

**CJ147-08/15 LOCAL HOUSING STRATEGY IMPLEMENTATION**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	104919, 101515
<b>ATTACHMENT</b>	Attachment 1 Decision making flow chart Attachment 2 Draft <i>Height of Non-Residential Buildings Local Planning Policy</i> Attachment 3 Draft <i>Residential Development Local Planning Policy</i> Attachment 4 Key proposals of the draft <i>Residential Development Local Planning Policy</i> and desired outcomes Attachment 5 Indicative height drawings Attachment 6 Indicative streetscape drawings
<b>AUTHORITY / DISCRETION</b>	Legislative - includes the adoption of local laws, planning schemes and policies.

**PURPOSE**

For Council to consider the draft *Residential Development Local Planning Policy* and the draft *Height of Non-Residential Buildings Local Planning Policy* for the purposes of consultation. These policies will implement the outstanding recommendations of the City's *Local Housing Strategy*.

**EXECUTIVE SUMMARY**

On 12 November 2013, the Western Australian Planning Commission resolved to support the City's *Local Housing Strategy* (LHS) for the purposes of guiding future amendments to the *City of Joondalup District Planning Scheme No. 2* (DPS2).

The LHS contains 10 recommendations. Eight of these will be implemented via *Scheme Amendment No. 73*, which was adopted by Council at its meeting held on 31 March 2015 (CJ032-03/15 refers), and forwarded to the Western Australian Planning Commission for consideration and determination by the Minister for Planning.

The recommendations which have not been captured in *Scheme Amendment No. 73* will be implemented through the draft *Residential Development Local Planning Policy* and the draft *Height of Non-Residential Buildings Local Planning Policy*.

This report presents the draft policies for consideration and also outlines a number of issues relating to implementation of the LHS, which have been considered and will be addressed as part of the implementation of the policies.

## BACKGROUND

At its meeting held on 16 April 2013 (CJ044-04/13 refers), Council resolved to adopt the revised draft LHS, and the document was subsequently forwarded to the Western Australian Planning Commission (WAPC) via the Department of Planning for endorsement. On 12 November 2013, the WAPC resolved to support the LHS for the purposes of guiding future amendments to DPS2.

The LHS contains ten recommendations. As part of Council's April 2013 resolution, a separate scheme amendment was requested to be prepared as an implementation mechanism for most of the recommendations of the LHS.

*Scheme Amendment No. 73* was endorsed by Council for the purposes of public consultation at its meeting held on 10 December 2013 (CJ236-12/13 refers). The WAPC granted its consent to advertise the scheme amendment on 17 October 2014. The City subsequently advertised the scheme amendment for 42 days commencing on 29 October 2014 and concluding on 10 December 2014. *Scheme Amendment No. 73* was presented to Council, post consultation, at its meeting held on 31 March 2015 (CJ032-03/15 refers) where it was resolved to adopt the scheme amendment and forward it to the Western Australian Planning Commission for the Minister of Planning's consideration of final approval.

The outstanding recommendations, which have not been captured in *Scheme Amendment 73*, are to be implemented via two local planning policies. The two draft new policies were presented for discussion with Elected Members at the Strategy Session in July 2015.

The draft *Residential Development Local Planning Policy* is at Attachment 2 and the draft *Height of Non-Residential Buildings Local Planning* is at Attachment 3.

Both these policies will replace the following existing local planning policies, which are proposed to be revoked:

- *Height and Scale of Buildings in Residential Areas Policy.*
- *Height of Buildings within the Coastal Area Policy.*

## DETAILS

The purpose of the two proposed policies is to implement Recommendations 3 and 6 of the LHS. The LHS recommendations and the manner in which they are to be addressed and implemented are provided below:

### **Recommendation 3**

*As part of the District Planning Scheme review process, develop design provisions to ensure development at the higher density of the dual density code will enhance/maintain streetscapes and incorporate environmentally responsible design.*

Dwellings within Housing Opportunity Areas will be given new dual density codes in DPS2 as a result of *Scheme Amendment No. 73* (for example, R20/40). The increased density is not an as-of-right density. Instead, developers wishing to take advantage of the increased density will be required to develop in accordance with development criteria for dual coded areas, which will be embedded in both DPS2 and the draft *Residential Development Local Planning Policy*.

The provisions proposed for inclusion in DPS2 as part of *Scheme Amendment No. 73* promote good design at the subdivision stage, including regulating lot shapes, requiring vehicular access from a laneway (where applicable) and restricting multiple dwellings to larger lots. As subdivision applications are determined by the WAPC, provisions relating to subdivision must be incorporated into DPS2 in order for them to be implemented effectively.

The City previously developed and advertised the former draft *Dual Density Policy*. This policy proposed the additional development criteria for dual coded areas. Advice from the Department of Planning on the former draft policy indicated that a number of the provisions contained within that draft policy were not consistent with the State Government's *Residential Design Codes (R-Codes)*. The Department advised that these provisions could only be included in a local planning policy if this policy was first endorsed by the WAPC. In addition, an amendment to the *Planning and Development Act 2005* in 2011 makes it clear that requirements covered by the *Building Act 2011*, such as universal access and green building standards, cannot be superseded by a planning scheme or local planning policies and that a local government must have regard to the regulations made under the *Building Act 2011* when implementing its scheme.

As a result, the draft *Dual Density Policy* has been reviewed and renamed the *Residential Development Local Planning Policy*.

The draft policy has also been changed to include standards for all residential development in the City of Joondalup, not just that in Housing Opportunity Areas. The reason for this is that the R-Codes simply do not go far enough to control design qualities of structures like garages, carports, ancillary dwellings (granny flats) and the like. The City therefore experiences difficulties on occasion with inferior design quality of certain structures, which meet the Deemed to Comply standards or Design Principles of the R-Codes and therefore cannot reasonably be refused by the City.

The draft policy has been developed to be, in effect, a new set of R-Codes for the City.

The existing R-Codes work in the following manner:

- The R-Codes are broken up into a number of different design elements (for example, site area, street setbacks, street walls and fences, open space, building height, parking, landscaping).
- For each design element, there are two sets of criteria against which a proposal can be assessed, namely the Deemed-to-Comply standards and the Design Principles.
- If a proposal meets the specific Deemed-to-Comply standards in the first instance, it is automatically considered to meet the objective for that design element and should be approved.
- If a development does not meet the Deemed-to-Comply standards, this does not mean it should be refused. Instead, the assessor is required to exercise some discretion or judgement as to whether the development meets the broader Design Principles. If so, the development is considered to meet the objective for that design element and may be approved.

An example of this is provided below:

#### 5.2.4 Street Walls and fences

##### Deemed-to-Comply standards

Front fences within the primary setback area that are visually permeable above 1.2m of natural ground level, measured from the primary street side of the fence.

##### Design principles

Front fences are low or restricted in height to permit surveillance and enhance streetscape, with appropriate consideration to the need:

- For attenuation of traffic impacts where the street is designated as a primary or district distributor or integrator arterial; and
- For necessary privacy or noise screening for outdoor living areas where the street is designated as a primary or district distributor or integrator arterial.

The new *Residential Development Local Planning Policy* is in effect a new set of R-Codes for the City of Joondalup. It is set out in a similar manner to the R-Codes, but also includes the following:

- (a) Additional and replacement Deemed-to-Comply standards for all residential development (Column 1 in attached table).
- (b) New Deemed-to-Comply standards for development in Housing Opportunity Areas - over and above those in a) above (Column 2 in attached table).
- (c) New Local Housing Objectives (Column 3 in attached table).

The existing Design Principles of the R-Codes are contained in Column 4 of the attached table. The Design Principles of the R-Codes are not able to be altered.

The additional and replacement Deemed-to-Comply standards for all residential development in Column 1 are intended to provide the City with the ability to better control the quality of development so as to protect and enhance existing streetscapes and to minimise negative impact on neighbours. Some of the standards have also been developed to reflect and capture as a new Deemed-to-Comply standard, the extent of discretion that is commonly exercised by officers in assessing proposals against the Design Principles. For example, currently minor incursions, such as porches and balconies, are only permitted to reduce the front setback by one metre where any other portion of the dwelling may reduce the front setback by 50 per cent. It is proposed to permit minor incursions to reduce the primary street setback by 50 per cent which is in keeping with the setback requirements permitted for any other portion of the dwelling.

The new Deemed-to-Comply standards in Column 2 for developments in Housing Opportunity Areas are standards that augment the R-Codes by providing design and development requirements for aspects of residential development that do not meet the Deemed-to-Comply requirements or are not provided for under the R-Codes.

The Local Housing Objectives (LHO) in Column 3 effectively bridge the gap between the very specific Deemed-to-Comply standards of the R-Codes and the very broad Design Principles, by providing guidance on the exercise of discretion. For example, where residential development does not meet the open space requirements prescribed under the Deemed-to-Comply criteria of the R-Codes the LHO provide several requirements which the development must meet. It is considered that these requirements, including the provision of an adequate outdoor living area and one active habitable space which has access to northern light, provide a better outcome for the residents of the property than requiring a certain percentage of open space which may form part of a side setback area which has limited uses and limited benefits for the residents.

The table at Attachment 4 outlines some of the key proposals contained in the tables that form part of the draft *Residential Development Local Planning Policy*, and the key outcomes sought to be achieved by these.

In future, when the Deemed-to-Comply standards are not met in the first instance, the proposal can be assessed against the LHOs, where these are listed. Where there are no LHOs or where the proposed development does not meet the LHOs, only then will the development be assessed against the Design Principles.

Attachment 1 to this Report contains a decision making flow chart, which highlights the above.

### **Recommendation 6**

*Scheme provisions should be considered and/or Council's height policies should be reviewed to allow additional height on:*

- i) *large parcels of land being developed for aged persons' accommodation such as retirement villages*
- ii) *large parcels of land with a density code of R60 and higher.*

### **Residential Development**

Currently the height of all development (residential and non-residential) in the 'Residential' zone is subject to the requirements of the existing *Height and Scale of Buildings within Residential Areas Policy*. This policy requires that for development to be deemed to comply it must fit within a building height envelope which prescribes a maximum height of 3.5 metres at the property boundaries, increasing to a maximum height of 8.5 metres, five metres in from the lot boundaries. This policy is outdated and imposes restrictions on development which are not consistent with other local governments. The requirements of the policy do not allow for the consideration of more modern building designs that may not feature a pitched roof or development on narrow lots. Furthermore, it is considered that the objectives of the policy provide little guidance on the determination of applications when the height limitations are not met. It is therefore proposed that this policy be revoked and that height provisions be dealt with via R-Code provisions in the new draft *Residential Development Local Planning Policy*.

The draft *Residential Development Local Planning Policy* proposes the following:

- Unless otherwise specified, the maximum height of all residential development is to be six metres to the top of an external wall, or two storeys.

- Multiple dwellings in areas coded R30 or greater are proposed to be limited to the heights prescribed under the current requirements within the R-codes. The permitted height will depend on the density of the site with properties coded R30 – R40 limited to nine metres or two storeys, R50 – R60 limited to 12 metres or three storeys, and R80 limited to 15 metres or four storeys.
- As per Recommendation 6, the maximum height of multiple dwellings for aged and dependent persons (where permitted), on land of 5,000m<sup>2</sup> or more, and coded R40 or lower, is to be 12 metres or three storeys.
- As per Recommendation 6, the maximum height of multiple dwellings for the purposes of aged and dependent persons, on land 5,000m<sup>2</sup> or more, and coded R60 to R80, is to be 15 metres or four storeys.

Indicative height drawings are at Attachment 5.

### Non-Residential Development

Currently, there are only height restrictions for non-residential development within the 'Residential' zone or if they are prescribed under a structure plan. All other non-residential development does not have any height limitations imposed under DPS2 and are only limited in height by their ability to provide adequate car parking on site. It is considered that the control of non-residential development is critical to provide guidance to developers on what is considered to be appropriate and provide consistency with the building heights of existing and adjacent buildings in the locality.

Building height for non-residential development within 300 metres of the coast is currently controlled through the *Height of Buildings within the Coastal area (Non-Residential Zones) Policy*. This policy sets out that on land within 300 metres of the horizontal setback datum of a coast, buildings shall not exceed 10 metres in height.

This policy was originally adopted by Council in 2006 following advice from the then Minister for Planning and Infrastructure that the City's lack of commercial height controls within the coastal strip be addressed.

As a result of the recommendation, Council at its meeting held on 13 December 2005 resolved to adopt, for the purposes of advertising, *Scheme Amendment No. 32* that sought to introduce into DPS2 a 10 metre building height limit within the coastal area.

Due to the extended timeframe for an amendment to DPS2 to be finalised, and given that a policy could be finalised in a shorter timeframe, Council also adopted, for the purpose of advertising, an 'interim' local planning policy with similar wording to the scheme amendment.

Following advertising, the policy was adopted by Council at its meeting on 21 February 2006, and has remained in place since that time. *Scheme Amendment No. 32* was adopted by Council at its meeting held on 4 April 2006 but in May 2007, the then Minister for Planning and Infrastructure advised of concerns regarding the 'blanket' approach to height control along the City's coastal area, and refused to grant final approval to the scheme amendment for the following reasons:

- 1 *The proposed 10.0 metre height limit has not been appropriately justified in the context of the limited sites to which it would apply.*
- 2 *The proposed height limit would give the Council no discretion to determine a development application on its merits where a greater building height was proposed as has already shown itself to be an issue in the determination of the development application at Sacred Heart College.*

The current *Height of Buildings within the Coastal area (Non-Residential Zones) Policy* was based on the previous *State Planning Policy 2.6 State Coastal Planning Policy* (SPP 2.6). This state planning policy has since been updated to remove the maximum building height requirements and to allow local governments to determine the appropriate height of buildings in coastal areas.

In reviewing this issue, research has been done to determine exactly how many sites could potentially be developed with non-residential buildings within 300 metres of the coast. The sites which fall into this category are as follows:

Site	Comments
Burns Beach - small café site adjoining foreshore reserve	Vacant site. Height requirement not specified in existing structure plan.
Iluka - 'Centre' zone (portion of site)	Vacant site. Height requirement specified in existing structure plan (three storey maximum).
Mullaloo - tavern site	Existing four storey building.
Kallaroo - Northshore Country Club (portion of site)	Existing two storey building. Only a very small portion of site affected.
Hillarys - Mixed use sites Site 1 - Angove Drive cnr West Coast Drive Site 2 - Hepburn Avenue cnr West Coast Drive	Height requirement specified in structure plan. Site 1 – two storey maximum Site 2 – three storey maximum if landmark building
Sorrento - Sacred Heart College (portion of site)	Existing auditorium, and approval for gymnasium, within coastal area.
Sorrento Beach Resort	Existing two storey building.
Sorrento local centre	Existing buildings up to two storeys. Structure plan application for up to six storeys.

It is considered that a policy is still needed to guide the possible future development of most of these sites. The exceptions are sites, which are controlled separately by structure plan provisions.

The draft *Height of Non-Residential Buildings Local Planning Policy* is proposed to include provisions regarding all non-residential development within the City of Joondalup and separate provisions for height of non-residential buildings in the coastal area.

The *Height of Non-Residential Buildings Local Planning Policy* proposes the following:

- Non-residential development within the 'Residential' and 'Special Residential' zone will be limited to the same height as residential development as prescribed under the R-Codes (six metres to the top of an external wall or two storeys).  
In line with Recommendation 6 of the LHS, the height of a Nursing Home or Retirement Village on a lot of 5,000m<sup>2</sup> or more and coded R50 or higher will be limited to that stated for R80 development (12 metres to the top of an external wall or four storeys).
- Non-residential development in the 'Private Clubs and Recreation' and 'Local Reserve' are not to exceed six metres to top of external wall (roof above), seven metres to top of external wall (concealed roof) and nine metres to top of pitched roof.

- Non-residential development in the 'Mixed-Use', 'Business' and 'Commercial' zones will be limited to the maximum height set out in Table 4 of the R-Codes for the applicable coding of that lot. This will maintain consistency in height in these zones between residential and non-residential development.
- Non-residential buildings in the 'Service Industrial', 'Civic and Cultural' and 'Rural' zones are not to exceed nine metres to top of external wall (roof above), 10 metres to top of external wall (concealed roof) and 12 metres to top of pitched roof.
- In addition to the above requirement, where a lot is zoned 'Mixed-Use', 'Business' and 'Commercial', 'Service Industrial', 'Civic and Cultural' or 'Rural' and abuts a 'Residential' zoned lot, the maximum building height is limited to six metres within six metres of this common boundary. This requirement is proposed to limit this development to a height comparable to two storeys to manage the impact of these developments on adjoining residential properties.
- With respect to non-residential development in the coastal areas, it is proposed that new development be restricted to the same height as residential development as prescribed under the R-Codes (six metres to the top of an external wall or two storeys), unless:
  - new development is considered to be minor or incidental development
  - new development does not increase the height of existing buildings
  - greater height has been approved as part of a structure plan or local development plan, taking into account:
    - (a) existing built form, topography and landscape character of the surrounding area
    - (b) building siting and design
    - (c) bulk and scale of buildings and the potential to unreasonably overshadow adjoining properties or the foreshore
    - (d) visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces.

### **Implementation issues**

Through the development of LHS, a number of issues have been identified which will need to be addressed prior to the implementation of the HOAs. These issues include:

#### Standards for verge upgrades

The draft *Residential Development Local Planning Policy* requires that developers will need to provide one visitor parking bay per two dwellings in the road reserve. If the parking bay(s) cannot be accommodated in the road reserve the developers, where practicable, will be required to provide visitor parking on their private properties. Provision of parking and a street tree in the road reserve will be a condition of development and/or subdivision approval.

Indicative streetscape diagrams have been provided as part of Attachment 6.

These works will need to be undertaken by each individual developer, and therefore detailed development standards will need to be developed by the City. As a result of these works in the road reserve, existing footpaths or portions thereof may be required to be relocated and, as such, standards for footpath replacement by the developer will also need to be developed.

The option of requiring financial contributions from land owners/developers to fund the streetscape upgrades has been considered however a number of issues with this approach are identified. Firstly, as there is no requirement for lots within the HOAs to redevelop at the higher coding, it is likely that the City would not receive the full amount of funds required for the full extent of works. This would result in the City providing the remainder of the funds for the works.

In addition, the collection of development contributions would result in a number of additional administration resources revolved around the collection of the contributions. These costs may become greater than the cost of the contributions themselves.

Further to this, the requirement for development contributions has the potential to stifle the amount of redevelopment within the housing opportunity areas.

As per conditions of subdivision/development approval, the works undertaken by developers in the road reserve will need to meet the City's requirements. This will require the City to inspect all completed works, which may have an impact on staffing resources for the City, depending on the rate of uptake of development opportunity in HOAs.

Developers and landowners will also be made aware that the parking bays in the road reserve are under the care and control of the City and therefore, over time, the City may choose to impose parking controls to ensure these bays are used by residents/visitors and not by commuters in HOAs which are located close to train stations.

#### Naming of the laneways within Sorrento, street addresses and process for upgrading of laneways

The naming of the laneways within Sorrento will be required to be in accordance with the requirements of the Geographical Naming Committee Guidelines.

With respect to the issue of whether new dwellings with frontage on the laneway should have a laneway street address or the address of the existing primary street will also need to be resolved. Comments from the Department of Fire and Emergency Services are currently being sought regarding their preference, after which consultation with affected landowners will take place as part of advertising of draft *Residential Development Local Planning Policy*.

Investigations are also currently underway as to the most appropriate method to deal with future laneway upgrades.

These issues are proposed to be addressed prior to the LHS being implemented.

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

The issue to be considered by Council is the suitability of the draft *Residential Development Local Planning Policy* and the proposed *Height of Non-Residential Buildings Local Planning Policy*.

The options available to Council are to:

- proceed with the draft *Residential Development Local Planning Policy* and the draft *Height of Non-Residential Buildings Local Planning Policy* and adopt them for the purposes of public advertising

- proceed with the draft *Residential Development Local Planning Policy* and the draft *Height of Non-Residential Buildings Local Planning Policy*, subject to modifications, and adopt them for the purposes of public advertising or
- not proceed with the draft *Residential Development Local Planning Policy* and/or the draft *Height of Non-Residential Buildings Local Planning Policy*.

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

#### **Legislation**

*City of Joondalup District Planning Scheme No. 2.*

#### **Strategic Community Plan**

#### **Key theme**

Quality Urban Environment.

#### **Objective**

Quality built outcomes.

#### **Strategic initiative**

Housing infill and densification is encouraged and enabled through strategic, planning approach in appropriate locations.

The community is able to effectively age-in-place through a diverse mix of facilities and appropriate urban landscapes.

#### **Policy**

*State Planning Policy 3.1: Residential Design Codes of Western Australia (R-Codes).*

#### *City of Joondalup District Planning Scheme No. 2*

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

If Council decides to adopt a draft or amended policy, the draft policy is to be advertised for not less than 21 days and published a notice in a local newspaper circulating within the scheme area once a week for two consecutive weeks.

Following advertising, Council is required to review the draft policy in light of any submissions received and resolve to finally adopt the draft policy with or without modifications or not to proceed with the draft policy.

#### *State Planning Policy 3.1: Residential Design Codes of Western Australia (R-Codes)*

The R-Codes stipulate development standards for residential development which includes aged and dependent persons' dwellings.

Clause 7.3.1 of the R-Codes permits local planning policies to amend or replace certain Deemed-to-Comply criteria of the R-Codes as well as augment the R-Codes by providing local housing objectives to guide judgements about the merits of proposal for any aspects of residential development.

Under clause 7.3.2 of the R-Codes permits local governments, with the approval of the WAPC, to amend any Deemed-to-Comply provisions within the R-Codes through local planning policy provisions.

### **Risk management considerations**

Without the provisions contained within the draft *Residential Development Local Planning Policy* and the draft *Height of Non-Residential Buildings Local Planning Policy*, the City will be unable to effectively implement Recommendations 3 and 6 of the LHS. Furthermore, without appropriate controls in place, development could occur in an ad hoc manner which has the potential to have negative impact on the City's streetscapes and on residential amenity.

There is also a risk that the uptake of development opportunities in HOAs is greater than that currently envisaged by the City. This will have an impact on City staff resources as Urban Planners are required to assess applications received and engineering expertise will be required to check that footpath replacement and verge parking has been constructed in accordance with City guidelines. The likely uptake is difficult to predict and therefore the impact the implementation of the LHS will have on City resource is somewhat of an unknown at this stage.

There is a risk that developers will not construct the verge parking and undertake the footpath replacement to the satisfaction of the City, but this would mean they would either not receive subdivision clearance from the City or would be in contravention of conditions of their development approval.

### **Financial / budget implications**

The implementation of the *Residential Development Local Planning Policy* will have an impact on staffing resources for the City, though this impact is difficult to quantify at this early stage due to uncertainty about the likely uptake of development opportunity.

### **Regional significance**

Not applicable.

### **Sustainability implications**

The increase in the range of residential densities in the City of Joondalup will provide a greater choice of house and land sizes which can cater for a greater range of household types from single persons to large families. This provision of varied lot and dwelling sizes can also offer an increase in affordable housing choices. This will also improve social sustainability as it can assist residents to stay in their community, while changing housing choice to meet their needs throughout their life. The proposed *Residential Development Local Planning Policy* and the proposed *Height of Non-Residential Buildings Local Planning Policy* will help facilitate this proposed infill while minimising the impact on the existing streetscape.

Further to this, the increased density of the HOAs within appropriate walkable catchments will assist in reducing dependency on the private vehicle and encourage alternative modes of transport such as walking and cycling. This has potential health (social) and energy consumption (environmental) benefits.

### **Consultation**

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

- a notice will be published once a week for two consecutive weeks in the local newspaper
- a notice placed on the e-screen at the City's administration building
- a notice and documents will be placed on the City's website.

## COMMENT

The proposed provisions of the draft *Residential Development Local Planning Policy* outline the City's expectations/approach to development (including height of all residential development) and development that is to be delivered at a higher density under the LHS. This will provide clear guidance to anyone contemplating development within the City. It is also intended that the policies will serve as an effective guide to decision-making and will provide clarity and comfort for owners and residents as to what form of development they could expect to occur in the vicinity of their property.

The proposed provisions of the *Height of Non-Residential Buildings Local Planning Policy* look to set height restrictions for non-residential develop throughout the City, including within the coastal area.

As both the above policies will effectively replace the existing policies on *Height and Scale of Buildings within Residential Areas* and the *Height of Buildings within the Coastal area (Non-Residential Zones)*, it is proposed to revoke both existing policies.

## VOTING REQUIREMENTS

Simple Majority.

## COMMITTEE RECOMMENDATION

The Committee recommendation to Council for this report (as detailed below) was resolved by the Policy Committee at its meeting held on 10 August 2015.

The original recommendation as presented by City officers to the Committee is as follows:

*"That Council:*

- 1 *in accordance with clause 8.11 of the City of Joondalup District Planning Scheme No. 2, ADOPTS the draft Height of Non-Residential Buildings Local Planning Policy as detailed in Attachment 2 to this Report, for the purpose of public advertising;*
- 2 *in accordance with clause 8.11 of the City of Joondalup District Planning Scheme No. 2, ADOPTS the draft Residential Development Local Planning Policy as detailed in Attachment 3 to this Report, for the purpose of public advertising;*
- 3 *in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No. 2, ADVERTISES the draft Height of Non-Residential Buildings Local Planning Policy and draft Residential Development Local Planning Policy for public comment for a period of 21 days;*

- 4 *in accordance with clause 8.11 of the City of Joondalup District Planning Scheme No. 2, NOTES that the Height and Scale of Buildings within Residential Areas and the Height of Buildings within the Coastal area (Non-Residential Zones) will be revoked in the event that the draft Height of Non-Residential Buildings Local Planning Policy and draft Residential Development Local Planning Policy are implemented."*

The Committee's subsequent recommendation to Council is as follows (changes identified):  
*That Council:*

- 1 *in accordance with clause 8.11 of the City of Joondalup District Planning Scheme No. 2, ADOPTS the draft Height of Non-Residential Buildings Local Planning Policy as detailed in Attachment 2 to this Report, for the purpose of public advertising;*
- 2 *in accordance with clause 8.11 of the City of Joondalup District Planning Scheme No. 2, ADOPTS the draft Residential Development Local Planning Policy as detailed in Attachment 3 to this Report, for the purpose of public advertising;*
- 3 *in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No. 2, ADVERTISES the draft Height of Non-Residential Buildings Local Planning Policy and draft Residential Development Local Planning Policy for public comment for a period of 21 days;*
- 4 *in accordance with clause 8.11 of the City of Joondalup District Planning Scheme No. 2, NOTES that the Height and Scale of Buildings within Residential Areas and the Height of Buildings within the Coastal area (Non-Residential Zones) will be revoked in the event that the draft Height of Non-Residential Buildings Local Planning Policy and draft Residential Development Local Planning Policy are implemented;*
- 5 *REQUESTS that a report be submitted to Council following 12 months of the policies implementation.*

**MOVED Cr Gobbert, SECONDED Cr Amphlett that Council:**

- 1 **in accordance with clause 8.11 of the City of Joondalup *District Planning Scheme No. 2*, ADOPTS the draft Height of Non-Residential Buildings Local Planning Policy as detailed in Attachment 2 to Report CJ147-08/15, for the purpose of public advertising;**
- 2 **in accordance with clause 8.11 of the City of Joondalup *District Planning Scheme No. 2*, ADOPTS the draft Residential Development Local Planning Policy as detailed in Attachment 3 to Report CJ147-08/15, for the purpose of public advertising;**
- 3 **in accordance with Clause 8.11 of the City of Joondalup *District Planning Scheme No. 2*, ADVERTISES the draft *Height of Non-Residential Buildings Local Planning Policy* and *draft Residential Development Local Planning Policy* for public comment for a period of 21 days;**

- 4 in accordance with clause 8.11 of the City of Joondalup *District Planning Scheme No. 2*, NOTES that the *Height and Scale of Buildings within Residential Areas* and the *Height of Buildings within the Coastal area (Non-Residential Zones)* will be revoked in the event that the draft *Height of Non-Residential Buildings Local Planning Policy* and draft *Residential Development Local Planning Policy* are implemented;
- 5 REQUESTS that a report be submitted to Council following 12 months of the policies implementation.

The Motion was Put and CARRIED (12/0) by Exception Resolution after consideration of CJ144-08/15, page 122 refers.

In favour of the Motion: Mayor Pickard, Crs Amphlett, Chester, Corr, Fishwick, Gobbert, Hollywood, McLean, Norman, Ritchie, Taylor and Thomas.

*Appendix 17 refers*

To access this attachment on electronic document, click here: [Attach17agn170815.pdf](#)