business must not result in a substantial and or inappropriate modification of the dwelling. In assessing such requirement the following factors will be considered:
 - (i) total floorspace area used in the Home Business activity;
 - (ii) modifications to the external appearance of the dwelling;
 - (iii) changes to internal layout and additional equipment installed.
- (g) Any appliances or machinery used for the purpose of the home business must be of a domestic scale. Industrial appliances or machinery will be prohibited.
- (h) Where an application relates to property on a Strata Title, the written permission of the Body Corporate is to be submitted with the application.
- (i) For the purpose of this policy, amenity refers to all factors that combine to form the character of the area to residents and passers by and shall include the present and likely future amenity. In determining whether a proposed home business is likely to detrimentally affect the amenity of the neighbourhood, the following factors will be considered:
 - (i) emission of noise, vibration, smell, fumes, vapour, steam, soot, ash, dust, grit, oil, waste water or waste products;
 - (ii) hours of operation;
 - (iii) number of customers visiting the premises;
 - (iv) traffic likely to be generated;
 - (v) additional parking requirements created by the proposed home business;
 - (vi) storage of harmful or poisonous chemicals,
 - (vii) compliance with the management plan;
 - (viii) compliance with the requirements set out by the Town Planning Scheme provisions;
 - (ix) public submissions and or complaints by adjoining owners.
- (j) Applicants proposing to carry out a Home Business -Category 3 use, must submit a Management Plan as part of the application. As a minimum, Management Plans are to include the following information:
 - (i) measures to minimise and control noise;
 - (ii) measures to minimise vehicle loading and unloading and traffic movements;
 - (iii) the proposed hours of operation;
 - (iv) a car parking plan;
 - (v) a landscaping plan including landscape buffers;
 - (vi) details of any poisonous, flammable or harmful chemicals or other hazardous materials proposed to be stored or used and measures to ensure that no polluting or harmful substances will escape from the site;
 - (vii) measures to minimise emissions of odours, dust or vapours from the site;
 - (viii) ways to limit the number of people visiting the house at any one time in relation to the business;

- (ix) a diagram of proposed signage;
 - (x) a plan showing any proposed outdoor storage areas;
 - (xi) measures to ensure that no detrimental impact occurs to the character of the neighbourhood;
 - (xii) measures to manage the impact of the home business on any building or place listed on the Municipal Inventory of Heritage Places.
 - (xiii) compliance with all other relevant State and Commonwealth legislation and or Regulations.
 - (xiv) details of all appliances or machinery to be used in the Home Business.
- (k) The days and hours of operation for each category of home business shall not exceed the following:
- (i) 8.00 am to 5.00 pm Monday to Friday
 - (ii) 9.00 am to 5.00 pm Saturday.
- (l) When determining an application, the Council:
- (i) may limit the number of hours and/or days of operation of a home business proposal where it is deemed necessary to protect the amenity of the surrounding area.
 - (ii) elect to grant an initial term of approval of twelve (12) months. In some instances where it is considered appropriate a longer period may be considered. The applicant is to seek renewals thereafter to effect the continuance of the home occupation.
- (m) Community Consultation

In considering any variations to the required standards, Council will carry out community consultation as part of the decision making process. Concerns of adjoining owners will be considered as a relevant factor in the assessment of applications for planning approval. Because of the differing range of issues which may be involved with individual applications it is recognised that Council and staff will need to make value judgments on the level of consultation required in specific cases. However, in all cases Council will respond with:

- a commitment to community consultation;
- a systematic approach;
- accountability;
- post consultation follow up.

Decisions about consultation are to be documented for future reference and must consider the following:

- decision in relation to views being sought, e.g. immediate neighbourhood or wider community;
- a short explanation of the issues canvassed;
- description of the method used, e.g. letter, pamphlet, advertisement;
- the duration of consultation period, e.g. 14 days, 21 days etc.;
- respondents are to be advised of the outcome.

File No:

Previous Policy No: G3-18, 3.1.11

Amendments: CJ213-06/99, CJ297-09/99, CJ020-02/02

Related Documentation: N/A

Issued:

POLICY 7-10 – CASH-IN-LIEU OF CAR PARKING

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	<p>To ensure an adequate provision of off street parking to cater for the normal parking demand of land uses in all areas.</p> <p>To provide an option for developers for the development of on-site parking.</p> <p>To provide an equitable basis for apportioning charges for cash-in-lieu of the provision of car parking to contribute towards a fund for Council to meet future parking demand within the locality of the City of Joondalup.</p>

STATEMENT:

Policy Area

This policy applies to all non-residential development in the City of Joondalup, except in the Joondalup City centre zone, the Rural, Special Rural and Special Residential zones, and all lots that abut Royce Court, Lot 65 Winton Road, Joondalup.

Policy Statement

- 1 In accordance with Part 9 of Council's Town Planning Scheme, all developers must provide parking bays, as required by Table No 6.
- 2 Council's Town Planning Scheme provides that Council may accept a cash payment in lieu of the provision of on-site parking in certain circumstances.
- 3 Council may approve a development involving the payment of cash-in-lieu of car parking provided at least 75 per cent of the required car park is provided on-site.

Parking Bay Valuation

- 1 For the purpose of this policy, a Typical Parking Bay and its associated manoeuvring and landscaping areas is assumed to occupy an area of 30 square metres and cost \$700.00 to construct. The cash value in any particular case will depend on the land value.

- 2 The cash value that will be accepted for each parking bay is the sum of the construction cost and the land component. For practical purposes, these costs have been calculated and grouped into four categories:

Residential land	\$4,300 per bay
Commercial land	\$4,450 per bay
Light/Service Industrial Land	\$2,950 per bay
General Industrial land	\$2,200 per bay

- 3 An annual review is to be undertaken by an independent licensed Valuer.

Policy Exceptions

- 1 In particular instances involving compatible land uses in close proximity, Council may approve an aggregate reduction in car parking, supported by reciprocal parking and access agreements when the different land uses are located on separate lots, as an alternative to the payment of cash-in-lieu.
- 2 In the case of purpose built developments involving a single occupancy where the parking demand can be estimated with a high degree of confidence, the Council may approve a reduction in required parking without the payment of cash-in-lieu. In these instances the Council may require an appropriate area of land to remain undeveloped and/or the provision of additional car parking or the payment of cash-in-lieu if, in Council's opinion, additional parking is required.

Delegation

- 1 Council has delegated authority to the Director Planning and Development to approve development applications involving the payment of cash-in-lieu of the provisions of on-site car parking, in accordance with this policy.
- 2 Any proposed variation of this policy must be referred to Council for approval.

Policy Statement

The public parking provided in Royce Court is considered adequate for development up to 0.70 plot ratio on the surrounding lots. Any development on lots within this policy area above a plot ratio of 0.70 will require a cash-in-lieu of carparking contribution to be made to Council in accordance with the service Industrial category of Council's Cash-in-Lieu of Carparking Policy.

File No:

Previous Policy No: G3-08, 3.1.12

Amendments: CJ213-06/99

Related Documentation: N/A

Issued:

POLICY 7-11 – TELECOMMUNICATIONS FACILITIES

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	

STATEMENT:

- 1 The City recognises that it is bound by the Federal legislation relating to telecommunication facilities and that it has no jurisdiction over the location or installation of “low impact” facilities as defined under the *Telecommunications (Low-Impact Facilities) Determination Act 1997*.
- 2 The City, as a general rule, does not support the installation or location of telecommunication facilities, particularly in the vicinity of schools, childcare establishments, hospitals and general residential areas.
- 3 The City recognises the right of land owners/applicants to make applications for planning approval for telecommunication facilities deemed to be other than low impact under the *Telecommunications Act*, and acknowledges its obligation to make a recommendation to the WAPC or determine the application in its own right.
- 4 Having received a Development Application for a telecommunication facility, the City will advertise the proposal for a 30-day period and consult with the local community surrounding the proposed site. Owners and occupiers of property within a radius of 500m will be advised in writing, at the cost of the applicant, and afforded an opportunity to make comment to the Council prior to the matter being considered at a Council meeting.
- 5 In making a recommendation to the WAPC or determining the application the Council will have regard to;
 - (a) the comments and concerns of the local community,
 - (b) the merits of the particular proposal
 - (c) compliance with the industry code of practice,
 - (d) compliance with matters required to be considered under the District Planning Scheme, and
 - (e) the general concerns of the Council regarding the potential effects of telecommunication facilities referred to in point 2 above.

File No:

Previous Policy No: 3.1.13

Amendments: C172-12/02.

Related Documentation:

Issued:

POLICY 7-12 - BUILDINGS SET BACK FROM THE BOUNDARY ADDITIONAL ACCEPTABLE DEVELOPMENT PROVISIONS – CLAUSE 3.3.1 OF THE RESIDENTIAL DESIGN CODES 2002

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	To augment the Residential Design Codes 2002 (the R Codes) by providing Acceptable Development provisions for the setback of buildings in the case of Single House developments on survey strata lots without common property, and Grouped Dwelling developments on survey strata lots with common property or on strata lots.

STATEMENT:

Policy Application and Definitions

This policy shall apply to the development of land within the City of Joondalup for any of the residential purposes set out in the R Codes. The terms contained within this policy shall be interpreted in accordance with the R Codes.

The provisions of this policy do not apply to developments on land over which a Structure Plan has been adopted by the City wherein there may be different setback requirements.

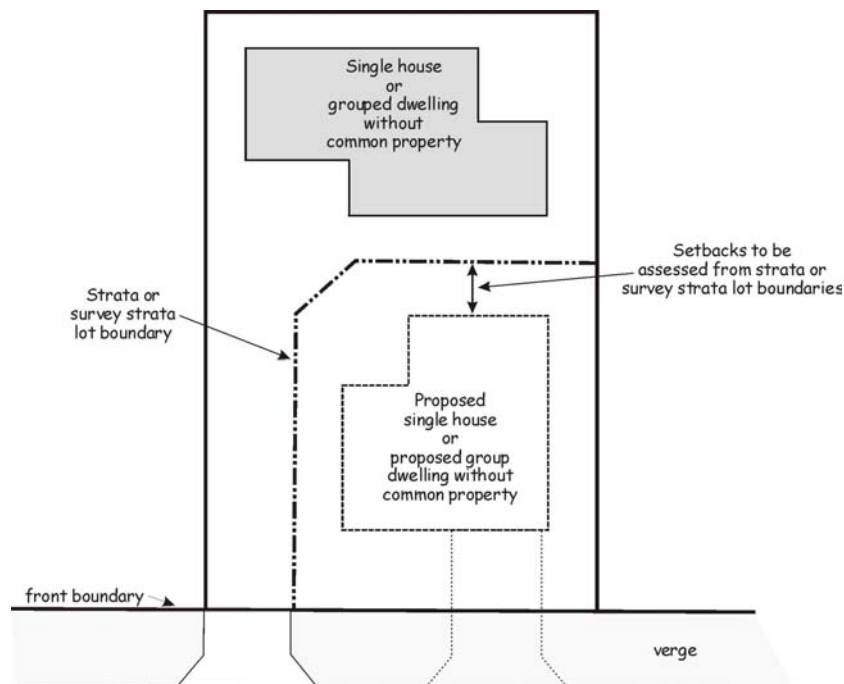
Authority

Clauses 2.6.1 and 2.6.2 of the R Codes enable Council's to adopt Local Planning Policies that are consistent with the provisions of the R Codes. This policy has been expressly formulated to provide additional Acceptable Development provisions under Clause 3.3.1 of the R Codes.

Clause 3.3.1 – Buildings Set Back from the Boundary – Additional Acceptable Development Provisions

In addition to the Acceptable Development provisions under Clause 3.3.1 Buildings Set Back from the Boundary of the R Codes, development which complies with the following provisions are also deemed to be Acceptable Development:

- (vi) In the case of Single House development that has not previously been approved or constructed on an approved survey strata lot without common property, building setbacks shall be assessed from survey strata lot boundaries.
- (vii)
- (viii) In the case of a Grouped Dwelling development that has not previously been approved or constructed where survey strata or strata lot boundaries exist, building setbacks shall be assessed from strata or survey strata lot boundaries.



Application Requirements

Proposed developments that comply with the provisions of proposed subclause (vi) above of this policy (that is, in relation to Single Houses) require only an application for a Building Licence to be submitted to and approved by the City.

Proposed developments that comply with the provisions of proposed subclause (vii) above of this policy (that is, Grouped Dwellings), however, continue to require an application for a Development Application to be submitted to and approved by the City, prior to or in conjunction with seeking a Building Licence.

NOTE:

Where a development application has been approved by the City for Grouped Dwellings, and is current, the setback requirements of this Policy do not apply.

File No:

Previous Policy No:

3.1.14

Amendments: CJ086-04/04

Related Documentation:

Issued:

POLICY 7-13 - DESIGN GUIDELINES CARINE GLADES MEWS ESTATE, DUNCRAIG

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

City policies are referred to Council for review and endorsement.

**RESPONSIBLE
DIRECTORATE:** Planning and Community Development

OBJECTIVE:

STATEMENT:

Zoning

The land is zoned for Residential Development in the City of Wanneroo Town Planning Scheme No 1 and has a residential density coding of R25. The requirements of the Scheme, Council policies and the Residential Planning Codes 1991 are to be followed.

Zero Lot Alignment

The use of parapet walls is permitted to only one of the side boundaries on the lots nominated on the attached plan. Parapet walls may be 3.25m high and apply only to single storey sections of the building, two storey sections of the building are to be set back as provided in the Residential Planning Codes. Two storey parapet walls are not permitted. The measurement of wall height and the permitted length of the single storey parapet walls are to be in accordance with the Residential Planning Codes.

Fencing

Fibre cement (Super Six) fencing is not permitted.

1 Front Fencing

Front fencing shall be of two types as shown in the attached plan and as described below.

(a) Type 1

Any fence or gate over 1.2m high (to a maximum of 1.8m) shall consist of at least 50% open fence, that is, a predominantly open material such as wrought iron railing up 50% of the fence or gate face area. (For example, a low masonry wall from ground level to 900mm height with wrought iron panels between piers from 900mm to 1800mm high or equal widths of solid and open panels up to 1800mm high).

(b) Type 2

Any fence or gate shall have a maximum height of 900mm and consist of at least 50% open fence, as 3.1.1 above.

2 Side and Rear Boundary Fences

Materials for these fences are to be compatible with the house and shall generally be of masonry.

Building Height

Maximum building height shall be 6.0m to the top of the eaves (measured in accordance with the Residential Planning Codes) and 8.5m to the highest point of the roof. Buildings which do not show their roofs, that is, “flat” roofs behind a parapet are to be no more than 6.5m in height to the top of the parapet measured as above.

Crossovers

Crossovers are to be of the same material as the driveway and shall comply with City of Joondalup construction requirements.

Storage Sheds

A storage shed to a floor area of 4 square metres is to be provided under the main roof of the dwelling or garage and constructed of the same materials as the dwelling or garage.

Easements

Easements apply to Lots 722, 725 and 726. Building is not permitted on those areas and development on those areas is subject to Water Corporation regulations.

Estate Wall Adjacent Dual Use Path And Juniper Park

Lots 734 to 738 (inclusive) have an existing masonry and wrought iron wall on their northern boundary for views of Juniper Park. should the owner of any of these lots require to remove the wrought iron section of the fence and infill for privacy purposes, such infill must comprise dressed timber fixed vertically with 10mm spaces between, with no supports or rails visible to Juniper Park, to a height to match the existing wall and the surface facing Juniper Park painted in a colour to match the adjacent masonry.

Roof Material

Highly reflective metal roofs (zincalume) are not permitted. Any metal sheet roof must be colour coated.

Carports And Garages

Where carports and garages are to be set forward of the main dwelling, they are not to represent more than 50% of the front elevation and are to be constructed of the same materials as the main dwelling.

Clothes Line And Refuse Bin Storage Areas

These areas are to be positioned such that when they are used for their intended purpose, clothing and bins are not seen from the street when viewed by an adult person of average height standing within the road reserve.

Exemption - Lot 739

The guidelines in their entirety, as outlined above, are not to apply to Lot 739.

Note 1 - Restrictive Covenants

Purchasers should note that a restrictive covenant applies to most lots in relation to the prevention of structures such as, but not limited to, pergolas and sheds being built in such a way as to protrude above the height of the existing Estate walling adjacent to the lot. For details of these restrictive covenants, purchasers should contact the Real Estate Agent for the vendors, Carine Glades Real Estate.

Note 2 - Approval of Building Plans

Two sets of plans and a materials specification of a proposed dwelling are to be submitted to the Carine Glades Mews developers for written approval prior to submission to the City of Joondalup.

File No:

Previous Policy No: DS6, 3.2.4

Amendments: CJ213-06/99

Related Documentation: N/A

Issued:

POLICY 7-14 - DESIGN GUIDELINES FOR WATERVIEW ESTATE, KINGSLEY

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	To provide guidelines which encourage the integrated development of the subdivision area. To promote a high standard of residential amenity. Promote an interesting and intimate streetscape.

STATEMENT:

1. The subject policy will affect land contained within lots 6 and 7 Wanneroo Road, Kingsley as shown on the attached plan, lots created under Western Australian Planning Commission reference 109769.
2. It should be noted that unless otherwise stated below the general provisions of the City of Joondalup Town Planning Scheme No.1, the Residential Planning Codes and the City's Height and Scale of Buildings in Residential Areas Policy 3.1.9 will apply.
3. Boundary Setbacks for Dwellings, Garages and Carports

Front Setback:	4 metre average, with a minimum of 3 metres. Secondary street setbacks to be in accordance with the requirements of the Residential Planning Codes
Rear Setback:	3 metre average, with a minimum of 2 metres. Outbuildings are excluded from this requirement.
Side Setback:	To be in accordance with the Residential Planning Codes.
Lots 35, 36, 37 & Pt 6:	All structures are to be setback 3 metres from the rear of lots 35, 36 and 37 and west side of Pt lot 6 to accommodate a future access way and allow for adequate manoeuvrability and visibility.

4. Open Space Requirement

Lots less than 400m² in area are to be provided with a minimum of 40% open space and lots greater than 400m² in area are to be provided with a minimum of 50% open space.

5. Parking

Provision of two car-parking bays on site with at least one covered bay. Parking may be in tandem arrangement or side by side.

6. Fencing

Fencing to primary street frontages shall be a maximum height of 1.8m, designed to be visually permeable, two thirds of the fencing should be 'open in nature' and a maximum solid portion of 750 mm measured from ground level.

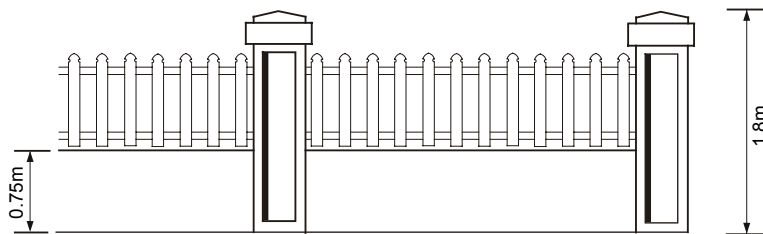


Figure 3: Fencing

7. Grouped Dwelling Development

All requirements for grouped dwelling developments to be in accordance with the provisions of the Residential Planning Codes.

8. Height and Scale

Council's Policy 3.1.9 – Height and Scale of Buildings Within A Residential Area shall apply.

File No:

Previous Policy No: 3.2.5

Amendments: CJ164-07/00

Related Documentation:

Issued:

POLICY 7-15 - SUBDIVISION AND DEVELOPMENT ADJOINING AREAS OF PUBLIC SPACE

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	<p>To maximise the outlook onto and casual surveillance of areas of public space from adjoining properties and streets in order to provide the following benefits whilst ensuring an appropriate level of privacy for those living on the adjoining properties:</p> <ol style="list-style-type: none">1 Increased protection for public property (e.g. public open space and any improvements thereon) and adjoining properties; and,2 increased sense of safety and security for those using public space and those residing in adjoining properties.

STATEMENT:

Policy Area

This policy applies to all future subdivision and development adjoining areas of public space. For the purposes of this policy, public space shall be defined as any space available for use by the general public. This includes public open space, underpasses and any other such areas as may be determined by Council. It shall not however include pedestrian accessways as these are the subject of a separate policy.

Policy Statement

The following subdivision and development guidelines should be adhered to in order to maximise the outlook onto and casual surveillance of areas of public space from adjoining properties and streets whilst maintaining an appropriate level of privacy for those living on the adjoining properties.

Subdivision Guidelines

1. Subdivision Design

Subdivisions should be designed so that areas of public space are fronted along all boundaries by public roads or private roads (where commercial or community sites are involved). Lots should be orientated to front and therefore overlook areas of public space. Subdivision designs, which propose lots backing onto areas of public space will generally not be supported. Refer to Figure 1.

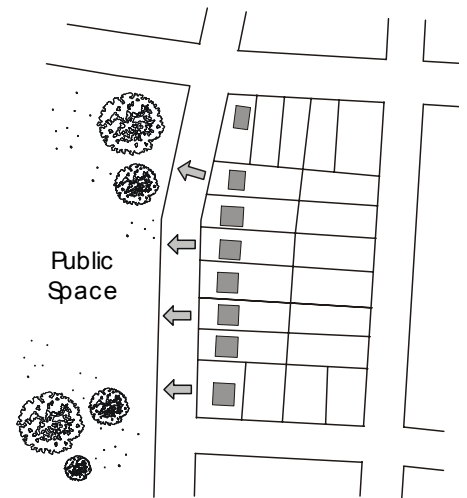


Figure 1: Lots Fronting Park Across A Street

2. Landscaping of Public Open Space

Landscaping of public open space should be 'open in nature' so that a clear outlook is maintained onto and through the space from adjoining properties. In some instances this principle may require to be balanced against the need to recognise other values such as conservation.

3. Street Lighting

Street lighting surrounding areas of public space should provide greater illumination than standard street lighting. Lighting should be a minimum 125 watt mercury vapour. Lighting should not spill onto adjoining properties.

Development Guidelines

As outlined above, the City acknowledges that there will be situations where lots directly abut areas of public space. In these instances, the following development guidelines should be adhered to. The fencing guidelines should also be adhered to in instances where lots may not abut, but overlook areas of public space.

1. **Dwelling Layout**

Main living areas should be located to ensure that views of adjoining public space are maximised. Refer to Figure 2.

2. **Building Facades**

Building facades facing areas of public space should contain major openings to habitable rooms. Large expanses of blank wall should be avoided. Refer to Figure 2.

3. Fencing

Fencing along common boundaries of public space/private property and along the front boundaries of lots overlooking public space should be designed to be visually permeable. Fencing should be 'open in nature' and a maximum of 1.8m in height with the solid portion of fencing, a maximum of 750mm in height. The height being measured from natural ground level in the same manner as Council's Height and Scale of Buildings within a Residential Area Policy 3.1.9. Refer to Figure 3.

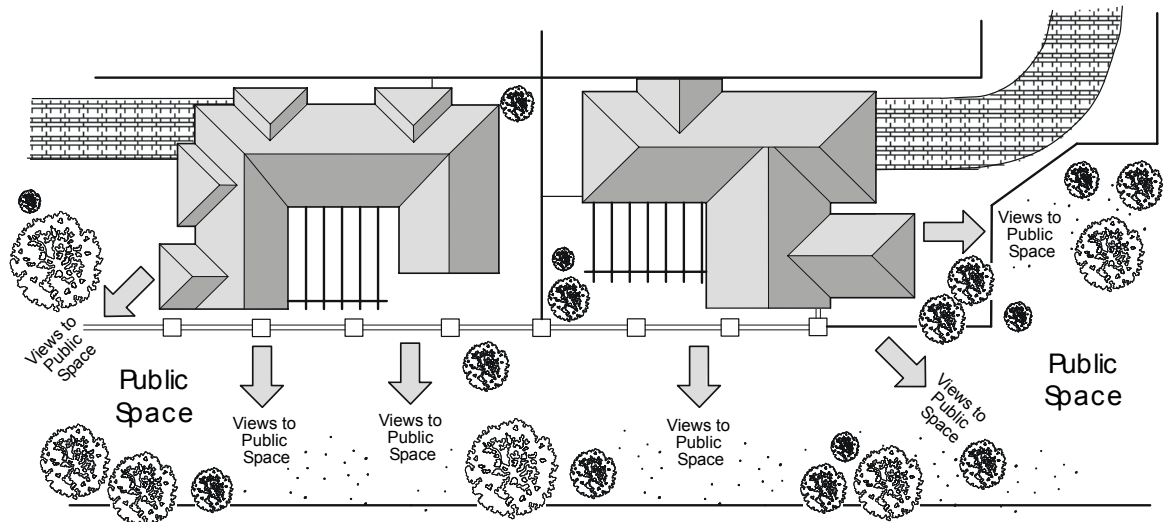


Figure 2: Sting of Residence Adjoining Public Space

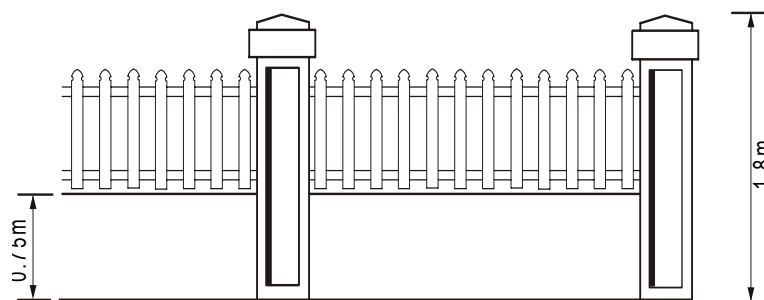


Figure 3: Fencing

File No:

Previous Policy No: 3.2.6

Amendments: CJ182-07/00, CJ235-09/02

Related Documentation: Delegated Authority Manual

Issued:

POLICY 7-16 – PEDESTRIAN ACCESSWAYS

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Planning and Community Development
OBJECTIVE:	This policy has been prepared in accordance with clause 8.11 of the City of Joondalup's District Planning Scheme No.2, which allows Council to prepare planning policies relating to planning or development within the scheme area.

OBJECTIVES:

Council recognises that a variety of problems may be experienced by people living adjacent to Pedestrian Access Ways (PAWs), but also recognises that they provide important pedestrian and cycle movement through the area for the benefit of the local community.

With this framework in mind this Policy has the following objectives:

- 1 To ensure that a safe, convenient and legible pedestrian movement network is provided and maintained.
- 2 To minimise the impact of anti-social behaviour that may be associated with PAWs.

Application of Policy

To achieve the objectives, this policy provides guidance on the:

- Configuration and design of PAWs in new subdivisions;
- Assessment Criteria to be used for closure of PAW applications.

Policy Statement

1 Provision of Pedestrian Access ways in New Subdivisions

The creation of new PAWs is generally not supported. The City does acknowledge however that there may be instances where the creation of PAWs are warranted or are the only remaining design solution in order to provide a convenient and legible pedestrian movement network. In these instances, the following requirements will apply:

- (a) The applicant must provide written justification for the inclusion of the PAW and illustrate how the design will minimise opportunities for anti-social behaviour;
- (b) The length of a PAW shall not exceed 70 metres;
- (c) Minimum width of 8 metres where connecting one minor road to another;
- (d) Where the PAW is located at a cul de sac head that almost abuts a major road, parkland neighbouring development, or area with future development potential the PAW shall be equal to the road reserve width of the minor road;
- (e) Consideration must be given to the gradient of the PAW, particularly its impact on use, safety and security;
- (f) To increase security for those lots abutting the PAW and the safety of pedestrians using the PAW, uninterrupted sight lines shall be provided for the entire length of the PAW;
- (g) The PAW shall be designed and constructed at the applicant's expense in a manner, which makes them safe, attractive and convenient and shall include the following:
 - (a) Landscaping, including trees, but shall not consist of bushes and other elements that would create a visual barrier or harbour illicit activity.
 - (b) Lighting to illuminate the length of the PAW in a way that does not lead to excessive glare into neighbouring properties. Lights shall be provided at both ends of the PAW and through the PAW to AS 1158.3.1.1999 (and as amended).
- (h) The PAW must be designed to generally prevent use by vehicular traffic (emergency access should be considered) and designed to limit the speed of cyclists and other users to ensure a safe but convenient link. Barriers which force users to dismount their bicycles are discouraged.
- (i) The PAW should be integrated with the local pedestrian and cycle movement network and where ever possible orientated to reinforce the visual link between local landmarks and local attractions to assist in the orientation of pedestrians and other users (If the network is on street as it may be in streets with less than 300 vpd it is still to be integrated with this system and where there are footpaths it should be integrated with them).

Development of Land Adjacent to Pedestrian Access ways

Where a PAW is proposed as part of a new subdivision, the design of the PAW and development adjoining the PAW shall be considered by the developer at the preliminary subdivision stage in accordance with the provisions of this policy and incorporated into an appropriate agreed structure plan under District Planning Scheme No.2.

Where subdivision and/or development is proposed adjacent to an existing PAW the following assessment criteria will apply:

Dwelling Layout

Main living areas should be located to ensure that views of the adjoining PAW are maximised.

Building Facades

Building facades facing PAWs should contain major openings to habitable rooms. Large expanses of blank wall should be avoided.

Fencing

Fencing along common boundaries of PAWs/private property should be designed to be visually permeable. Fencing should be 'open in nature' and a maximum of 1.8 metres in height with the solid portion of fencing, a maximum of 750mm in height.

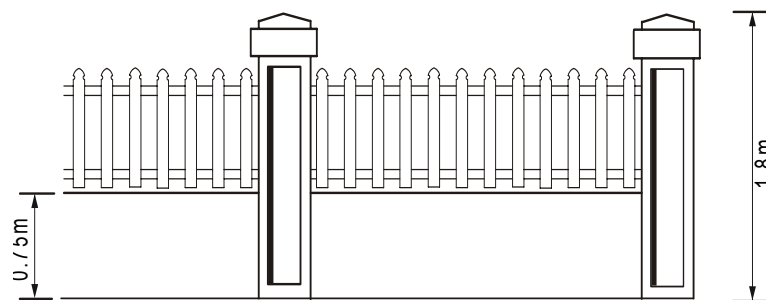


Figure 3: Fencing

2 Closure of Pedestrian Access ways

PAWs are an important element in providing a safe, convenient and legible pedestrian and cycle movement network, particularly in suburban locations designed with cul-de-sacs, and closure shall not be supported except as a last resort in extreme circumstances.

In considering applications for the closure of PAWs, the following assessments will be undertaken:

(a) Urban Design Assessment

An Urban Design Assessment shall be undertaken to determine the importance of the PAW in the pedestrian and cycle movement network throughout the locality. Factors to be considered are:

Access to Community Facilities

Where a PAW is considered to provide an important access route to a community facility closure shall generally not be supported. Examples of community facilities include but are not limited to schools, shops, public open space, bus stops, libraries, churches and rail stations.

Availability of Alternative Access Routes

A safe, clear and direct alternative route exists which provides access to community services and facilities.

Relationship to the Pedestrian Network, Bikeplan and 'Safe Routes to Schools'

Closure of a PAW will not be supported where it forms part of:

- A key pedestrian network (eg forms part of a continuous PAW access network);
- The City's Bikeplan;
- A designated 'Safe Route to School'.

Assessing Changes to Level of Access

To illustrate the impact that closing a PAW may have on access to a community facility a walking catchment diagram in the form of a Ped-Shed, is prepared. A 400m catchment applies to a PAW close to community facilities and 800m where the PAW is close to a Town Centre or Major Transit Terminal (e.g. Rail Station). This diagram will demonstrate the effects on walking distance before and after closure of the PAW.

Following completion of 'Urban Design Assessment' the importance of the PAW in the pedestrian movement network is rated as low, medium or high.

(b) Nuisance Impact Assessment

Where the reason given for requesting closure is anti-social behaviour, a 'Nuisance Impact' Assessment is undertaken to substantiate claims of anti-social behaviour occurring within the PAW. The City will assess any evidence provided by the applicant. Additional information (e.g. Ranger/Police/City Watch reports and City's records) are obtained and used to determine the degree of anti-social behaviour being experienced. Assessment of nuisance impact is assessed upon:

- Frequency of occurrence;
- Number of offences; and
- Nature of offences.

The level of anti-social behaviour is rated as low, medium or high.

(c) Community Impact Assessment

A 'Use Assessment' is undertaken to gather information from surrounding residents in order to determine the PAW's level of use by the local community. Comments will be sought from local residents within a 400-metre radius of the subject PAW. This is based on a 5 minute walking distance. This will consist of the erection of a sign at either end of the PAW for a minimum of 30 days and, a letter and questionnaire being forwarded to landowners. The following additional public consultation may be undertaken:

- Insertion of notices in local newspaper;
- Liaison with local community groups.
- An on-site assessment to count pedestrian and cyclists movement through the PAW.

Access for Disabled and Seniors

The impact of closure on residents particularly aged or disabled persons who reside in close proximity shall be given special consideration as the impact of the PAW closure upon these groups is likely to be greater.

The level of use shall be rated as either low, medium or high.

(d) Final Assessment

The results of each individual assessment will enable a final determination to be made via cross-analysis of all three assessments.

Case One

Closure is not supported where following urban design assessment the PAW is considered of high importance.

Case Two

Where, following urban design assessment, the PAW is considered of medium importance, closure will be supported when nuisance is high or medium and use is low.

Case Three

Where, following urban design assessment, the PAW is considered of medium importance, closure will be supported when nuisance is high and use is medium.

Case Four

Closure will not be supported where urban design assessment of the PAW is considered of medium importance, and both use and nuisance is low.

Case Five

Closure is not supported where urban design assessment of the PAW is considered of medium importance and both nuisance is considered medium or low and use is medium.

Case Six

Closure is not supported where urban design assessment of the PAW is considered medium and use is high.

Case Seven

Closure is supported where urban design assessment of the PAW is considered low and nuisance is considered high, medium or low and use is low or medium.

Case Eight

Closure is not supported where urban design assessment of the PAW is considered low and use is high.

(e) Referral to the Department for Planning and Infrastructure

The results of the assessment will be presented to Council for consideration. Where Council supports closure of a PAW a full copy of the closure report will be referred to the Department for Planning and Infrastructure (DPI), for determination by the Western Australian Planning Commission (WAPC).

(f) Reconsideration of decision

Where Council has considered a request to close a PAW and has determined that the PAW should remain open, Council's decision is final and will only be reconsidered were it is clearly demonstrated that the assessment has not been in accordance with the policy provisions. In the absence of a reconsideration being heard by Council a new application for closure may be submitted no less than 18 months of the date of Councils decision.

In circumstances where Council supports closure of a PAW, however the WAPC does not support closure, Council may request that the WAPC reconsider its decision. For a request for reconsideration to be initiated all landowners abutting the PAW are required to make a joint request, with the request being supported by 'new information' that addresses the matters raised by the WAPC in its decision. Council will then consider the request and forward the decision to the WAPC for consideration.

Once the WAPC has determined the request for reconsideration no further request for reconsideration can be made. The City will consider a new application for closure no less than 18 months of the date of the WAPC's decision on the reconsideration.

3 Alternatives to Closure

Where a determination is made not to support an application for closure, which was submitted on the grounds of anti-social behaviour, upgrading of the PAW, may be considered. Such improvements may include:

- Improvements to lighting;
- Improvements to appearance;
- Increasing fence heights to 2.2 metres;
- Increased security patrols.

Where a significant security problem is shown to exist for dwellings abutting the PAW, but closure cannot be supported, Council will give consideration to alternatives or initiatives raised by landowners abutting the PAW. Any options raised shall only be considered where the proposal is:

- Considered to significantly improve security;
- Supported by abutting land owners;
- Deemed to have no significantly negative impact on the amenity of the surrounding area;
- Deemed to have no adverse impact on traffic management.

4 State Government and Utility Agencies

When the City has received an application for PAW closure and all prescribed fees have been paid, the City will refer the proposal to State Government and Utility Agencies such as:

- Department of Land Information (Also to provide land purchase price to be met by abutting land owners);
- Water Corporation;
- Western Power;
- Telstra;
- Alinta Gas.

Comments received from State Government and Utility Agencies will determine if essential services (i.e sewerage main) are located with the PAW and whether or not these services need to be relocated and/or an easement put in place should closure be supported. Comments can also be made for or against the proposal.

File No:

Previous Policy No: 3.2.7

Amendments: CJ101-04/01, CJ318-09/01, CJ085-04/04

Related Documentation:

Issued:

URBAN DESIGN ASSESSMENT

High

- PAW provides a direct route to community facilities
- safe, alternative route does not exist
- PAW part of a continuous PAW link - ie a chain of two or three PAWs and is linked to streets with existing path systems
- PAW is a designated 'safe route to school', 'bikeplan'

Medium

- PAW provides a route to community facilities but not direct
- An alternative route exists but some inconvenience
- PAW not designated as a 'safe route to school' or bikeplan

Low

- PAW not linked to any community facility
- a safe, reasonable alternative walkway exists
- PAW is not part of a continuous link to community facilities
- PAW is not designated as a 'safe route to school' or bikeplan

NUISANCE ASSESSMENT

High

- There is a high and consistent frequency in the occurrence of criminal activity and/or antisocial behaviour compared to elsewhere in suburb
- The number of different types of occurrences is high and is directly related to the PAW
- The severity of criminal activity and/or antisocial behaviour is considered higher than elsewhere in the suburb
- Occurrences substantiated by questionnaire respondents

Medium

- Frequent occurrence of criminal activity and antisocial behaviour compared to elsewhere in the suburb.
- There are several different types of occurrences that are directly related to the PAW
- The severity of criminal activity and/or antisocial behaviour is considered higher than elsewhere in the suburb

Low

- Occurrence of criminal activity or antisocial behaviour similar to elsewhere in the suburb.
- Types of offences are limited to antisocial behaviour
- The severity of antisocial behaviour is similar to elsewhere in the suburb

COMMUNITY IMPACT ASSESSMENT

High

- Significant portion of respondents not in favour of closures (over 50%)
- High portion of household use the PAW regularly
- High portion of users inconvenienced by closure (over 50%)

Medium

- Medium portion of respondents not in favour of closure (over 30%)
- Moderate level of households using the PAW
- Moderate portion of users inconvenienced by closure of the PAW (30-50%)

Low

- High number of residents in favour of closure (over 75%)
- Low number of households using the PAW
- Few users inconvenienced by closure (less than 30%)

POLICY 8-1 - REVIEW AND DEVELOPMENT OF POLICIES

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Office of the CEO
OBJECTIVE:	To establish a "Council Policy Framework providing a structure and process for initiation, development and review of policy documents ensuring: <ol style="list-style-type: none">1 Definitions of documents comprising the Council Policy Framework;2 Types and relationship of Council policy document for different purposes;3 A clear relationship between Council and management responsibilities in decision making and implementation;

STATEMENT:

Definitions of Documents Comprising the Council Policy Framework.

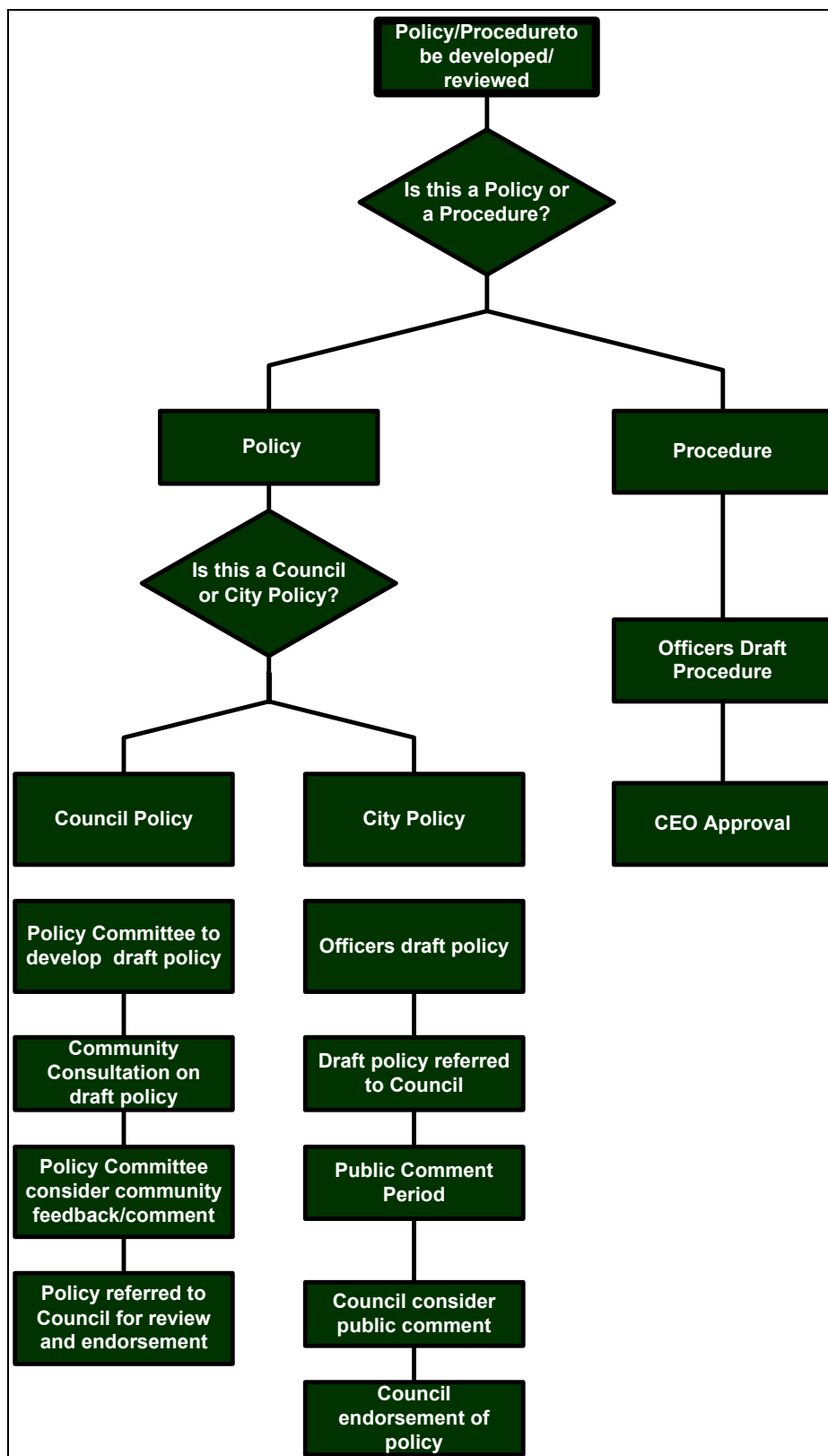
Council Policies - Strategic policies that set governing principles and guide the direction of the organisation to align with community values and aspirations. These policies have a strategic external focus and align with the Mission, Vision and Strategic Directions. Developed by the Policy Committee and adopted by Council.

City Policies - Policies that are developed for administrative and operational imperatives and have an internal focus. Developed by management and adopted by Council.

Strategic Plan - Statement of Council's vision, strategic intent, priorities and longer-term targets. Developed and adopted by Council.

Strategy - The means by which Strategic Plan will be achieved. Developed and adopted by Council.

Procedures - Administrative guidelines and procedures for the implementation of policies supporting sound administration of the Corporation. (*Generally technical and/or operational in nature*). To be approved by the CEO.



Policy Committee Terms of Reference

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

File No:
Previous Policy No:
Amendments:
Related Documentation:
Issued:

POLICY 8-2 – ELECTED MEMBERS - ALLOWANCES

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Office of the CEO
OBJECTIVE:	<p>The objective of this document is to support good governance for the City of Joondalup through the provision of a clear and transparent framework for support available to the City's elected members.</p> <p>The document has been prepared to conform with the provisions relevant to Elected Member entitlements under the Local Government Act 1995, Local Government Amendment Act 2004 and Regulations made under these Acts.</p> <p>For the purpose of calculating expenses and application of limits set and applied under this policy, the Annual Expense Period shall be from May to May in the following year.</p>

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PART 1 – PROVISION OF FACILITIES

1.1 Objective

To provide elected members with appropriate facilities, equipment, material and information to support them in performing their duties of office.

1.2 Mayor

- (1) The Mayor shall, in carrying out the duties and responsibilities of that office, be entitled to receive the benefit of the following facilities without the reduction of the fees and allowances approved by Council under Section 5.98, 5.98A, 5.99 and 5.99A of the Local Government Act 1995 :
 - (a) The provision of a luxury sedan type motor vehicle with unrestricted use for all official and social duties connected to the office of Mayor and for personal private use. This vehicle will be changed over in accordance with the City's general management of its light vehicles fleet.
 - (b) Membership of the Qantas Club;
 - (c) The cost of the Mayor and Partner of attending any breakfast, dinner or similar function where invited as the Mayor and representative of the City provided such function does not fall into the category of a conference as defined in this policy or is for election purposes;
 - (d) Suitable office accommodation within the Civic Centre;
 - (e) Secretarial services including word processing, photocopying, printing, postage, facsimile and telephone facilities;
 - (f) Administrative assistance associated with any Council functions, meetings, publications and the like;
 - (g) Access to the elected Members Lounge and Office refreshments;
 - (h) Provision of a credit card for the personal use of Mayor for official functions and duties relating to Council business that he/she may attend.
- (2) All equipment and facilities subject of this policy, are provided to the Mayor on the absolute understanding that they will not be used for any election purposes.

1.3 Deputy Mayor and Councillors

- (1) The Deputy Mayor and Councillors shall, in carrying out the duties and responsibilities of that office, be entitled to receive the benefit of the following facilities without the reduction (unless otherwise stated) of the fees and allowances under Section 5.98, 5.98A, 5.99 and 5.99A of the Act:
 - (a) Access to the Elected Member Lounge and refreshments;
 - (b) Access to suitably equipped shared office accommodation, reading room, ward meeting and conference rooms within the Civic Centre;
 - (c) Limited secretarial support including limited word processing, photocopying, printing, postage, facsimile and telephone facilities;
 - (d) The cost of attending any breakfast, dinner or similar function where invited as the Deputy Mayor or Councillor and representative of the City or Ward, provided such function does not fall into the category of a conference as defined in clause 5.3 of this policy or is for election purposes.
- (2) All equipment and facilities subject of this document are provided to the Deputy Mayor and Councillors on the absolute understanding that they will not be used for any election purposes.

PART 2 – ISSUE AND RETURN OF COUNCIL EQUIPMENT

2.1 Objective

To enable elected members to be accessible to the community, their colleagues and the City's staff.

2.2 Equipment

The following equipment, documents, stationery and other items will be issued to Elected Members:

- (1) laptop computer and printer
- (2) 4 pin power board
- (3) Elected Member lounge key
- (4) Security card/Building Access Card and ID Card
- (5) Satchel or briefcase (optional)
- (6) 1 City of Joondalup vehicle licence number plate, selection of numbers 2 to 20 (optional) (See 3.5 below)

2.3 Documentation

The following documentation will be issued to Elected Members:

- (1) Committee members' booklet
- (2) Community Directory
- (3) Local Government Act 1995
- (4) Local Laws Manual
- (5) Policy Manual
- (6) Code of Conduct
- (7) Western Australian Local Government Association - Elected Member Manual
- (8) Internal Telephone directory
- (9) Planning Scheme text and report
- (10) Budget
- (11) Service Agreement – Elected Members & Information Services Business Unit

2.4 Other

The following items will be issued to Elected Members:

- (1) Name badge
- (2) Business cards
- (3) Appropriate stationery
- (4) Computer desk (optional)
- (5) Street directory
- (6) Filing cabinet (upon request)
- (7) Elected Member Uniform issue (non -compulsory)
(1 Jacket, 2 Trousers/Skirts and Shirts/Blouses)
- (8) Driz-a-bone Jacket or similar (optional)
- (9) Paper shredder (optional);

2.5 Vehicle Licence Number Plate

- (1) Elected Members may have a City of Joondalup vehicle licence number plate fitted to their vehicle for their term of office.
- (2) Vehicle Licence plate numbers 1 and 2 (and variations on this (eg 01; 001; 001) are reserved for use by the Mayor and deputy Mayor.
- (3) An Elected Member is eligible for the transfer of the vehicle licence number plate at the cost of the City to another vehicle once every two years.
- (4) If the vehicle licence number plate is to be transferred more than once every two years, then the second and subsequent transfer shall be at the cost of the Elected Member. The exception is where there is a change in the office of Deputy Mayor. Where this occurs this is not to be treated as a transfer for those affected members as per above.

- (5) Retiring elected members shall return the Council issued vehicle licence number to the City within fourteen (14) days of ceasing to be an elected member. Any costs associated with this transfer of the elected member's vehicle licence number plate shall be met by the City.

2.6 Return of Equipment Issued

- (1) An Elected Member is entitled to retain equipment issued by Council *with the exception of:*
 - (a) Any equipment that is less than three years old
 - (b) Equipment leased by Council;
 - (c) Security Card/Building Access Card and ID Card;
 - (d) Elected Member Lounge Key; and
 - (e) City of Joondalup Vehicle Licence Number Plate
- (2) When equipment is returned to Council, that equipment may be issued to the newly Elected Member provided that the balance of the term of office to be served is less than three years.

PART 3 – PAYMENT OF FEES AND ALLOWANCES

3.1 Objective

To detail the amount of fees, allowances, payment structure and conditions under which those fees and allowances shall be paid to Elected Members, as resolved by Council in accordance with the Local Government Act 1995.

3.2 Annual Meeting Attendance Fees

Council will pay the maximum amount within the prescribed legislated limit that may be claimed annually for meeting attendance fees for the Mayor and Councillors.

Payments will be made monthly in arrears.

3.3 Annual Local Government Allowances - Mayor and Deputy Mayor

Council will pay the maximum Annual Local Government Allowance within the prescribed legislated limit that may be paid to the Mayor and Deputy Mayor.

Payments will be made monthly in arrears.

3.4 Telecommunications Allowance

- (1) Council will pay all elected members an annual telecommunication allowance to the maximum amount within the prescribed legislated limit.
- (2) The annual telecommunication allowance is for costs relating to telephone usage (including plans/contracts, payments and purchase of fax machines, mobile phones and extra telephone lines) and call costs and consumables associated with that use.
- (3) Any claims by elected members for expenses incurred over the maximum annual telecommunication allowance detailed in (1) above are to be submitted on the form provided. (Additional claims above the maximum limit must be supported by receipted invoices for the maximum limit and the additional amounts claimed). Where a member reaches the limit, all claims for reimbursement shall be referred to the Council for approval.
- (4) In recognition of possible capital costs associated with telecommunications expenses, payment will be made as follows:
 - One third in advance on election, then;
 - monthly in arrears from the commencement of the fifth month of the term of office.
- (5) Where elected members are re-elected to a second or further term of office, they will receive one third of the telecommunications allowance in advance at the commencement of the next term of office, in recognition of the potential need to upgrade associated telecommunications equipment.

3.5 Information Technology Allowance:

- (1) Council will pay all elected members an annual information technology allowance to the maximum amount within the prescribed legislated limit.
- (2) This allowance is in addition to the council provided laptop and printer and is in recognition of costs associated with Internet connection, electronic diaries and the like.
- (3) Any claims by elected members for expenses incurred over the maximum annual telecommunication allowance detailed in (1) above are to be submitted on the form provided. (Additional claims above the maximum limit must be supported by receipted invoices for the maximum limit and the additional amounts claimed). Where a member reaches the limit, all claims for reimbursement shall be referred to the Council for approval.
- (4) Payment will be made as follows:
 - 50% in advance on election, then;
 - 25% at completion of third quarter;
 - 25% on completion of further quarter of each year of office.

- (5) Where elected members are re-elected to a second or further term of office, they will receive one half of the information technology allowance in advance at the commencement of the next term of office, in recognition of the potential need to upgrade information technology equipment.

3.6 Conditions of Payment

- (1) All allowances and fees shall be paid automatically unless an elected member has advised the CEO in writing that they do not want to claim any or part of those fees and allowances.
- (2) If payment is not accepted initially, subsequent requests for payment will be accrued from the date of such request.
- (3) The taxation liability arising from these payments is the individual responsibility of each elected member.

PART 4 – ATTENDANCE AT CONFERENCES AND TRAINING WITHIN AUSTRALIA

4.1 Objective

To enable elected members to develop and maintain skills and knowledge relevant to their role as community representative of the City of Joondalup.

4.2 Statement

Elected Members are encouraged to attend appropriate conferences and training to enable them to be more informed and better able to fulfil their duties of office. In order to support this, the following

4.3 Annual Conference and Training Expense Allocation

- (1) The following annual conference and training expense allocation shall be made available to elected members:
 - (a) The Mayor shall be entitled to an annual expense allocation of \$10,000; and
 - (b) All Councillors shall be entitled to an annual expense allocation of \$5,000.
- (2) In addition to the annual expense allocation detailed in clause (1)(a) above, the Mayor shall be entitled to attend the Annual WALGA and ALGA conferences.

4.4 Definition

In this part, “Conferences and Training” means conferences, seminars, congresses, forums, workshops, courses, meetings deputations, information and training sessions and events related to the industry of local government and held within Australia.

4.5 Approval

- (1) Elected Members may be authorised to attend conferences and training by:
 - (a) The Council through a resolution passed at a Council Meeting;
 - (b) The CEO acting within delegated authority.
- (2) Under this Policy, Authority is delegated to the CEO:
 - (a) to authorise Elected Members attendance at conferences and training;
 - (b) to nominate and authorise a substitute Elected Member to attend any conference in lieu of the Mayor or another nominated or authorised Elected Member.

4.6 Conferences and Training that may be attended

The conferences and training to which this policy applies shall generally be limited to:

- (1) West Australian Local Government Association (WALGA) and Australian Local Government Association (ALGA) conferences;
- (2) Special “one off” conferences called or sponsored by or for the WALGA and/or ALGA on important issues;
- (3) Annual Conferences of the major Professions in Local Government;
- (4) Australian Sister Cities Conferences;
- (5) Municipal Training Service’s Councillor Induction Program;
- (6) WALGA Elected Member Training and Development;
- (7) Training relating to the role of elected members; and
- (8) other local government specific training courses, workshops and forums, relating to such things as understanding roles/responsibilities of Elected Members, meeting procedures, etc.

4.7 Payment of Conference and Training Costs

(1) Payment from Conference and Training Allocation

Council will pay Conference or Training costs where the Elected Member has been nominated and authorised to attend and there is sufficient funds remaining within the Elected Members Annual Conference and Training Expense Allocation.

(2) Booking Arrangements

Registration, travel and accommodation for Elected Members will be arranged through the Office of the Chief Executive Officer with the appropriate Council discount for travel and accommodation being provided. All costs including airfares, registration fees and accommodation will be paid direct by the City.

(3) Registration

The City will pay all normal registration costs for Elected Members/delegates that are charged by organisers, including those costs relating to official luncheons, dinners and tours/inspections that are relevant to the interests of the Council.

(4) Accommodation

(a) The Council will pay reasonable accommodation costs for Elected Members including the night before and/or after the conference where this is necessary because of travel and/or conference timetables.

(b) Where available, accommodation shall normally be booked at the conference venue.

(5) Conference Travel

(a) Where travel is involved, the travel is to be undertaken with all due expedition, by the shortest most practical route, to and from the conference. All reasonable travel costs for Elected Members/delegates to and from the conference location and venue will be met by the Council.

(b) Approval for air travel must where possible, be sought two months prior to departure.

(c) All air travel, whether within Australia or overseas, shall be by Business Class, except where an elected member chooses to travel at a cheaper rate. If Business Class is not available, Economy Class is to be used.

- (d) If accommodation is at the conference venue or in close proximity, taxis should be used. Where necessary, a hire car may be arranged for the conduct of Council business. Costs of taxi fares, vehicle hire and parking which are reasonable, required and incurred in attending conferences, will be reimbursed by the Council.
 - (e) Where in particular circumstances Elected Members desire to travel interstate by private motor vehicle, they will be reimbursed for actual accommodation costs which are receipted and vehicle costs in accordance with the local government kilometre allowance up to an equivalent amount that would have been expended had arrangements been made to travel by air.
- (6) Cash Advance
 - (a) An advance of \$105 per day for interstate travel and \$160 per day for overseas travel shall be made available for food, drink and incidental expenses that are of a reasonable nature.
 - (b) The administrative arrangements for managing this will be the most appropriate to the circumstances in the view of the Chief Executive Officer.
 - (c) The Cash Advance shall be paid to cover all reasonable incidental expenses associated with the conference attendance such as:
 - (i) hotel/motel charges other than accommodation, ie. laundry;
 - (ii) reasonable telephone or facsimile use;
 - (iii) breakfasts, lunches, dinners and other meals not included in the conference registration fee;
 - (iv) any optional activity in a conference program.
 - (d) The Cash Advance shall not cover:
 - (i) any expenses or time occupied on matters other than Council business;
 - (ii) meal claims where meals are provided at a conference.
 - (e) Documentary evidence in the form of original invoices and receipts must be provided for the acquittal of all advances. All advances must be acquitted within one week of the Elected Member returning to Perth. Amounts not acquitted shall be refunded to the City.
- (7) Public service Commission Allowance

In addition to the cash advance, an allowance as determined by regulation is payable.

4.8 Elected Member/Delegate Accompanying Person

- (1) Where an Elected Member is accompanied at a conference, all costs for or incurred by the accompanying person including but not limited to travel, breakfast, meals, registration and/or participation in any conference programs, are to be borne by the Elected Member/accompanying person and not by the Council. The exception to the above being the cost of attending any official conference dinner where partners would normally attend.
- (2) An accompanying person's registration, or accompanying person's program fees, is to be paid to the conference organiser, at time of registration. The Council is prepared to receive such registration and payments to forward them on to the conference organiser, with any Council delegates' registration.
- (3) Where the Council meets an account containing any expenditure or cost incurred on behalf of an accompanying person attending, such expenditure must be repaid to the Council by the Elected Member/accompanying person within seven (7) days of being invoiced for such expenditure following the conclusion of the conference.

4.9 Guidelines for Conference Attendance

- (1) Subject to the provisions of clause 5.2 "Annual Conference and Training Expense Allocation" the guidelines detailed in this clause shall apply.
- (2) Elected members may attend several local conferences including those that require overnight accommodation, subject to Clause 5.6(1) and (4) of this policy.
- (3) No more than two elected members may attend a particular conference, seminar, lecture or course outside Western Australia at the same time. The CEO or Council may however approve attendance by more than two members if a particular purpose or need arises.
- (4) An elected member may, after providing written notice to the CEO of their intention to do so, carry forward into the next year any unspent amount from their Annual Conference and Training allocation. The written notice shall be provided to the CEO before the end of March for budget purposes.
- (5) At the commencement of each two year period between Council elections as referred to in (4) above, each elected member will commence their annual expense allocation as detailed in 5.2(1)(a) and (b) and forfeit any unspent funds.

- (6) Elected Members will only be registered for conference/training courses itemised in this policy, if the elected member has sufficient funds in their annual conference and training expense allocation to meet the costs. Where there are insufficient funds to meet cost of requested conference or training in the elected member's conference and training allocation, Council approval must be obtained before costs are incurred.
- (7) The cost of training that is specifically arranged for attendance by all elected members, (eg team-building) shall be paid from a separate allocation for the purpose and not considered as part of and debited to the individual elected members allocation referred to in this policy.
- (8)
 - (a) Subject to Council approval, an Elected Member may agree to meet the costs and forfeit same from their own annual conference and training allocation, to enable another elected member to attend a conference or training, where that member has insufficient funds remaining in their allocation.
 - (b) In such cases, the elected member agreeing to meet those costs, shall provide the CEO with a written statement to that effect, signed by both elected members and authorising the CEO to initiate necessary arrangements and debit the authorising members allocation.
 - (c) Initiation of the necessary arrangements to allow the elected member to attend a conference under the above circumstances, will only proceed if there is sufficient funds remaining in the overall Council Budget for elected members conferences and training.

PART 5 – ATTENDANCE AT OVERSEAS CONFERENCES

- (1) An Elected Member may, with Council approval, attend an overseas conference.
- (2) An elected member may attend an overseas conference if the elected member has sufficient funds in their annual conference and training expense allocation to meet the costs. Where there are insufficient funds to meet the cost of the registered overseas conference or training in the elected member's conference and training allocation, Council approval must be obtained before costs are incurred.
- (3) Attendance at an overseas conference is subject to authorisation being obtained from Council prior to departure, with a specific Council resolution supporting that the conference attendance will be of benefit to the City and the Elected Member and detailing any conditions that may apply.

PART 6 - REPORT

Upon attendance at any interstate or overseas conference, seminar or training session as detailed within this policy, where registration and other associated costs are met by the City of Joondalup, the attending elected member shall be required to prepare a report on their attendance and benefits, to be circulated to all members of the Council.

PART 7 – REIMBURSEMENT OF EXPENSES

7.1 Objective

To provide for the reimbursement of expenses necessarily incurred by elected members while performing their duties so that no Elected Member should be unreasonably disadvantaged financially due to meeting the requirements of their office.

7.2 Child Care

- (1) In accordance with Regulation 31, child care costs will be paid for an elected member's attendance at a council meeting or a meeting of a committee of which he or she is a member and the expense is to be claimed on the form provided.
- (2) Where an Elected Member attends any other meeting, reception, citizenship or other Council function, or Council related activity and incurs child care costs, such costs may be claimed provided they are substantiated with details of the date, activity attended, the actual costs incurred and original receipts being provided and attached to the claim form.
- (3) Child care costs are applicable for children, either of natural birth or guardianship determined by legal process.
- (4) Child care costs will not be paid for where the care is provided by a member of the immediate family or relative living in the same premises as the Elected Member.
- (5) Child care costs shall be debited to a separate account in the budget and not be debited to or form part of an Elected Members Annual Expense Reimbursement Limit as referred to in clause 7.3 of this policy.

7.3 Travel

- (1) The payment of travel costs is covered under Local Government (Administration) Regulations 1996.
- (2) Travel costs incurred and paid by Elected Members will be reimbursed for:
 - (a) Travel and parking expenses incurred by a member using a private vehicle to, from and attending:-

- (i) meetings of the Council or a Committee of the Council and civic functions;
 - (ii) as a delegate of the Council to statutory and other boards and committees, community organisations, conferences, local government association or industry groups or committees of them;
 - (iii) a specific request or instruction of the Council and/or including inspection, ratepayer/electors requests or other Council duty;
 - (iv) attending social functions where the member is representing the Mayor or is attending by resolution of Council or where the function is an otherwise authorised activity;
 - (b) The amount payable in respect of travelling expenses shall be paid from the time the Returning Officer has declared a person elected as a Council member.
 - (c) Travel expenses claimed under this policy are to be calculated in accordance with the rate per kilometre prescribed for the class of vehicle as detailed in the Local Government Officers' Award where the member's vehicle is used.
 - (d) A claim for reimbursement of expenses form indicating the date, particulars of travel, nature of business, distance travelled, vehicle displacement and total travelled in kilometres, is to be completed by members to ensure that the transport expense can be verified.
- (3) Where it is deemed to be otherwise more appropriate for an Elected Member to travel to a Council related commitment, a taxi may be used and the costs incurred claimed.
- (4) All expenses claimed other than travel in a member's own vehicle, must have been incurred and substantiated with provision of original invoices/receipts attached to the claim form, prior to being reimbursed on a monthly basis.

7.4 Other Specified Expenses

- (1) An Annual Reimbursement Limit of \$500 shall be available to Elected Members for reimbursement of costs incurred as a result of performing their duties as an elected member. Costs incurred and paid by Elected Members will be reimbursed by Council up to the reimbursement limit in each expense period. When a member reaches the limit, all claims for reimbursement shall be referred to the Council for approval. All expenses claimed must have been incurred and substantiated with provision of original invoices/receipts attached to the claim form, prior to being reimbursed on a monthly basis.
- (2) Original invoices and receipts are required for audit purposes and to enable GST to be claimed. Where a GST refund is received it will be credited to the Elected Members Expense Reimbursement record.

7.5 Time Limit on Claims and Approval Process

Members electing to receive reimbursement of expenses in accordance with the provisions of this policy shall submit the appropriate claim form to the CEO, together with supporting documentation, within 2 clear calendar months after the month in which the expenses were incurred, and by 15 July of the next financial year, in order to facilitate the finalisation of the annual financial statements.

File No:

Previous Policy No:

2.2.1; A2-14; EM10, 2.2.2; A2-11; EM14
2.2.3; A2-01; EM7, 2.2.10; 2.2.12; A2-06;
A2-09; A2-10; EM12

Amendments:

CJ422-12/01, CJ121-06/02, C212-09/03

Related Documentation:

Delegated Authority Manual
Local Government Act 1995

Issued:

POLICY 8-3 – ELECTED MEMBERS - GENERAL

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Office of the CEO
OBJECTIVE:	To provide for good governance of the City.

STATEMENT:

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

Representing the Council

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

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

Use of Council Chamber and Elected Member Meeting Rooms

The Council Chamber and Councillor meeting rooms located in the Joondalup Civic Centre may only be used for official Council purposes unless the Mayor provides prior consent. All requests for such alternative use must be made in writing. The mayor shall only consent to such requests where the event and the organiser are of a non-political nature and no fees are charged or donations expected. In addition, requests should fall into one of the following categories:

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

Recording of the Proceedings of Meetings

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

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

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

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

Filming/Videoing of Council Meetings

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

Acknowledgement of Service – Elected Members

On retirement, Council will acknowledge the service of elected members through the provision of an appropriate memento, which will take the form of an engraved plate commemorating the member's service.

Ward Councillor Availability

Councillors may request that advertisements are placed in local newspapers. The City shall include in its annual budget the provision for advertisements to be placed in local newspapers up to six times each year, except that no advertising shall occur within six months of an election where the elected member has a direct interest. The advertisements will detail the availability of Ward Councillors to meet with residents to discuss matters of community concern.

Corporate Logo

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

Access to Information

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

File No:

Previous Policy No: A2-15; EM24, A1-02; EM4, A1-06; EM6, A2-13; EM13
2.2.4; 2.2.5; 2.2.6; 2.2.7; 2.2.9; 2.2.11; 2.3.4 (part)

Amendments: CJ213-06/99, CJ227-09/00, CJ001-02/01, CJ187-
06/01, C212-09/03, CJ121-06/02, C169-08/03

Related Documentation: Local Government Act 1995;
Delegated Authority Manual;
Elected Member Support & Services Guide

Issued:

POLICY 8-4 RECORDS MANAGEMENT

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Office of the CEO
OBJECTIVE:	To ensure that the City meets the statutory requirements of the State Records Act 2000.

STATEMENT:

The City's corporate records are to be managed in accordance with the City's record keeping Plan.

All elected members, staff and contractors are responsible for maintaining complete, accurate and reliable evidence of all business transactions and ensuring all corporate documents are retained within the City's official recordkeeping system (RMS) at the point of creation regardless of the format, being in accordance with:

- State Records Act 2000
- Evidence Act 1906
- Acts Amendment (Evidence) Act 2000
- Freedom of Information Act 1992
- Local Government Act 1995
- Local Government Accounting Directions 1994

The definition of a corporate document/record is:

If any document/record meets one or more of the following criteria, they are deemed a corporate record.

- 1 *Does it convey information essential or relevant in making a decision?*
- 2 *Does it convey information upon which others will be, or are likely to make decisions affecting the City's operations, or rights and obligations under legislation?*
- 3 *Does it commit the City to certain courses of action or the commitment of resources or provision of services?*
- 4 *Does it convey information about matters of public safety or public interest, or involve information upon which contractual undertakings are entered into?*

5 *Is the information likely to be needed for future use, or is it of historical value or interest?*

All must abide by the recordkeeping requirements of the City as defined in the publication titled Recordkeeping Plan, which is a requirement of the State Records Act 2000.

Access

Access to corporate records by staff and contractors will be in accordance with designated access and security classifications as determined by the Records Services Coordinator.

Access to the City's records by the general public will be in accordance with the Freedom of Information Act 1992.

Access to the City's records by elected members and committee members will be via the Chief Executive Officer in accordance with section 5.92 of the Local Government Act 1995.

Destruction

The Records Services Coordinator will dispose of records kept by the City in accordance with the 1999 General Disposal Authority for Local Government Records (produced by the State Records Office of Western Australia), following authorisation from the Chief Executive Officer.

Ephemeral Records

Ephemeral records have no continuing value to the City and are generally only needed for a few hours or a few days and they may not need to be placed within the City's official recordkeeping system. Section 1.11 of the General Disposal Authority for Local Government Records 1999 describes ephemeral records as:

- Duplicate (or exact) copies of records, documents, circulars, forms, etc.
- Information material including price lists, catalogues, advertising material, brochures etc, produced by other organisations.
- Reference sets of directories, addresses and contact lists, including internal directories and lists produced by the local government, other agencies and organisations or suppliers.
- Unsolicited letters or promotional material that offer goods or services to the local government.
- Messages in the form of voice mail, e-mail, telephone messages, post-it or sticky notes when the message does not relate to the business functions of the local government.

Note: Messages that DO relate to the business functions of the local government must be transcribed and placed on the appropriate subject file. Once transcribed the original message may be destroyed.

- Rough drafts of reports, or correspondence, routine or rough calculations not circulated to other staff in the local government, and of which a final draft has been produced and placed on the appropriate subject file.

Note: Versions of drafts that contain significant changes to context must be placed in the appropriate subject file e.g. internal policy.

- Transitory messages giving minor instructions and of a routine or instruction nature that are used to further some activity in either a paper-based or electronic format e.g. correcting typing errors; requesting file creation or retrieval; filing a letter; formatting documents; duplicating.
- Letters or cards of appreciation, sympathy or greetings of no enduring value.
- Working papers, background notes and reference materials used to prepare or complete other documents. Those documents become the record of the local government and are placed on the appropriate subject file.

Note: Working papers and background notes relating to the development of internal policy must be placed on the appropriate subject file.

In accordance with this schedule staff, contractors or Elected Members may dispose of such ephemeral records once reference ceases.

Training and Education

Training in recordkeeping practices and the use of the City's document and records management system (RMS) is available to all newcomers upon commencement and refresher courses are available upon request to the Records Services Coordinator.

Elected members will be made aware of their recordkeeping responsibilities as part of the Elected Members Induction Program.

File No:

Previous Policy No: 2.3.8

Amendments: CJ040-03/04

Related Documentation: Record Keeping Plan
State Records Act 2000

Issued:

POLICY 8-5 EMPLOYMENT

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Office of the CEO
OBJECTIVE:	To support the City's role as an employer of quality staff and the provision of a quality working environment.

STATEMENT:

The City recognises the importance of an effective staff in meeting its community's expectations, the City's strategic objectives, and statutory obligations of the Council.

In achieving this, the following will apply:

Recognition of Legislative Requirements

- 1 The City recognises its legal obligations under the Equal Employment Opportunity Act 1984 (as amended) and will actively promote equal employment opportunity based solely on merit to ensure that discrimination does not occur on any grounds.
- 2 The City recognises its responsibility to ensure the occupational health and safety of all employees and others affected by the City's activities, including contractors, Councillors and volunteers. The City will work with its employees through an OHS consultative committee to ensure that this occurs.

Payments on Severance or Redundancy

Finalisation of voluntary severance and redundancy (involuntary or voluntary) packages is at the absolute discretion of the Chief Executive Officer, except in the case of any officer on an employment contract, in which case the terms of the contract will apply.

- 1 In the event of redundancy, the City may pay a member of staff a payment up to a maximum of 20% over the agreed level according to the relevant Award, Enterprise Bargaining Agreement or other document current at the time of redundancy.

In the case of a voluntary severance pay package, the offer will be based on a maximum amount of \$50 for each year of service to a total maximum of \$1,000.

Such payments will be based on the following criteria:

- (a) The employee has been in the employment of the City or its predecessors for a continuous period of over ten years; and
 - (b) in the preceding three years the employee's annual performance reviews record that the employee has performed at a level considered commendable or outstanding;
- 2 Where voluntary severance applies, a payment additional to ordinary entitlements will be made of two weeks pay for each completed year of services and pro-rata long service leave for employees who have worked in excess of 5 years.
- 3 For the purposes of calculating annual salary, the cash component will be adjusted to recognise motor vehicle usage in accordance with the Mercer Cullen Egan Dell formula, where this applies.

Organisational Requirements

- 1 All staff holding the position of Director are considered to be senior employees in accordance with S 5.37 of the Local Government Act 1995 (as amended).
- 2 A corporate staff uniform will be worn by all staff who have direct and frequent contact with the public and any other staff as the Chief Executive Officer may from time to time nominate. The specific details of the uniform and uniform requirements will be as determined in the corporate procedures manual.. The uniforms will comply with the Australian Taxation Office's requirements in relation to Fringe Benefits Tax.

Provision of Vehicles

The City may provide vehicles as part of a salary package in order to provide for more effective service to the community and to assist in the recruitment process.

This policy should be read in conjunction with the City's Asset Management Strategy, as approved by the Chief Executive Officer from time to time, which determines the procedures and operating guidelines covering vehicle purchase and usage.

The provision of vehicles to officers for private use as outlined in this policy is not intended to affect pre-existing contracts.

Notwithstanding the specific contracts negotiated with individual officers, the City reserves the right to use its vehicles as it deems appropriate to meet its obligations. If any action is taken which alters the contractual agreement between an officer and the City, in relation to the use of a vehicle, suitable compensation may be negotiated.

The City retains the right to revoke the use of a vehicle if an officer fails to meet the terms and conditions of this policy and the operating guidelines and procedures set by the City.

The Council will incorporate a vehicle replacement fund within each year's annual budget sufficient to enable replacement of vehicles. The Chief Executive Officer may approve the trade of vehicles in accordance with the City's Vehicle Acquisition and Disposal Schedule.

Vehicle Standards

Staff vehicles will be provided in accordance with contractual arrangements.

Other officers to whom a vehicle is assigned will utilise a vehicle best suited for the purpose, as approved by the Chief Executive Officer.

File No:

Previous Policy No: B2-07, B3-10, B2-29, B2-30, B2-11, B2-30, R13; RS1; C3-11, 2.1.1; 2.1.2; 2.1.3; 2.1.4; 2.1.5; 2.1.6; 2.1.7, 2.5.3

Amendments: CJ213-06/99, CJ001-02/01, CJ121-06/02, C212-09/03
CJ213-09/03

Related Documentation: Staff Induction Manual; Local Government Act 1995
Equal Employment Opportunities Plan
Equal Opportunity Act 1984
Occupational Health & Safety Manual
Asset Management Strategy

Issued:

POLICY 8-6 COMMUNICATIONS

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Office of the CEO
OBJECTIVE:	To achieve quality and consistent communications with all the City's stakeholders; and To determine the responsibilities for communications and records management and access.

STATEMENT:

The Council recognises and acknowledges the importance of consistent, clear communications and access to information for its stakeholders.

Written Communications

The Chief Executive Officer shall determine standards, styles, formats, processes and response protocols for all communications received by the City, ensuring that a respectful and professional standard is maintained, in accordance with the City's Customer Service Charter and best practice. The City's letterhead may only be used by officers as determined by the CEO.

City Website

The Chief Executive Officer or an officer authorised by the Chief Executive Officer shall determine the content and presentation of the City's website. Links provided through the website will only be added with the approval of the CEO or the CEO's nominated officer.

Elected Member Communications

There are two statutory requirements relevant to elected member communications.

- 1 the State Records Act 2000 requires that all correspondence, including email, relating to the business of the City and the Council must be retained in the official records of the City; and
- 2 the Local Government Act 1995, Section 5.41(f) provides that only the Mayor may speak on behalf of the City (unless the CEO is authorised by the Mayor to do so).

Consequently, Councillors will not be issued with personalised stationery. In the event that Councillors choose to comment in writing on Council matters, they do so as individual Councillors and not as though they are speaking on behalf of the City or the Council.

Mayoral Correspondence

Mayoral letterhead will be available for the Mayor to utilise for responses to civic invitations, functions and the like. In the event that the Mayor receives correspondence relevant to the business of the City, the Mayor may use mayoral letterhead to acknowledge receipt and advise that the City will respond to the matter raised.

A file copy of mayoral correspondence shall be maintained within the City's corporate recordkeeping system, together with the originating correspondence. When the Mayor is providing technical information to correspondents, the appropriate Officer will draft the correspondence or that section of the correspondence. Mayoral correspondence and invitations to civic functions will be issued on Mayoral letterhead.

Media Relations

In accordance with the Local Government Act 1995, no person may speak on behalf of the local government on matters relating to policy except the Mayor or, in accordance with a written authorisation from the Mayor, the Chief Executive Officer.

When speaking to the media as spokesperson for the City, the Mayor may only represent the official view of the City, having regard to the Code of Conduct and the Local Government Act 1995.

Elected members other than the Mayor, or the Deputy Mayor in the role as Acting Mayor, may not speak to the media purporting to represent the views of the Council.

Electronic Correspondence:

Electronic correspondence generated and received by elected members that relates to the business of Council is subject to the State Records Act 2000, the City's Records Management Policy and Record Keeping Plan, and as such must be retained within the City's corporate recordkeeping system.

Information Technology

Electronic Equipment, in particular computers, utilised by any elected member, is subject to the conditions of use and service agreement between elected members and the City. Elected members utilising the City's equipment and/or email facilities are required to sign the written agreement regarding usage and support of the equipment and facilities.

Access to Information

The Chief Executive Officer will establish procedures and guidelines for access to the City's information that ensure that the statutory requirements are met and the rights of individuals are respected. The Access to Information process is to be managed in accordance the City's Customer Service Charter and reviewed as part of a regular and ongoing procedural review process established by the Chief Executive Officer.

File No:

Previous Policy No: B3-13/CS-11; EM9/EM-09; EM11/EM-15; B3-04/MKT-03; B3-01/CS-02; B1-04/CS-04
B3-13/CS-11; EM9/EM-09; EM11/EM-15; B3-04/MKT-03; B3-01/CS-02; B1-04/CS-04, EM25
2.3.2; 2.3.3; 2.3.6; 2.3.8

Amendments: CJ213-06/99, CJ148-06/00, C212-09/03, C121-11/01, CJ040-03/04, CJ163-07/00

Related Documentation: Customer Service Charter;
Local Government Act 1995; (As Amended) and associated regulations;
City of Joondalup Style Manual;
Service Agreement between elected members and Information Management Unit;
Administrative Policy on Internet Usage;
Freedom of Information Act 1992
Record Keeping Policy; and
Record Keeping Plan.

Issued:

POLICY 8-7 – LEGAL REPRESENTATION FOR ELECTED MEMBERS AND EMPLOYEES

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Office of the CEO
OBJECTIVE:	<p>Under the <i>Local Government Act 1995</i>, the City's 'good government' powers allow it, in appropriate circumstances, to pay for the Legal Representation Costs of an individual Elected Member or Employee.</p> <p>This Policy sets out guidelines to assist the Council in determining when it is appropriate to pay Legal Representation Costs.</p> <p>This Policy does not cover legal representation provided to, or on behalf of, the City.</p>

STATEMENT:

1 Payment Criteria

There are three major criteria for determining whether the City should pay the Legal Representation Costs of an Elected Member or Employee. These are:

- (a) the Legal Representation Costs must relate to a matter that arises from the performance, by the Elected Member or Employee, of his or her functions;
- (b) the Legal Representation Costs must be in respect of Legal Proceedings that have been, or may be, commenced; and
- (c) in performing his or her functions, to which the Legal Representation relates, the Elected Member or Employee must have acted in good faith, and must not have acted unlawfully or in a way that constitutes improper conduct.

2 Examples of Legal Representation Costs that may be approved

- 2.1 If the criteria in clause 1 are satisfied, the City may approve the Payment of Legal Representation Costs:

- (a) where proceedings are brought **against** an Elected Member or Employee in connection with his or her functions – for example, an action for defamation or negligence arising out of a decision made or action taken by the Elected Member or Employee; or
 - (b) for involvement in a statutory or other inquiry that requires information to be given, or to which information is given, by an Elected Member or Employee in connection with his or her functions.
- 2.2 This policy does not relate to situations where legal proceedings are commenced by an Elected Member or Employee and there is a presumption that the City will not pay for legal representation costs in these circumstances. However this policy does not preclude such a request being submitted and considered by the Council for extenuating circumstances where the Elected Member or Employee is the subject of threatening behaviour by another person.
- 2.3 The City will not approve the Payment of Legal Representation Costs to an Elected Member or Employee for a defamation action, or a negligence action, instituted by the Elected Member or Employee.

3 Application for payment

- 3.1 An Elected Member or Employee who seeks assistance under this Policy is to make an application(s) for Payment of Legal Representation Costs.
- 3.2 The application:
- (a) is to be made in writing to the Council; and
 - (b) is to give details of:
 - (i) the matter for which Legal Representation is sought;
 - (ii) how that matter relates to the functions of the relevant Elected Member or Employee;
 - (iii) the lawyer (or law firm) who is to be asked to provide the Legal Representation;
 - (iv) the nature of Legal Representation to be sought (such as advice, representation in court, preparation of a document etc); and
 - (v) the estimated cost (if known) of the Legal Representation.
 - (c) is to contain a declaration by the applicant that he or she has acted in good faith, and has not acted unlawfully or in a way that constitutes improper conduct in relation to the matter to which the application relates; and

- (d) so far as possible, is to be made before seeking the Legal Representation to which the application relates.
- 3.3 The application is to be accompanied by a written statement by the applicant that he or she:
 - (a) has read, and understands, the terms of this Policy;
 - (b) acknowledges that any approval of Legal Representation Costs is conditional on the repayment provisions of clause 7 and any other conditions to which the approval is subject; and
 - (c) undertakes to repay to the City any Legal Representation Costs in accordance with the provisions of clause 7.
- 3.4 An application is also to be accompanied by a report prepared by or on behalf of the CEO or, where the CEO is the applicant, by the Director Corporate Services and Resource Management.

4 Legal Representation Costs - limit

- 4.1 Unless otherwise determined by the Council, payment of Legal Representation Costs in respect of a particular application is not to exceed \$5,000.
- 4.2 An Elected Member or Employee may make a further application to the Council in respect of the same matter.

5 Council's powers

- 5.1 The Council may:
 - (a) refuse;
 - (b) grant; or
 - (c) grant subject to conditions, including a financial limit,an application for payment of Legal Representation Costs.
- 5.2 A condition under clause 5.1 may include a financial limit and/or a requirement to enter into a formal agreement, including a security agreement, relating to the payment, and repayment, of Legal Representation Costs.
- 5.3 In assessing an application, the City may have regard to any insurance benefits that may be available to the applicant under the City's Councillors and Officers insurance policy (or its equivalent).
- 5.4 The Council may at any time revoke or vary an approval, or any conditions of approval, for the payment of Legal Representation Costs.

- 5.5 The Council may, subject to clause 5.6, determine that an Elected Member or Employee whose application for Legal Representation Costs has been approved has, in respect of the matter for which Legal Representation Costs were approved:
- (a) not acted in good faith, or has acted unlawfully or in a way that constitutes improper conduct; or
 - (b) given false or misleading information in respect of the application.
- 5.6 A determination under clause 5.5 may be made by the Council only on the basis of, and consistently with, the findings of a court, tribunal or inquiry.
- 5.7 Where the Council makes a determination under clause 5.5, it may also determine that all or part of the Legal Representation Costs paid by the City are to be repaid by the Elected Member or Employee in accordance with clause 7.

6 CEO's powers

- 6.1 In cases of urgency, the CEO, subject to clause 6.2, may exercise, on behalf of the Council, any of the powers of the Council under clauses 5.1 and 5.2, to a limit of \$2,000, where a delay in approving an application would be detrimental to the legal rights of an Elected Member or Employee.
- 6.2 Where the CEO is the applicant, the powers in clause 6.1 are to be exercised by the Director Corporate Services and Resource Management.
- 6.3 An application approved by the CEO under clause 6.1, or by the Director Corporate Services and Resource Management under clause 6.2, is to be submitted to the next meeting of the Council which may exercise any of its powers under this Policy, including its powers under clause 5.4.

7 Repayment of Legal Representation Costs

- 7.1 An Elected Member or Employee whose Legal Representation Costs have been paid by the City is to repay the City:
- (a) all or part of those costs – in accordance with a determination by the Council under clause 5.7; or
 - (b) as much of those costs as are available to be paid by way of set-off – where the Elected Member or Employee receives monies paid for costs, damages, or settlement, in respect of the matter for which the City paid the Legal Representation Costs.

- 7.2 The City may take action in a court of competent jurisdiction to recover any monies due it under this Policy.

Explanation of Key Terms

Approved Lawyer is to be:

- (a) a 'certificated practitioner' under the *Legal Practice Act 2003*; and
- (b) approved in writing by the Council.

Elected Member or Employee means a current or former Commissioner, Elected Member, or Employee of the City.

Legal Proceedings may be civil, criminal or investigative (including an inquiry under any written law).

Legal Representation is the provision, to or on behalf of an Elected Member or Employee, by an Approved Lawyer of Legal Services that are in respect of:

- (a) a matter or matters arising from the performance of the functions of the Elected Member or Employee; and
- (b) Legal Proceedings involving the Elected Member or Employee that have been, or may be, commenced.

Legal Representation Costs are the costs, including fees and disbursements, properly incurred in providing Legal Representation.

Legal Services includes advice, representation or documentation that is provided by an Approved Lawyer.

Payment by the City of Legal Representation Costs may be either by:

- (a) a direct payment to the Approved Lawyer (or the relevant law firm); or
- (b) a reimbursement to the Elected Member or Employee.

File No:

Previous Policy No: A2-12, EM15, 2.2.8

Amendments: CJ213-06/99, CJ001-02/01, CJ136-06/04

Related Documentation:

Issued:

POLICY 8-8 PAYMENT OF RATES AND CHARGES

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Corporate Services and Resource Management
OBJECTIVE:	To enable flexibility and choice appropriate for the needs of the community in the payment of rates and charges established by the City, while also acknowledging individual financial circumstances and recognising the fiscal responsibility of the City in meeting the community's service expectations.

STATEMENT:

The Council recognises that individual financial circumstances may differ across the community.

In accordance with the requirements of the Local Government Act 1995, as part of the budget adoption process, the Council will adopt a four payment option for the payment of annual rates and services charges, with payment schedules to form part of the annual budget.

In addition, as part of the budget adoption process, the Council may determine incentive options for early payment of rates and charges.

In responding to the needs of residents experiencing severe financial hardship by the ensuring that they are treated with respect, dignity, fairness, equity and confidentiality.

The level of relief applicants may receive will be based on the evidence of genuine hardship because of trauma/tragedy, level of income, reliance on Social Security, illness/disability, business failure or other factors considered relevant by the Chief Executive Officer.

The City will determine the financial contribution amount an applicant may contribute to the reduction of the debt.

If it the CEO is satisfied that the contribution will exacerbate the level of hardship then consideration may be given to writing off all or part of the late payment interest.

Authority is delegated to the Chief Executive Officer to determine alternative payment options based on individual circumstances.

File No:

Previous Policy No: B5-02; B5-05, 2.4.4

Amendments: CJ213-06/99, CJ121-06/02, JSC30-08/04

Related Documentation: Local Government Act 1995
Annual Budget
Delegated Authority Manual

Issued:

POLICY 8-9 - INVESTMENT

STATUS:	City Policy - <i>A policy that is developed for administrative and operational imperatives and has an internal focus.</i> <i>City policies are referred to Council for review and endorsement.</i>
RESPONSIBLE DIRECTORATE:	Corporate Services and Resource Management
OBJECTIVE:	To provide policy guidelines for investment of the City's Funds which are surplus to immediate requirements.

STATEMENT:

1 Investment Objectives

The investment objective is to manage the Council's investment portfolio in order to maximise return within agreed risk parameters.

In achieving this the following must be maintained:

- (a) high level of security by using recognised assessment criteria;
- (b) adequate level of diversification to spread risk;
- (c) ready access to funds for day-to-day requirements;
- (d) adherence to the requirements of Section 6.14 of the Local Government Act 1995 and Section 18 (1) of the Trustees Act 1962 (as amended) (the "Prudent Person" rule);
- (e) Ability for investment funds to achieve a return consistent with the UBSWA 90 day bank bill index and/or the Reserve Bank of Australia 11am cash rate.

2 Risk Profile

When exercising the power of investment the following are to be given consideration:

- (a) the purpose of the investment and the needs and circumstances;
- (b) the desirability of diversifying investments;
- (c) the nature of and risk associated with existing investments;
- (d) the need to maintain the real value of the capital and income;
- (e) the risk of capital or income loss or depreciation;
- (f) the potential for capital appreciation;
- (g) the likely income return and the timing of income return;
- (h) the length of the term of the proposed investment;
- (i) the probable duration of the fund;

- (j) the liquidity and the marketability of the proposed investment during, and on the determination of, the term of the proposed investment;
- (k) the aggregate value of the investment;
- (l) the effect of the proposed investment in relation to the tax liability (if any);
- (m) the likelihood of inflation affecting the value of the proposed investment;
- (n) the costs (including commissions, fees, charges and duties payable) of making the proposed investment; and
- (o) the results of a review of existing investments.

3 Delegated Authority to Invest

The authority is to be delegated to the Chief Executive Officer to make investment decisions and sign investment lodgements and withdrawals. Pursuant to the provisions of Section 5.45 of the Local Government Act 1995. This authority may be delegated to the Statutory Accountant.

4 Authorised Investments

Authorised investments would include but not necessarily be limited to:

- (a) Bank accepted/endorsed bank bills;
- (b) Bank negotiable Certificates of Deposit;
- (c) Bank interest bearing deposits;
- (d) Bank backed floating rate notes;
- (e) State/Commonwealth Government Bonds;
- (f) Cash, Cash Plus (or equivalent) Managed funds; and
- (g) City of Joondalup major land transactions.

5 Council's Direct Investments

(a) Quotations on Investments

Not less than three (3) quotations shall be obtained from authorised institutions whenever an investment is proposed. The best quote on the day will be successful after allowing for administrative and banking costs, as well as having regard to the limits set above and Council's bank management fee structure based around a level of credit funds being maintained.

(b) Term to Maturity

The term to maturity for an investment may range from "at call" to six months without Council approval.

(c) Liquidity

- (i) At least 20% of the total investment portfolio must be liquifiable within 10 days.
- (ii) Cash flow must be monitored daily to ensure cash funds are available to meet commitments.

6 Investments with Fund Managers - Prudential Requirements

Investments in managed funds will only include cash funds for funds invested for 0-3 months and cash-plus/cash enhanced funds (maximum permitted duration 2½ years with a bank bill performance benchmark) for funds available for 3 months and more.

The managed funds must have a minimum credit rating of “A” from Standard & Poors or “A2” from Moodys.

Council’s investments must be available “at call” or readily accessible with no penalty over a maximum of 7-day period.

7 General Policy Guidelines

(a) Diversification Credit Risk

The amount invested with any one financial institution or managed fund should not exceed the following percentages of average annual funds invested. When placing investments, consideration should be given to the relationship between credit rating and interest rate.

Long Term Rating (Standard and Poors)	Short Term Rating (Standard and Poors)	Maximum Percentage of Total Investments with any one Financial Institution
AAA to AA-	A1+	50%
A+ to A-	A1	40%
BBB+ to BBB-	A2	Nil

(b) Credit Ratings

If any of the funds/securities held are downgraded such that they no longer fall within Council’s investment policy guidelines, they will be divested within 30 days or as soon as is practicable.

The short term rating order 0-365 days (as defined by S & P Australian Ratings) is:

A1+	Extremely strong degree of safety regarding timely payment
A1	A strong degree of safety for timely payment
A2	A satisfactory capacity for timely payment

Long term rating order is:

AAA to AAA-	An extremely strong capacity to repay
AA+ to AA-	A very strong capacity to repay
A+ to A-	A strong capacity to repay
BBB+ to BBB-	An adequate capacity to repay

8 Financial Reporting

Each month an investment report must be produced for Council.

The report is to summarise:

- Total funds invested by account type.
- Total funds invested by institution.
- Investment spread by institution.
- Institution exposure versus limits.
- Any breaches of authority.

(Each quarter the investment report must include returns versus benchmarks).

File No:

Previous Policy No: 2.4.2

Amendments: CJ213-06/99, CJ121-06/02, CJ232-09/02, CJ213-09/03

Related Documentation: Local Government Act 1995 Delegated Authority Manual

Issued:

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5.2.6 Median & Road Reserve Landscaping Undeveloped Future Road Reserves

5.3 INFRASTRUCTURE MANAGEMENT SERVICES

5.3.1 Verge Treatments - Protective Devices

5.3.2 Sand Drift Control

5.3.3 Vehicle Crossing - Construction and Maintenance

5.3.4 Removal of Graffiti and Repair of Vandalism

5.3.5 Roadworks - Opening Up

5.3.6 Coastal Limestone Cliff Hazard

5.4 INFRASTRUCTURE MANAGEMENT SERVICES

- 5.4.1 Tennis Court Lighting Standards
- 5.4.2 Stormwater Drainage Into Wetlands
- 5.4.3 Prevention of stormwater discharge into natural areas

5.5 RANGER SERVICES

- 5.5.1 Burning of Garden Refuse and Cleared Vegetation