

Disclosures of Financial Interest

Name/Position	Cr John Chester.
Item No./Subject	CJ177-11/17 - Local Housing Strategy – Addressing Issues in Housing Opportunity Areas.
Nature of interest	Financial Interest.
Extent of Interest	Cr Chester owns two properties in housing opportunity areas.

Name/Position	Cr Russ Fishwick, JP.
Item No./Subject	CJ177-11/17 - Local Housing Strategy – Addressing Issues in Housing Opportunity Areas.
Nature of interest	Financial Interest.
Extent of Interest	Cr Fishwick is a joint owner of a property in a Housing Opportunity Area 1 and in particular West of Davallia Road.

Note: While Cr Fishwick was not present at the Council Meeting, he had earlier declared the interest at the Briefing Session held on 14 November 2017.

Cr Chester left the Chamber at 7.53pm.

CJ177-11/17 LOCAL HOUSING STRATEGY – ADDRESSING ISSUES IN HOUSING OPPORTUNITY AREAS

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	106679, 30622, 101515
ATTACHMENT	Nil
AUTHORITY / DISCRETION	Executive – The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

The purpose of this report is to:

- respond to a request for a report providing information on the background to the *Local Housing Strategy*, possible development outcomes in Housing Opportunity Areas and the planning decision-making process
- provide Council with an update on the City's Housing Opportunity Areas and the challenges that are currently being experienced within these areas
- propose a number of strategies to better manage the impacts of urban infill within the City's Housing Opportunity Areas
- respond to two petitions received concerning development in the City's Housing Opportunity Areas.

EXECUTIVE SUMMARY

The City responded to the State Government's target of accommodating 47% of Perth's population growth in existing suburbs through the preparation of the *Local Housing Strategy* (LHS).

The LHS identifies 10 areas, known as Housing Opportunity Areas (HOAs), throughout the City of Joondalup that were considered appropriate for increased densities. These areas were strategically selected, based on a set of criteria, including proximity to train stations, high frequency bus routes and activity centres.

The opportunity for increased densities in these HOAs was given statutory effect through Amendment No. 73 to the City's *District Planning Scheme No. 2* (DPS2), which was approved by the (then) Minister for Planning in January 2016.

Since implementation of the LHS via Amendment No. 73, development is occurring throughout all HOAs.

Concern has been raised by some members of the community about the impact that higher density development is having on existing neighbourhoods. This concern has manifested in a number of requests to Council to consider location specific action, including reduction of the density coding of portions of specific HOAs, prevention of development of multiple dwellings (apartments) in the HOAs and increased community consultation for development proposals in specific suburbs.

The City always recognised the need to try and control, as best it could, the potential impact that increased density would have on existing residents and explored a number of strategies with the Department of Planning, Lands and Heritage (DPLH) during preparation of the LHS and implementation documents, but was able to include only some of those strategies at that time.

Engagement with the DPLH on appropriate policy provisions to better manage impacts of density has been ongoing over the past two years as part of the City's review of its *Residential Development Local Planning Policy*. More recently, the City has met with the DPLH on a number of occasions to try and find solutions to the issues being experienced by residents. It appears that the issues and challenges with managing impacts of density are also being experienced in other local governments and the DPLH is now taking a more proactive approach to try and assist in resolving these.

In light of this, and rather than responding on an ad hoc basis to petitions as they are received, this report recommends that Council adopts a range of different strategies that seek to better inform the community, as well as better manage the impact of urban infill in the City's HOAs.

These proposed strategies include the following:

- Amending the consultation procedures for planning proposals.
- Expanding the role of the Joondalup Design Reference Panel.
- Preparing a design-led local planning policy for multiple dwellings in the City's HOAs.
- Introducing additional provisions in the City's scheme.

BACKGROUND

Directions 2031 and Beyond

In August 2010, the State Government released *Directions 2031 and Beyond* - a high level spatial framework and strategic plan to guide the future development of Perth. *Directions 2031 and Beyond* sets a target of accommodating 47% of population growth within existing suburbs.

For local governments like the City of Joondalup, which do not have many or any greenfield sites left, this growth needs to be accommodated as infill development.

The principles of *Directions 2031 and Beyond* have also been captured in the State Government's latest strategic plan, known as (draft) *Perth and Peel @ 3.5 million*.

Development of the City of Joondalup Local Housing Strategy

To demonstrate how the City was going to achieve its dwelling targets, the City was required by the State Government to prepare a LHS.

Housing Intentions Community Survey

As a precursor to the development of the draft LHS, a Housing Intentions Community Survey was conducted in April and May 2009.

Approximately 2,200 surveys were mailed to randomly selected residents across the City of Joondalup to ascertain the housing needs and requirements of residents, both at that time and into the future.

An online version of the survey and a downloadable version of the survey were also made available on the City's website.

Feedback received from the Housing Intentions Community Survey was used to inform the development of the draft LHS.

Principal recommendations of the Local Housing Strategy

It was established early in the development of the LHS that the City did not want to take an ad hoc approach that would allow densification to occur everywhere throughout the City of Joondalup. Rather, a strategic approach was favoured that enabled residential density to increase in identified, appropriate areas.

The following broad selection criteria were developed through the LHS to assist with selecting areas within the City of Joondalup for higher density investigation:

- 800 metres walkable catchment around Currambine, Joondalup, Edgewater, Whitfords, Greenwood and Warwick railway stations.
- 800 metres walkable catchment around secondary centres of Whitfords and Warwick
- 400 metres walkable catchment around district centres of Woodvale, Greenwood and Currambine.
- 400 metres walkable catchment around neighbourhood centres close to high frequency public transport services.
- 400 metres walkable catchment around high frequency bus routes.
- suburbs which would benefit from revitalisation.
- land abutting Right of Ways (laneways).

Ten areas were identified where, based on the aforementioned criteria, increased residential densities were considered appropriate. These areas are referred to as Housing Opportunity Areas (HOAs).

The LHS proposed a dual density coding in HOAs that consisted predominantly of R20/R30 coded areas, with some higher coded areas of R20/R40 and R20/R60.

Draft Local Housing Strategy Public Consultation

Public consultation on the draft LHS was undertaken from 3 June 2010 to 16 August 2010 in the following manner:

- 63,685 letters and brochures, incorporating a survey with a reply-paid envelope, were mailed out to residents and owners of the 58,087 residential properties in the City of Joondalup.
- Owners of commercial and mixed-use properties outside the City Centre received a letter advising them of the recommendation to change the residential density of their properties.
- Two public information sessions were held on Thursday, 17 June 2010 and Saturday, 19 June 2010 and were very well attended (100+ people at each session).
- A dedicated web page was created on the City's website and a dedicated telephone line enabled enquiries to be answered promptly.
- Numerous notices and newspaper articles also appeared in the local newspapers.
- City employees received numerous enquiries regarding the draft LHS both by phone and in person at the City's administration building.

A total of 6,926 valid surveys were returned. Separate to the survey, 88 written submissions and a number of multi-signature letters were also received.

Of the valid surveys received:

- 65% felt that HOAs in general were a good idea
- 75% of respondents who lived in an area identified as a HOA agreed with their property being included in a HOA
- 60% felt the density at that stage was acceptable, while 13% felt it was too low and 8% felt it was too high. The rest were undecided.

Adoption of the draft Local Housing Strategy

Council considered the outcomes of public consultation and adopted the draft LHS at its meeting held on 15 February 2011 (CJ006-02/11 refers). The draft LHS was then forwarded to the Department of Planning (now Department of Planning, Lands and Heritage) and the Western Australian Planning Commission for endorsement.

In January 2012, the City received formal advice from the Department of Planning which stated that the draft LHS should respond more strongly to State planning documents and policies and requested that the City provide further justification for its approach in identifying the HOAs and applying the proposed residential densities.

The City provided further formal advice and justification in support of the draft LHS to the Department of Planning in February 2012.

Further advice was received from the Department of Planning that it was not prepared to support the draft LHS until the document responded more strongly to State planning documents and policies, specifically by increasing the number and size of HOAs and by increasing the densities within the HOAs.

Following the Department of Planning's advice, the draft LHS was revised to expand the boundaries of some HOAs and to also increase densities from R20/30 to R20/40 and R20/60.

At its meeting held on 11 December 2012 (CJ389-12/12 refers), Council considered the feedback from the Department of Planning and adopted the revised LHS for the purposes of seeking community feedback on the proposed changes to HOAs.

Public consultation on the revised Local Housing Strategy

In accordance with Council's decision, community consultation on the revised LHS was undertaken in February 2013.

Letters were sent to the land owners that were not initially included in a HOA, but were then proposed to be included. This targeted consultation was done with these owners because the City felt it had some flexibility on exactly where to "draw the lines".

Targeted consultation was not done with landowners and residents already located within HOAs of the proposed changes in densities because the City was restricted on the density increases specified by the Department of Planning. Objections or concerns raised in response to this issue would have had no effect on the outcome and it was not considered appropriate to undertake "tokenistic" consultation on an issue if there was no intention to change the density in response to feedback received.

Public consultation on the revised LHS was undertaken from 1 February 2013 to 22 February 2013 in the following manner:

- 914 letters to landowners who were not previously located within a HOA, but were proposed to be included as part of the revised LHS.
- Notices placed in the Joondalup Times on 5 February 2013 and The Weekender on 7 February 2013.
- A notice on the City's website throughout the duration of the consultation period.
- Maps of the proposal being made available at the City's administration building and Whitfords customer service centre.

A total of 30 submissions were received, including three submissions received after the close of advertising. Of the submissions received, 19 were letters of support, nine were letters not in support, one submission was neutral, and one requested that a HOA boundary be expanded.

Finalisation of the Local Housing Strategy

Council considered the outcomes of public consultation on the revised LHS and adopted the revised LHS at its meeting held on 16 April 2013 (CJ044-04/13 refers).

The revised LHS was forwarded to the Department of Planning and the Western Australian Planning Commission and was subsequently endorsed on 12 November 2013.

Implementation of the Local Housing Strategy

Changes to the Residential Design Codes – Multi Unit Housing Code

Grouped dwellings are a group of two or more dwellings on the same lot, incorporating an area of common property and are commonly referred to as townhouses or villas.

Multiple dwellings are commonly referred to as apartments and flats, and are a group of two or more dwellings, where part of one dwelling is located vertically above another.

It was never the City's intention to allow larger multiple dwelling developments to be developed in the HOAs, except on a handful of lots coded R20/R60 close to railway stations, on small sections of Beach Road and next to larger shopping centres.

When the initial draft LHS was adopted by Council for the purpose of public consultation, the number of multiple dwellings that could be developed on a lot was controlled via minimum/average lot sizes that applied to multiple dwellings under the R-Codes at that time.

However, amendments were made to the R-Codes in November 2010 to introduce a new part (then known as Part 7 – Multi-Unit Housing Code) with provisions that specifically applied to multiple dwellings in areas coded R30 or greater.

Under the new Multi-Unit Housing Code, minimum/average lot sizes still exist for grouped dwellings at all density codes, which limits the number of grouped dwellings that can be developed on a site. However, the minimum/average lot size requirements for multiple dwellings in areas coded R30 or greater were removed and plot ratio became the predominant determinant (in conjunction with other design elements like parking, setbacks, height, landscaping) of dwelling yield on a specific lot.

The effect of this change is that there is no control that directly limits the number of multiple dwellings that can be developed on a lot.

This change to the R-Codes occurred after public consultation of the draft LHS, however was reported to Council as part of the outcomes of consultation at its meeting held on 15 February 2011 (CJ006-02/11 refers).

Scheme Amendment No. 73

Following endorsement of the final LHS by the Department of Planning and the Western Australian Planning Commission, the City needed to implement and give statutory effect to the recommendations of the LHS via the *District Planning Scheme* and a local planning policy.

To this end, Scheme Amendment No. 73 to *District Planning Scheme No. 2* (DPS2) was initiated and the City's *Residential Development Local Planning Policy* was developed.

The City always recognised the need to try and control and manage, as best it could, the potential impact that increased density would have on existing residents.

During the development of Scheme Amendment No. 73, the City consulted with the Department of Planning on appropriate scheme and local planning policy provisions. Advice received at that time indicated that the City was constrained in terms of what it could include in DPS2 and a Local Planning Policy.

The City did not have the ability to exclude or prevent multiple dwellings through scheme or policy provisions and did not have carte blanche to include whatever scheme provisions it saw fit to try and manage the impacts of density. The City did however attempt to include a provision in Scheme Amendment No. 73 to restrict the development of multiple dwellings to sites larger 2,000m² or larger.

The effect of this would have been that normal residential lots would need to be amalgamated to enable multiple dwellings to be developed. This would have made it more difficult for developers to develop multiple dwellings in HOAs and, if they were able to amalgamate lots, the quality of multiple dwelling developments on larger sites would be of a higher standard and the impacts would be easier to manage.

In addition, to give more weight to the provisions of the City's *Residential Development Local Planning Policy*, the City also included a provision in Scheme Amendment No. 73 to require all higher density development in the HOAs to meet the requirements of the City's policy.

Council initiated Scheme Amendment No. 73 for the purposes of public advertising at its meeting held on 10 December 2013 (CJ236-12/13 refers).

The scheme amendment was subsequently forwarded to the Western Australian Planning Commission for consent to advertise. Consent was granted on 12 October 2014, and advertising for a period of 42 days from 29 October 2014 to 10 December 2014.

Public consultation on Scheme Amendment No. 73 included:

- notices placed in the Joondalup Community and *The West Australian* newspapers
- a notice placed on the e-screen at the City's administration building
- a notice and documents placed on the City's website.

A total of 33 submissions were received during the consultation period and an additional four submissions were received after its conclusion. Of the submissions received, 29 were from members of the community. Eleven of these were in support of the proposal, four were comments and 14 were objections. In addition, eight submissions were received from service authorities.

Council considered the outcomes of public consultation and adopted Scheme Amendment No. 73 at its meeting held on 31 March 2015 (CJ032-03/15 refers).

Scheme Amendment No. 73 was then forwarded to the Western Australian Planning Commission for consideration and gazettal by the then Minister for Planning.

Throughout its consideration of Scheme Amendment No. 73, the Department of Planning did not support the provisions proposed by the City to restrict multiple dwellings to sites larger than 2,000m² or to give more weight to the provisions of the City's *Residential Development Local Planning Policy* and resolved that they be removed from Scheme Amendment No. 73.

Instead, the final Scheme Amendment No. 73 only included a provision relating to minimum lot frontages. This provision requires a minimum frontage of 10 metres for single and grouped dwellings, and 20 metres for multiple dwellings in order to develop at the higher density code.

Scheme Amendment No. 73 was approved by the Minister for Planning on 28 January 2016.

Residential Development Local Planning Policy

Development at the higher density allocated to properties in HOAs is not an automatic right. Unless demonstrated through the submission of a development application, or approved subdivision, property owners are restricted to developing at the base R20 coding and the basic provisions of *State Planning Policy 3.1 – Residential Design Codes (R-Codes)* and the City's *Residential Development Local Planning Policy* in the design of developments.

As outlined above, one of the strategies implemented by the City to control, as best it could, the potential impact that increased density resulting from implementation of the LHS would have on existing residents, was through the development and implementation of the City's *Residential Development Local Planning Policy*.

If property owners want to develop at the higher density code, they are required to adhere to the R-Codes, but also the additional provisions contained in the City's *Residential Development Local Planning Policy*.

Through the development of the *Residential Development Local Planning Policy*, the City was limited in the provisions that could be included as the R-Codes set out what provisions can and cannot be varied through local planning policies. This has, in part, had an impact on the ability of the City to control the impacts of multiple dwelling developments in HOAs to the extent it would have hoped.

Council adopted the draft *Residential Development Local Planning Policy* for the purposes of advertising at its meeting held on 17 August 2015 (CJ147-08/15 refers).

The draft policy was advertised for public comment for a period of 21 days, between 17 September 2015 and 8 October 2015, and included the following:

- A notice placed in the *Joondalup Times*.
- A notice and documents placed on the City's website.
- A social media post.

A total of 29 submissions were received at the close of consultation and included two submissions from ratepayer associations. A number of key themes were identified through the submissions received as follows:

- The potential cost impost to developers resulting from the additional policy provisions.
- Concern regarding the need for additions to match or complement the existing dwelling.
- Recommendation for additional provisions to address sustainability and energy efficiency.
- Recommendation to include development examples to provide great clarification.
- Recommendation to include additional definitions to provide greater clarification.

Council considered the outcomes of public consultation and adopted the *Residential Development Local Planning Policy* at its meeting held on 15 December 2015 (CJ228-12/15 refers).

Unfortunately, at the time of the policy's creation, as is still currently the case, there is limited ability for any local planning policy to go beyond the scope of the R-Codes, without the approval of the WAPC.

Therefore, the provisions of the City's *Residential Development Local Planning Policy* deal with matters that could impact on the amenity of existing residents like building design, car parking and streetscape appearance, to the greatest extent possible.

Community Concern

Since implementation of the LHS in early 2016, development has commenced throughout all ten HOAs in the City of Joondalup.

As this development has commenced, some members of the community have raised concern with some development occurring in HOAs, with common themes including the following:

- The type of development, in particular, multiple dwellings.
- The scale of development in terms of potential dwelling increase per site.
- The design and scale of development.
- Integration with existing housing stock and streetscape.
- Traffic and parking impacts.
- Impact on property values.
- Social impacts related to land tenure (owner/occupy vs. rented).
- Social impacts related to anticipated residents.
- Impact on existing sense of community.

To date, these concerns have manifested in a number of requests to Council for intervention, including:

- A Special Electors Meeting held on 24 April 2017 in relation to the portion of HOA1 bounded by Mitchell Freeway to the East, Davallia Road to the West, Beach Road to the South and Warwick Road to the North; and the consequent:
 - initiation of an amendment to the City's DPS2 (Amendment No. 88) to reduce the density coding of the above-mentioned portion of HOA1 from R20/R40 and R20/R60 to R20/R30 (CJ086-06/17 refers)
 - preparation and adoption for the purposes of public consultation a local planning policy that restricts the development multiple dwellings in the above-mentioned portion of HOA1 (CJ110-06/17 refers).
- A request from an Elected Member for a report to be submitted to Council outlining how the City can best inform residents residing in HOAs of:
 - the background to and need for densification in parts of the City and why these specific areas were chosen and approved
 - the possible development outcomes under the different codes that apply in the HOAs
 - the decision-making process for planning applications, including delegation, public consultation and the involvement of Elected Members, for applications which meet deemed-to-comply requirements as well as applications where a degree of discretion is sought to the State Government's *Residential Design Codes*, the City's *District Planning Scheme No. 2* and the City's *Residential Development Local Planning Policy*.
- A petition received by Council at its meeting held on 19 September 2017 requesting that Council include the portion of HOA1 located West of Davallia Road that is currently coded R20/R40 and R20/R60 into Amendment No. 88, providing a density coding of no higher than R20/R30 (CJ64-09/17 refers).

- A petition received by Council at its meeting held on 10 October 2017 requesting that Council ensures community consultation with residents in the suburb of Edgewater is a requirement for all development applications lodged with Council and advertisements of any such proposals includes all neighbours of any sites and notifications to the Edgewater Community Residents Association Inc. In addition, Council is to ensure that any development applications must include traffic impact assessments, environmental impact assessments and noise management plans to allow residents and Council to fully assess the impact of any proposal (CJ73-10/17 refers).
- A petition requesting a Special Meeting of Electors, scheduled for 13 November 2017, to request the City of Joondalup initiate a review of its *Local Housing Strategy* (LHS) and an associated amendment to *District Planning Scheme No. 2*. The purpose of the LHS review and scheme amendment should be to change the density coding of lots within Housing Opportunity Area 8, that are currently coded R20/R40, to a density coding of no higher than R20/R30.

The outcomes of the Special Electors Meeting held on 24 April 2017 and subsequent initiation of Amendment No. 88 to DPS2 and the preparation of the local planning policy restricting multiple dwellings in that particular portion of HOA1 have been previously considered by Council and are currently being advanced separately to this report.

Accordingly, this report responds to the information requested by an Elected Member, along with the petition received by Council at its meeting held on 19 September 2017 for the inclusion of HOA1 West of Davallia Road into Amendment No. 88 and the petition received by Council at its meeting held on 10 October 2017 regarding community consultation with the Edgewater community.

The minutes of the Special Electors Meeting scheduled for 13 November 2017 will be presented to Council at a subsequent meeting.

DETAILS

Legislation used in the assessment and determination of development (planning) applications

A number of pieces of legislation and policy are used in the assessment and decision-making processes for development applications:

Planning and Development (Local Planning Scheme) Regulations 2015 (the Regulations)

The Regulations include a set of 'deemed provisions' which apply to all local governments. These 'deemed provisions' set out that local governments need to have due regard to certain matters when determining applications for development approval. These matters need to be taken into account to the extent that, in the opinion of the local government, they are relevant to the development the subject of the application.

The matters are broad, typically referring to other, more detailed pieces of legislation and policy (such as local planning schemes and state/local planning policies), but also includes other matters such as amenity and any submissions received.

Additionally, the Regulations detail that applications must be determined within a statutory time period of 60 calendar days where no public consultation is undertaken and 90 calendar days where public consultation is undertaken, unless otherwise agreed upon by the applicant. In the event that the statutory time period is not met, the application is 'deemed refused' and a right of appeal through the State Administrative Tribunal exists.

City of Joondalup District Planning Scheme No. 2 (DPS2)

The City's DPS2 sets out objectives for the 'Residential' zone, as well as providing specific development provisions.

As previously outlined, in relation to development in the City's HOAs, DPS2 requires a minimum frontage of 10 metres for single and grouped dwellings; and 20 metres for multiple dwellings.

State Planning Policy 3.1 – Residential Design Codes (R-Codes)

All residential development in Western Australia is required to comply with the requirements of the R-Codes, which are divided up into different design elements (for example; site area, street setbacks, street walls and fences, open space, building height, parking, landscaping).

For all design elements, there are objectives that need to be met and there are two different ways or sets of criteria that can be used to assess if the objectives are being met – design principles and deemed-to-comply standards.

If the proposal meets the deemed-to-comply criteria, it is automatically considered to meet the objective and should be approved.

Where the deemed-to-comply criteria are not met, this does not necessarily mean the proposal does not meet the objective. Instead, the decision-maker needs to exercise some discretion or judgement in considering whether the proposal meets the design principles.

Approval of a proposal using design principles rather than the deemed-to-comply requirements is not a "variation" and does not represent a 'relaxation' of any kind as the R-Codes inherently provide a performance approach to control residential development.

Part 3 of the R-Codes explanatory guidelines confirms this approach by stating "*While the deemed-to-comply provisions do allow for a straightforward pathway to approval, the use of the design principles rather than the deemed-to-comply provisions should not be viewed as non-compliance, but rather an alternative design outcome.*"

The R-Codes also set out the procedure for public consultation for residential developments.

Under the R-Codes, the City is only required to consult with adjoining owners and occupiers (sharing a common boundary with the development site) and only then if the proposal does not meet the deemed-to-comply requirements and the City, as decision maker, considers that the discretions sought may adversely impact adjoining owners and occupiers.

In the case of multiple dwellings in HOAs, the City currently undertakes a greater level of consultation than required by the R-Codes by consulting with all adjoining landowners and occupiers on all discretion sought (irrespective of the City's opinion of its potential adverse impact).

City of Joondalup Residential Development Local Planning Policy

Local planning policies prepared for residential development provide extra development provisions and may augment or replace certain requirements of the R-Codes. In most cases, augmentation or replacement of deemed-to-comply requirements of the R-Codes require approval of the WAPC and the WAPC would need to be satisfied that any extra provisions are consistent with scheme provisions, the objectives and design principles of the R-Codes, and could be properly implemented through the approvals process.

The City's *Residential Development Local Planning Policy* reinforces most R-Code provisions, includes some extra provisions for all residential development in the City (specifically provisions which deal with the impact of new development on the streetscape), and includes extra provisions for the design of residential development within the City's HOAs. These extra provisions essentially guide the exercise of discretion when the City is assessing a proposal against the design principles of the R-Codes.

Process of assessment of development (planning) applications in HOAs

Receipt and assessment of the application

The City encourages applicants to meet with planning officers ahead of formally lodging development proposals. This enables the planning staff to view early concepts of the proposed development (where possible) and to:

- discuss the approval process for the application
- communicate what additional information is needed with the application
- outline the expectations of the City in terms of design quality
- point out potential "red flags" the applicants will need to address if they want the best chance of securing approval for the proposal.

When an application is lodged, the assessing officer undertakes an assessment of the proposal against the documents mentioned above and, if required, communicates any areas of concern with the applicant before commencing consultation on the proposal (as outlined above) and/or referring the proposal to the Joondalup Design Reference Panel, where appropriate.

Consultation on development applications

As outlined above, under the R-Codes, the City is only required to consult with adjoining owners and occupiers (sharing a common boundary with the development site) and only then if the proposal does not meet the deemed-to-comply requirements and the City, as decision maker, considers that the discretions sought may adversely impact adjoining owners and occupiers.

In the case of multiple dwellings in HOAs, the City currently undertakes a greater level of consultation than required by the R-Codes by consulting with all adjoining landowners and occupiers on all discretion sought (irrespective of the City's opinion of its potential adverse impact).

This consultation is undertaken by way of letter to the owners and occupiers, which outlines what discretion is being sought and provides information about where the plans of the proposal may be viewed, how comments may be lodged with the City and when the consultation period closes.

The City's planning officers are available during office hours to discuss the proposal over the telephone with interested parties, who are also able to visit the City's Administration Centre during office hours to view the plans and discuss the plans with the City's planning officers.

All comments received during the consultation period are considered by the assessing officer, who will raise any comments with the applicant, to allow the applicant to respond to submissions received, which may include changes to the proposal ahead of determination of the application.

If the applicant makes substantial changes to the proposal, the City may decide to re-consult with affected landowners/occupiers. Once the application has been determined, the City writes a follow up letter to all landowners and occupiers who lodged concerns with the City during the consultation period.

Joondalup Design Reference Panel (JDRP)

The JDRP is a panel of industry representatives from the Australian Institute of Architects, the Planning Institute of Australia and the Australian Institute of Landscape Architects.

The JDRP is convened to provide design advice to the City on:

- all new development and major extensions in the City Centre
- major development proposals outside of the City Centre (with the exception of single houses and developments of less than ten grouped or multiple dwellings, and extensions to commercial or mixed-use buildings that do not significantly affect the streetscape).

Currently, the recommendations made by the JDRP are taken into account when decisions are made on development applications. However, the JDRP and its recommendations are not currently recognised in the City's DPS2 and nor is reference made to design advisory committees in the Regulations. Accordingly, the statutory weight that can be given to the JDRP recommendations when making decisions on development applications is currently limited.

The decision-making process for applications in the HOAs

For developments with an estimated value of over \$10 million, the decision is required to be made by the North Metro Joint Development Assessment Panel (JDAP). For developments with an estimated value of over \$2 million, applicants have the ability to "opt in" and have the application considered by the JDAP, provided the development is not a single house or a grouped or multiple dwelling development that includes less than 10 dwellings.

Council is the decision-maker for development of more than ten grouped or multiple dwellings that have an estimated value of under \$10 million and which the applicant has elected not to have the application determined by the JDAP.

All other applications for development in HOAs are dealt with under delegated authority.

The purpose of delegating certain powers to the CEO and officers is to facilitate the timely processing of the large volume of development and subdivision applications that are received by the City so that the statutory timeframes that apply to planning applications can be met.

Applications dealt with under delegated authority are subject to rigorous and detailed reporting, checking and cross checking, and peer review in an effort to ensure decisions taken are lawful, proper and consistent.

Development uptake in the City's HOAs

Since implementation of the City's LHS, the City has received development proposals in all 10 HOAs. Development activity is summarised in the following table:

Table 1: Total number of Multiple and Grouped Dwelling Development Applications Received and Potential Yield Increase in HOAs (1 February 2016 – 30 September 2017)

HOA	Development Applications Received (applications)			Potential Yield Increase (dwellings)		
	<i>MDs</i>	<i>GDs</i>	<i>Total (%)</i>	<i>MDs</i>	<i>GDs</i>	<i>Total</i>
1	12	34	46 (23)	82	69	151
2	0	11	11 (5)	-	17	17
3	0	7	7 (4)	-	7	7
4	0	19	19 (10)	-	32	32
5	5	58	63 (32)	32	96	128
6	2	17	19 (10)	11	27	38
7	0	10	10 (5)	-	14	14
8	1	9	10 (5)	12	12	24
9	0	10	10 (5)	-	6	16
10	0	2	2 (1)	-	5	5
Total	20	177	197 (100)	137	295	432

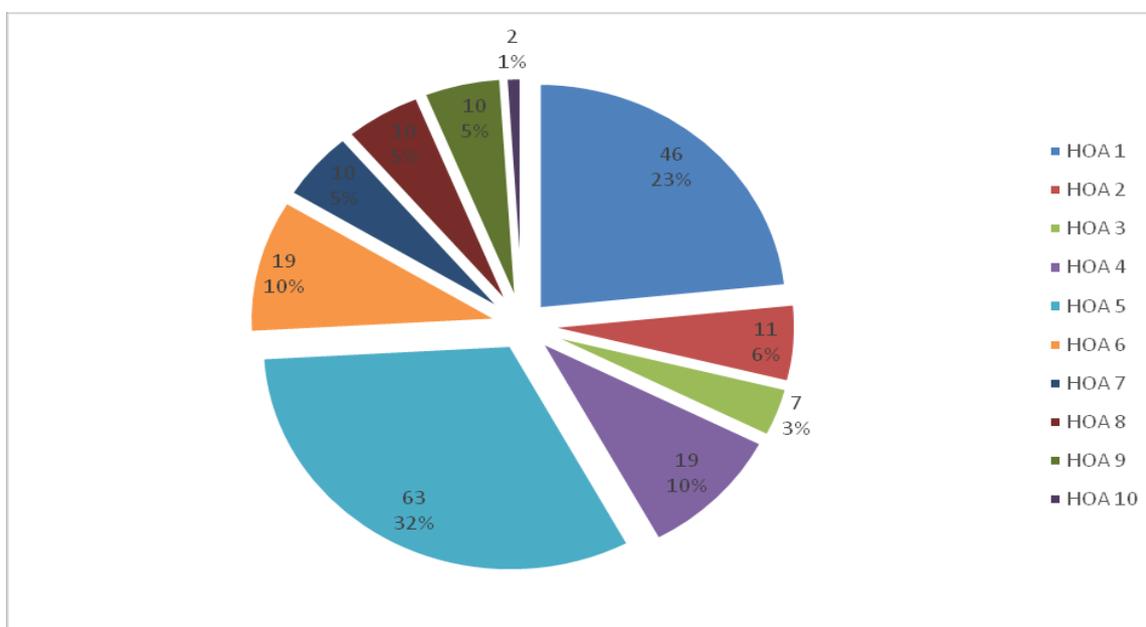


Figure 1: Total number of Multiple and Grouped Dwelling Development Applications Received (1 February 2016 – 30 September 2017)

The statistics displayed in the above table and figure demonstrates that HOA1, which incorporates parts of Duncraig (south) and Warwick and HOA5, which incorporates parts of Hillarys, Kallaroo, Craigie and Padbury are the most active HOAs in terms of development applications received, respectively representing 23% and 32% of applications received.

The statistics also demonstrate that grouped dwellings are the predominant development typology being pursued in the City's HOAs, representing 89% and multiple dwellings representing only 11% of applications received.

Issues and Options Considered

This section of the report deals with a number of issues and different options in addressing these under the following headings:

- Development in Housing Opportunity Areas.
- Petition for HOA1 West of Davallia Road.
- Petition for community consultation with the Edgewater community.

Development in Housing Opportunity Areas

The City acknowledges the concerns of some residents about the prospect and impact of higher density development in the HOAs.

As mentioned earlier in this report, the City always recognised the need to try and control, as best it could, the potential impact that the increased density would have on existing residents. Therefore, the City sought advice from the DPLH and explored different management actions with the DPLH and the WAPC as part of the initial implementation of the LHS.

Unfortunately, at that time the City was not provided with the direction it sought or the flexibility it needed to develop the scheme or policy provisions needed to constrain multiple dwelling developments and to manage the impacts of density.

More recently, the DPLH has focussed on and prioritised design quality in residential development through the development of *Design WA*, which will ultimately replace the R-Codes.

Design WA was released for public comment in October 2016 and although the City had some concerns with the documents at that stage, the City does support the overarching intent of *Design WA* to elevate the priority of design in the decision-making framework for planning applications.

The latest advice received from DPLH is that the documents to be released as the first tranche of *Design WA* will be finalised in the first calendar quarter of 2018. The *Apartment Design Guide* is one of these documents and although the provisions of this document are considered more relevant for larger apartment developments, the provisions will go a long way in addressing some of the concerns currently held about the design quality of some of the developments in HOAs.

The City has also recently been proactively engaging with DPLH and other local governments who are experiencing similar issues with infill development to explore other strategies to address community concerns.

Through this engagement, it has become apparent that:

- the DPLH and the WAPC are unlikely to be supportive of decreasing densities in HOAs, particularly those located close to public transport infrastructure
- the DPLH's position has changed somewhat since the initial implementation of the LHS and there now appears to be a greater appetite for local governments to develop and implement strategies that are specifically tailored to individual local government needs.

In view of this, the issues and implications associated with doing a full review of the City's LHS Strategy in its entirety are discussed below and several other strategies are proposed for Council's consideration.

Council may elect to:

- adopt all strategies outlined with or without modifications
- adopt a selection of the strategies outlined with or without modifications
- not adopt any of the strategies outlined
or
- adopt alternate strategies as it sees fit.

Review the Local Housing Strategy

As previously outlined, the State Government has set a target of accommodating 47% of population growth within existing suburbs.

The City proactively sought to manage where this growth occurs and took a strategic approach that enabled residential density to increase in identified areas that were underpinned by amenity and infrastructure such as train stations, activity centres and high frequency bus routes.

This approach was based upon sound planning principles of the time, and these principles remain valid and are supported by the State Government. Therefore, it is suggested that focus and resources be directed toward managing the impacts resulting from the implementation of the LHS, rather than reviewing it in its entirety.

Notwithstanding, Council may elect to review the LHS.

A review of the LHS is likely to take a significant amount of time to complete. The current LHS took approximately seven years from the time the project commenced to when the recommendations were implemented via Amendment No. 73. While a full review of the LHS may not take another seven years, it is conceivable that a review and preparation of a revised LHS could take a substantial amount of time.

During this time, consistent with the legal advice provided to the City, the City will not be able to prevent development from occurring under the current densities and within the existing legislative framework.

It is also important to note that successive State Governments have advocated for increased density around activity centres and public transport routes, particularly train stations. The current State Government's Metronet platform further confirms the State Government's commitment to optimising station infrastructure. As such, if the LHS was to be reviewed and presented to the WAPC for consideration, there is a risk that even greater densities around stations and public transport routes could be imposed upon the City to maximise potential population catchment around train stations located within the City's boundaries.

It is therefore recommended that a full review of the City's LHS not be undertaken at this time.

Instead, it is proposed that Council agrees to progress several other strategies that seek to better inform the community and better manage the impacts of urban infill in the City's HOAs, at the current densities. These strategies have been identified for their degree of effectiveness and the timeframes in which they could be implemented, primarily being short to medium term.

These include the following:

- Amend the consultation procedures for planning proposals.
- Expand the role of the Joondalup Design Reference Panel.
- Prepare a design-led local planning policy for multiple dwellings in the City's HOAs.
- Introduce additional provisions in the City's DPS2 (or Local Planning Scheme).

Amend the consultation procedures for planning proposals

It is proposed to take immediate action to change the way in which the City consults on multiple dwelling proposals in the City's HOAs and (in parallel) to develop a Planning Consultation Policy, which will set out how the City will consult on all planning proposals.

Multiple dwelling consultation

The improvements suggested to the way in which the City undertakes consultation for multiple dwellings in HOAs includes the following:

- Write letters to adjoining landowners/occupiers seeking their feedback on matters of discretion that may affect them, as per the R-Codes and current practice.
- Revise the wording of consultation letters to reduce "planning" language and to assist the community to better understand the details of a proposal.
- In addition, notify via letter a broader catchment of surrounding landowners/occupiers who may not be directly affected by a proposal, but may be interested in the proposed development. The extent of this notification will be determined on a case-by-case basis at this time, depending on the location of the site and layout of surrounding streets; however, it is intended that more certainty as to who will be notified will be clarified through development of the Planning Consultation Policy.
- Prepare and distribute a set of Frequently Asked Questions (FAQs) with consultation or notification letters. The FAQs will provide background to the LHS and HOAs and will also provide the community with an understanding of the type of development that could be expected at different density codes. The FAQs will also be made permanently available on the City's website.
- Require the installation of a sign on site for multiple dwelling proposals. This will create visibility of a proposal to the local community. A sign will also serve to alert community members that may not be directly consulted or notified, but may still have an interest in the proposal as they walk, cycle or drive by a site.
It is intended that the City will fabricate several standard/generic signs that can be re-used to avoid the costs of producing signs for every proposal and to avoid delays in commencing consultation and exceeding statutory decision-making timeframes. Signs typically cost approximately \$800 to fabricate and it is estimated that eight to 10 signs would be required, resulting in a potential budgetary impost to the City of \$6,400 - \$8,000.

- Explore the possibility to make multiple dwelling development proposals and plans available online to provide greater access for interested parties to review and provide comment.

Planning Consultation Policy

It is proposed to develop a Planning Consultation Policy that will apply to all planning consultation, including individual planning applications as well as for more strategic proposals like activity centre plans or local development plans.

The policy will be mindful of statutory requirements associated with planning consultation, which in some instances include specific wording and platforms for some planning processes and also include maximum time periods for consultation.

In addition to these statutory requirements, the policy will set out additional platforms and consultation strategies that can be implemented.

The intent for the Planning Consultation Policy is to provide certainty and transparency for the community and Council on what and how proposals will be consulted on.

If this recommendation is supported by Council, a Planning Consultation Policy will be drafted and presented to the Policy Committee and then Council for adoption.

Expand the role of the Joondalup Design Reference Panel

As previously outlined, the Joondalup Design Reference Panel (JDRP) is a Council-appointed panel of industry representatives from the Australian Institute of Architects, the Planning Institute of Australia and the Australian Institute of Landscape Architects. The JDRP is convened to provide external, independent design advice on development proposals throughout the City.

The current Terms of Reference for the JDRP include consideration of all new development and major extensions in the City Centre, as well as major development proposals outside of the City Centre, with the exception of single houses and developments of less than 10 grouped or multiple dwellings, and extensions to commercial or mixed-use buildings that do not significantly affect the streetscape.

It is proposed to expand the Terms of Reference to include consideration of multiple dwelling developments in HOAs. In doing so, it is intended that an additional, independent design lens will be applied to most multiple dwelling applications submitted. This will in turn add greater integrity to the approval process and will achieve higher quality design outcomes for multiple dwellings in the City's HOAs.

The expansion of the JDRP Terms of Reference to capture additional multiple dwelling proposals also has synergies with the proposed design-led local planning policy discussed below.

As also previously outlined, there is currently limited statutory weight that can be given to recommendations of the JDRP in decision making on development applications. As part of expanding the role of the JDRP, it is also proposed to initiate an amendment to the City's scheme to include reference to recommendations of the JDRP, which in turn will make these recommendations more binding and give the City greater ability to insist on higher quality design outcomes.

If Council were to adopt both approaches, the City would commence a review of the JDRP's Terms of Reference and prepare a report for Council's consideration.

The City would also commence preparation of a report for Council's consideration which seeks to initiate an amendment to the City's DPS2 to introduce reference to the JDRP.

Broadening the JDRP's Terms of Reference to capture a greater number applications will have a budgetary implication as the increased scope of the JDRP will likely translate to an increase in the number of meetings convened, and therefore an increase in sitting fees for the panel members.

The City currently incurs an annual cost associated with the operation of the JDRP of approximately \$7,000.

Based on the number of multiple dwelling applications lodged since implementation of the City's Local Housing Strategy, it is estimated that the annual costs of operating the JDRP would increase to approximately \$15,000.

It is also noted, and as previously advised to Council as part of its consideration of the City's submission on *Design WA* (CJ005-02/17 refers), that aligning the JDRP with the draft *Design Review Guide* included as part of the suite of documents for *Design WA* could increase the annual costs to upwards of \$48,000.

While this is a significant increase from the current operating cost of the City's current JDRP, this cost is similar to costs currently incurred by design review panels operated by other local governments which range in cost from \$24,000 up to \$90,000.

If Council were to agree that the role of the JDRP be expanded, a subsequent report would be prepared for Council's consideration which would include commentary on funding options that could alleviate some of the costs imposed on the City.

The initiation of a scheme amendment to give more weight to the recommendations of the JDRP would also have a budgetary impost as the City would be responsible for the costs associated with public consultation of the amendment.

Prepare a design-led local planning policy for multiple dwellings in the City's HOAs

The importance of design quality in planning assessment is being recognised by the State Government through the development of *Design WA* – a suite of design-led policies and guides.

These design-led policies and guides establish guiding principles, such as context, character, functionality, build quality and scale, with a requirement to demonstrate how a development outcome will achieve these principles. This is a somewhat different approach to the current R-Codes where, although good outcomes are the desired goal, the R-Codes seek to achieve this through a set of prescriptive requirements.

As previously outlined, the City raised some concern with the advertised version of the *Design WA* documents during consultation, however does support the principles and intent of *Design WA* to place greater importance on design quality.

Accordingly, it is recommended that a local planning policy be prepared that embraces the principles of *Design WA*, but is tailored to suit the specific challenges and characteristics of the City's HOAs.

It is important to note that the intent of the local planning policy would not be to restrict the ability to develop multiple dwelling developments throughout HOAs, or the density to which they could be developed, but rather to ensure their design is better managed.

The local planning policy would still include typical provisions related to elements such as those included in the City's current *Residential Development Local Planning Policy* (building height, parking and the like), but it is anticipated the policy could also include greater consideration of landscaping, protection of existing vegetation (or inclusion of areas for mature vegetation to be planted) to both lessen impact on adjoining neighbours as well as providing more integrated and higher quality streetscape outcomes.

In view of the design consideration required to inform the policy, coupled with the need to adequately resource the project to ensure implementation as soon as possible, it is recommended that an appropriately qualified consultant be engaged to undertake the tasks associated with preparation of the local planning policy, project managed by the City.

Without a defined scope of works or tenders received for consideration it is not possible to provide an exact figure on the likely budgetary impost of engaging a consultant to prepare a design-led local planning policy, however it is estimated the cost will be in the vicinity of \$50,000 - \$100,000.

Introduce additional provisions into the City's scheme

As previously outlined, during the finalisation of Amendment No. 73, a number of scheme provisions proposed to be included by the City did not form part of the Minister's final determination of the amendment.

Since Amendment No. 73, there appears to have been a shift in philosophy and now a greater appetite at the State level to accommodate the needs of individual local governments and equip them with the tools necessary to respond to local issues.

Accordingly, it is recommended to undertake an amendment to the City's scheme to introduce additional provisions to better manage and control multiple dwellings in the City's HOAs, which could include priority development standards such as minimum lot frontages and sizes, setbacks, building height, parking and plot ratio, and recognition of recommendations made by the JDRP.

The inclusion of such provisions in the City's scheme will add greater weight to key development criteria that have the most potential to impact surrounding residents and streetscapes.

If Council were to elect to adopt this option, the City would prepare a report for Council's consideration to initiate an amendment to the City's *District Planning Scheme No. 2* (DPS2) to include additional development provisions for multiple dwellings.

This option would have a budgetary implication as the City would be responsible for the costs associated with public consultation.

Petition for HOA1 West of Davallia Road

A 236 signature petition was tabled at Council's meeting dated 19 September 2017 (CJ64-09/17 refers) and requested:

“We, the undersigned all being electors of the City of Joondalup, do respectfully request that Council include the area West of Davallia Road, in Housing Opportunity Area 1, that is currently coded R20/R40 and R20/R60 (as marked on the map included in attached covering letter) to the Amendment 88 to DPS2, providing a density coding of no higher than R20/R30. Should Amendment 88 fail to be approved by WAPC, we request a separate amendment review of the aforementioned area, West of Davallia Road, be drafted for the reasons listed in our covering letter attached. In light of the controversy surrounding the rezoning of said area, we would also like an immediate pause placed on planning approvals of subdivisions that exceed R30 until the matter has been fully resolved.”

There are several options for Council’s consideration in relation to the requests contained in the above petition as follows:

- Whether to:
 - include the subject area into Amendment No. 88
 - initiate a separate amendment to DPS2 for the subject area
 - not progress a scheme amendment to reduce the density coding of the subject area.

- Whether to:
 - place an immediate pause on planning approvals for subdivisions that exceed R30
 - not place an immediate pause on planning approvals for subdivisions that exceed R30.

The options are discussed below:

1 Include the area of HOA1 located west of Davallia Road into Amendment No. 88.

Amendment No. 88 was initiated by Council at its meeting held on 27 June 2017 (CJ086-06/17 refers).

The amendment is considered a ‘complex amendment’ as it is inconsistent with the City’s LHS as well as state policy. Due to its consideration as a ‘complex amendment’, agreement from the WAPC was required prior to undertaking public consultation. Support from the Environmental Protection Agency (EPA) was also required prior to commencing consultation on scheme amendments.

Agreement to advertise from the WAPC and EPA was received in August 2017. Upon receipt of this advice, the City commenced preparation of consultation materials for Amendment No. 88, however ceased following a meeting with the authors of the subject petition having been informed of the petition’s intent to be included in Amendment No. 88.

Public consultation of Amendment No. 88 has since been held in abeyance awaiting Council’s decision on how to deal with this petition.

The subject petition does not specify a preference to be included into Amendment No. 88 before it is advertised or after public consultation; however, liaison with the petition authors have indicated both options could be contemplated.

If Council elects to include the area of HOA1 located west of Davallia Road into Amendment No. 88 prior to consultation, Council will need to revoke its earlier decision made on 27 June 2017 (CJ086-06/17 refers) and resolve to initiate an amendment which includes the original Amendment No. 88 area as well as the area the subject of this petition.

The City has discussed this option with DPLH and has been advised that, similar to the original Amendment No. 88 proposal, due to the request being considered a 'complex amendment', an amendment of this nature would require agreement from the WAPC prior to undertaking consultation.

Agreement from the WAPC (and Environmental Protection Authority) to commence public consultation was received approximately seven weeks after Council's decision to initiate the original Amendment No. 88 proposal.

This option would delay the commencement of advertising of the current Amendment No. 88 proposal and is not recommended.

Alternatively, Council may elect to include the area of HOA1 located west of Davallia Road into Amendment No. 88 after consultation has been completed and as part of Council's consideration of the outcomes of advertising.

If this was to occur and Amendment No. 88 was adopted and referred to WAPC with a recommendation to include the afore-mentioned modification the Minister (or other authorised person) may direct that the modifications be re-advertised.

This option, if the City is directed to advertise modifications, would also delay the determination of Amendment No. 88 and would have a greater budgetary impost as duplication of advertising costs would be incurred. This option is therefore also not recommended.

2 *Initiate a separate amendment to down code the area of HOA1 located west of Davallia Road from R20/R40 and R20/R60 to R20/R30.*

Council may elect to initiate a separate amendment to propose the area of HOA1 located west of Davallia Road be down-coded from R20/R40 and R20/R60 to R20/R30.

This option would allow the current Amendment No. 88 to progress to public consultation without further delay or further involvement of the WAPC at this time.

However, initiation of another amendment in an HOA as an ad hoc response to a petition and outside of endorsed planning frameworks is not considered appropriate in the interests of orderly and proper planning and is unlikely to be supported by the DPLH and the WAPC. It could also strengthen the precedent that has arguably already been set by the initiation of Amendment No. 88.

The residents who have lodged this petition have verbally expressed a perception of inequity, given they were not included in the initial petition for the land east of Davallia Road and therefore were not included in Amendment No. 88.

The petition received from a number of Edgewater residents indicates that concerns about development in the HOAs is more widespread in the City and not only confined to HOA1 or the Duncraig residents.

Therefore, it is not considered appropriate or in the interests of orderly or proper planning for the Council to initiate a further amendment in another part of HOA1 as a localised solution to managing the impacts of density as this could strengthen the perception of inequity for other residents who are concerned about density. It would be more appropriate at this time to consider and address the issue at a strategic level and on a City-wide basis.

Notwithstanding the above, if Council considered it appropriate to initiate a new amendment, such a scheme amendment would be a lengthy and complex process as follows:

- Council would need to formally initiate the new scheme amendment.
- The scheme amendment would need to be referred to the Environmental Protection Authority for consideration.
- The scheme amendment would need to be referred to the Western Australian Planning Commission for agreement to advertise.
- Public consultation would need to be undertaken.
- All submissions would need to be considered by Council and Council would need to make a decision whether or not to proceed with the scheme amendment.
- The scheme amendment would then need to be submitted to the WAPC for consideration and to the Minister for Transport, Planning and Lands for determination.

The above process is unlikely to take less than 12 months and would also have budgetary implications as the City would be responsible for covering the costs associated the amendment.

The costs associated with the advertising of scheme amendments are estimated at approximately \$2,700, which could include letters to all owners and placing a notice in the local newspaper and on the City's website.

3 *Not progressing a scheme amendment to reduce the density coding of the subject area*

Instead of electing to include the area of HOA1 located west of Davallia Road in Amendment No. 88 or electing to initiate a separate amendment to down-code the area from R20/R40 and R20/R60 to R20/R30, the Council could elect to do nothing at all and applications will continue to be determined under the current planning framework. As has been demonstrated to date, some members of the community are concerned with the impacts that urban infill is having under the current framework, and the option of 'do nothing' is unlikely to address these concerns.

Alternatively, Council could elect to implement the additional strategies mentioned earlier that seek to better inform the community and better manage the impacts of urban infill, at the existing densities.

4 *Place an immediate pause on planning approvals of subdivisions that exceed R30*

In the case of subdivision, the Western Australian Planning Commission (WAPC) is the decision-making authority. The City is provided an opportunity to review and provide a recommendation on subdivision proposals, as are other agencies such as Water Corporation and Western Power; however, the City has no ability to pause or stop a subdivision proposal from being determined.

The submission that accompanied the petition referenced a report that suggested that the City of Stirling were placing a pause on controversial developments. The report referred to in the petition request is a 'blog' article dated 1 November 2013. The article appears to have been prepared, in part, in relation to Amendment No. 32 to the City of Stirling's *Local Planning Scheme No. 3* which sought to prohibit multiple dwellings on residential zoned lots coded below R60. Further, the article, in relation to Amendment No. 32, is written in the context of encouraging developers to lodge an application immediately to secure a development approval at a higher density.

The article makes reference to: '*...even before these proposed changes are implemented (while they are out for public comment), the council can take them into account when assessing new development applications...*'. It is assumed the article is referencing the ability to give some regard to planning documents that are considered 'seriously entertained planning proposals'.

The degree of regard given to 'seriously entertained planning proposals' is subject to a number of 'tests' and, as per the advice received by the City, any new provisions should only be taken in to account in decision-making when there is a high degree of certainty and their introduction is imminent.

Accordingly, it is considered that the contention that the City of Stirling is currently placing a pause on development pending outcomes of a review of the R-Codes, has been misinterpreted.

In addition, the City has sought advice on the ability, legally, to make decisions in this fashion and have been advised that it would only be appropriate to give weight to the provisions of an impending scheme amendment when there is high degree of certainty that the amendment would be approved within an imminent timeframe.

Petition for Community Consultation with Edgewater Community

A 246 signature petition was tabled at Council's meeting held on 10 October 2017 (CJ73-10/17 refers) and requested:

"We, the undersigned all being electors of the City of Joondalup, do respectfully request that Council ensures community consultation with residents in the suburb of Edgewater is a requirement for all DA's lodged with Council and advertisement of any such proposals includes all neighbours of any sites and notification to the Edgewater Community Residents Association Inc. In addition, Council to ensure any DA's must include traffic impact assessments, environmental impact assessments and noise management plans to allow residents and Council to fully assess the impact of any proposal. Council should note that the signatures below are not against development in Edgewater but wish this to be done in an inclusive way and be supported by the local community."

The area of the City of Joondalup the subject of the petition is the entire suburb of Edgewater.

The petition requests Council consideration of two different issues that are addressed individually below:

- Require community consultation for all development applications lodged within Edgewater and ensures this includes all neighbours and notification to the Edgewater Community Residents Association Inc.
- Require development applications to include traffic impact assessments, environmental impact assessments and noise management plans.

The following are the options for Council's consideration in relation to the requests contained in the above petition:

- Whether to:
 - require community consultation for all development applications lodged within Edgewater and ensure this includes all neighbours and notification to the Edgewater Community Residents Association Inc, and require development applications to include traffic impact assessments, environmental impact assessments and noise management plans
 - not require community consultation for all development applications lodged within Edgewater and not require development applications to include traffic impact assessments, environmental impact assessments and noise management plans.

As outlined earlier, the R-Codes currently set out the procedure for public consultation for residential developments.

Under the R-Codes, the City is only required to consult with adjoining owners and occupiers (sharing a common boundary with the development site) and only then if the proposal does not meet the deemed-to-comply requirements and the City, as decision maker, considers that the discretions sought may adversely impact adjoining owners and occupiers.

One of the key reasons that the R-Codes only require consultation in instances where discretion is sought is that the R-Codes expressly states that the decision-maker shall not refuse a proposal that meets the deemed-to-comply requirements of the R-Codes and the relevant provisions of an applicable local planning scheme or local planning policy.

Accordingly, undertaking consultation on all development applications as requested in the petition, which would include those that meet the deemed-to-comply requirements of the R-Codes, could give rise to a false expectation within the community that a submission on a particular proposal might influence the decision, when in actual fact the City may not have the ability to do anything but approve a proposal for the reasons outlined earlier in this report.

Requiring community consultation for every development application in Edgewater will result in a more complex and protracted process for even the simplest of development applications. This will impact on the resources of the City and significant extra resources will be needed to assess development applications, which will come at a cost to the ratepayer.

In addition, this will impact on service delivery and the ability for the City to meet statutory timeframes for the determination of development applications. This will not only impact developers of larger developments, it would also impact normal residents wanting to erect a carport or do an extension to their home or run a home business.

The petition requests a particular approach to community consultation be undertaken specifically for the suburb of Edgewater and Council could agree to this. However, this would create an imbalance throughout the City of Joondalup whereby one suburb would be subject to a greater degree of community consultation than the remaining suburbs.

This option is therefore not recommended as it is not considered appropriate to make ad hoc decisions with respect to community consultation without first undertaking a broader, more holistic review of how consultation for planning applications is undertaken throughout the entire City of Joondalup.

In relation to the request relating to community consultation contained in the petition, Council could elect to do nothing at all and community consultation will continue to be undertaken in the current fashion. However, as has been demonstrated to date, it is clear that some members of the community are concerned with the degree of community consultation, and an option of 'do nothing' is unlikely to address these concerns.

Instead, the City recognises there is scope to instil more rigour to its consultation methodologies for planning applications and strategies to achieve this have been proposed earlier in this report.

Require development applications to include traffic impact assessments, environmental impact assessments and noise management plans

There is no threshold or development type specified in the petition request and therefore it can only be inferred that the requirement for traffic impact assessments, environmental impact assessments and noise management plans is intended to apply to all development applications lodged in Edgewater.

This being the case, the requirement is considered to be onerous and would add an unnecessary burden on the applicant that, in most circumstances, would do little to inform the City in its decision making.

For example, it is considered inappropriate to require such technical studies to accompany a proposal to undertake additions to an existing dwelling (patio, carport or extensions) as it would place an unnecessary burden on the applicant and do little to inform the City in its decision-making.

The City does require the inclusion of additional reports such as traffic impact assessments, noise management plans, refuse management plans and construction management plans for developments that are of a scale where the detail contained within technical reports of this nature is essential or necessary for the City and Council to make an informed decision.

Legislation / Strategic Community Plan / policy implications

Legislation *Planning and Development Act 2005.
Planning and Development (Local Planning Schemes) Regulations 2015.*

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality built outcomes.

Strategic initiative Building and landscape is suitable for the immediate environment and reflect community values.

Policy *Residential Development Local Planning Policy.
State Planning Policy 3.1: Residential Design Codes.*

Risk Management Considerations

The City's LHS and proposed management strategies

Amend the consultation procedures for planning proposals

One of the options proposed earlier in this report involves broadening the scope of community consultation to notify and engage a broader catchment of residents that may not be directly impacted by a development proposal in HOAs.

If these residents then lodge an objection to the proposal and that proposal is approved despite these objections, there is a risk that certain community members may feel their objections and concerns are not being considered in the decision-making process. It is noted that this may already occur with the current extent of consultation, however if consultation is increased to a broader catchment, it is anticipated that there could be a corresponding increase in this sentiment.

The City proposes to manage this as best possible through including information with any notification letter as well as developing a set of frequently asked questions to address common concerns that have previously raised as part of consultation.

There is also a risk that such an approach may result in a greater number of responses received to each application advertised, increasing the amount of time taken for officers to complete an assessment. In turn, this may impact on service delivery and the ability for the City to meet statutory timeframes for the determination of development applications.

In the absence of an alternative strategy and if community consultation continues to be undertaken in the current fashion, there is a risk that some members of the community will remain concerned about the extent of consultation undertaken as part of development applications.

Expand the role of the Joondalup Design Reference Panel

In expanding the role of the Joondalup Design Reference Panel (JDRP) to participate in the design review of a greater number of multiple dwellings, there is a risk that this will result in an additional process for such applications and an increase in the amount of reporting undertaken by City officers. This will in turn, increase the amount of overall time taken for officers to deal with an application and consequently may impact on service delivery and the ability for the City to meet statutory timeframes for the determination of development applications.

In addition, there is a risk that expanding the role of the JDRP will lead to an increase in the number of meetings held, resulting in an additional cost to the City.

If the role of the JDRP is left unchanged, there is a risk that some members of the community will remain concerned with the design outcomes of multiple dwellings and the impact on existing neighbourhoods.

Prepare a design-led local planning policy for multiple dwellings in the City's HOAs

The DPLH is in the process of finalising *Design WA*, which is anticipated to be released in the first calendar quarter of 2018.

The *Apartment Design Guide* forms part of the suite of documents that makes up *Design WA*, and includes a provision that states that any policy prepared prior to the implementation of the *Apartment Design Guide*, is superseded by the *Apartment Design Guide* to the extent of any inconsistency.

Accordingly, there is a risk in the timing of the preparation of a design-led local planning policy for multiple dwellings in the City's HOAs. It is proposed to manage this as best possible by continuing to liaise closely with the DPLH to understand the final provisions to be included as well as the timing for *Design WA's* release.

If a design-led local planning policy for multiple dwellings in the City's HOAs is not pursued and multiple dwellings continue to be assessed under the City's existing *Residential Development Local Planning Policy*, there is a risk that some members of the community will remain concerned with the built form outcomes of multiple dwellings and their impact on existing neighbourhoods.

Further, if a design-led local planning policy for multiple dwellings in the City's HOAs is not pursued and *Design WA* is introduced, there is a risk that the provisions of the City's *Residential Development Local Planning Policy* will be superseded by those included in the *Apartment Design Guide*. The City raised a number of concerns with the 'as advertised' version of the *Design WA* and if introduced as advertised, the City may be forced to assess applications against provisions it opposed during consultation.

Introduce additional provisions in the City's scheme

Council adopted draft *Local Planning Scheme No. 3 (LPS3)* at its meeting held on 27 June 2017 (CJ089-06/17) and draft LPS3 was subsequently forwarded to the WAPC for consideration for final approval.

There is a risk that if Council elects to initiate an amendment to include additional provisions in the City's scheme for multiple dwellings, it is possible that draft LPS3 will have progressed beyond a point where there is the ability to capture this subject amendment within draft LPS3. If this was to occur, a new amendment would then need to be initiated following the finalisation of LPS3 to include these provisions.

Petition for HOA1 West of Davallia Road

The options presented for Council's consideration include the following:

- Include the area of HOA1 located west of Davallia Road in Amendment No. 88.
- Initiate a separate amendment to down code the area of HOA1 located west of Davallia Road from R20/R40 and R20/R60 to R20/R30.
or
- Not include the area of HOA1 located west of Davallia Road into either Amendment No. 88 or in a separate amendment to down-code the area from R20/R40 and R20/R60 to R20/R30.

Council adopted draft *Local Planning Scheme No. 3 (LPS3)* at its meeting held on 27 June 2017 (CJ089-06/17 refers) and draft LPS3 was subsequently forwarded to the WAPC for consideration for final approval.

There is a risk that if Council elects to include the area of HOA1 located west of Davallia Road into Amendment No. 88 and it further delays consultation on or the WAPC's final consideration of Amendment No. 88, it is possible that draft LPS3 will have progressed beyond a point where there is the ability to capture this subject amendment within draft LPS3. If this was to occur, a new amendment would then need to be initiated following the finalisation of LPS3 to request the reduction in the residential coding in the subject areas of HOA1.

This same risk also applies equally to the initiation of a separate scheme amendment to down-code the area of HOA1 located west of Davallia Road from R20/R40 and R20/R60 to R20/R30.

If action to down-code the area of HOA1 located west of Davallia Road, as requested by the petition, is not pursued in any form and, in the absence of any other strategies, there is a risk that some members of the community will remain concerned about the impact of urban infill as development applications will continue to be determined under the existing planning framework.

Petition for Community Consultation with Edgewater Community

The options presented for Council's consideration include requiring or not requiring community consultation for all development applications lodged within Edgewater and requiring or not requiring development applications to include traffic impact assessments, environmental impact assessments and noise management plans.

There is a risk that requiring a specific form of consultation within one suburb of the City would create an imbalance where one community is provided with a greater degree of consultation than others and could be viewed as an ad hoc and undesirable approach.

More broadly, by requiring community consultation for all development applications, there is a risk that false expectations could be created within the community that there may be an opportunity to influence a decision when, in actual fact, the City or Council, may not have the ability to do anything but approve a proposal.

Expanding community consultation to include every development application in Edgewater and requiring each development application to be accompanied by supporting technical studies will add a significant resource burden to the City. There is a risk that this may impact on service delivery and the ability for the City to meet statutory timeframes for the determination of development applications.

In the absence of an alternative strategy and community consultation continuing to be undertaken in the current fashion, there is a risk that some members of the community will remain concerned about the degree of consultation undertaken in the City's HOAs.

Financial / Budget Implications

Throughout the report, potential budgetary implications were identified with the following options:

- Include the area of HOA1 located west of Davallia Road in Amendment No. 88.
- Initiate a separate amendment to down code the area of HOA1 located west of Davallia Road from R20/R40 and R20/R60 to R20/R30.
- Amend the consultation procedures for planning proposals.
- Expand the role of the Joondalup Design Reference Panel.
- Prepare a design-led local planning policy for multiple dwellings in the City's HOAs.
- Introduce additional provisions in the City's scheme.

Their individual potential budgetary implications are outlined below:

Include the area of HOA1 located west of Davallia Road in Amendment No. 88

Council may elect to include the area of HOA1 located west of Davallia Road in Amendment No. 88 following consultation, as part of Council's consideration of the outcomes of advertising.

If this was to occur and Amendment No. 88 was adopted and referred to WAPC with a recommendation to include the aforementioned modification to include the area of HOA1 west of Davallia Road, the Minister (or other authorised person) may direct the modifications be advertised.

If this was to occur, the advertising costs associated with the scheme amendment would effectively be duplicated.

The City, as the proponent is required to cover the costs associated with the scheme amendment process. The costs incurred are for the advertising of the scheme amendment which could include letters to all owners, and placing a notice in the local newspaper and on the City's website.

Costs associated with the advertising of scheme amendments are estimated at approximately \$2,700.

Initiate a separate amendment to down code the area of HOA1 located west of Davallia Road from R20/R40 and R20/R60 to R20/R30

Similar to the above, if a separate amendment to down code the area of HOA1 located west of Davallia Road was to be initiated and receive agreement from the WAPC to advertise, the City would be required to cover the costs associated with the scheme amendment process, which are estimated at approximately \$2,700.

Amend the consultation procedures for planning proposals

The amendments to the consultation procedures for planning proposals include a recommendation to require a sign to be erected on each multiple dwelling site during the period of public consultation.

It is intended that the City fabricate several standard signs that can be re-used so as to avoid an ongoing cost impost.

Signs typically cost approximately \$800 to fabricate and it is estimated that eight to 10 signs would be required, resulting in a potential budgetary impost to the City of \$6,400 - \$8,000.

It is also noted that the amendments to the consultation procedures for planning proposals includes a recommendation to increase the number of residents that are consulted / notified as part of each multiple dwelling development application, which will result in an ongoing, increased cost to the City for postage. It is not possible to quantify the likely budgetary impost, but it is unlikely to be significant.

Expand the role of the Joondalup Design Reference Panel

The City currently incurs an annual cost associated with the operation of the Joondalup Design Reference Panel (JDRP) of approximately \$7,000.

It is anticipated that the number of JDRP meetings would increase if the role of the JDRP was expanded to capture a greater number of multiple dwellings.

Based on the number of multiple dwelling applications lodged since implementation of the City's Local Housing Strategy, it is estimated that the annual costs of operating the JDRP would increase to approximately \$15,000.

It is also noted and as previously advised to Council as part of its consideration of the City's submission on *Design WA* (CJ005-02/17 refers), that aligning the JDRP with the draft *Design Review Guide* included as part of the suite of documents for *Design WA* could increase the annual costs to upwards of \$48,000.

While this is a significant increase from the current operating cost of the City's current JDRP, this cost is similar to costs currently incurred by design review panels operated by other local governments which range from \$24,000 up to \$90,000.

If Council was to agree to the expanded role of the JDRP, a subsequent report would be prepared for Council's consideration which would include commentary on funding options that could alleviate some of the costs imposed on the City.

Prepare a design-led local planning policy for multiple dwellings in the City's HOAs

As previously outlined, it is considered that a consultant, under the management of City officers, is best placed to deliver this project. There would therefore be a budgetary impost to pay for the cost of the consultant.

Without a defined scope of works or tenders received for consideration it is not possible to provide an exact figure on the likely budgetary impost; however, it is estimated to be in the vicinity of \$50,000 - \$100,000.

Introduce additional provisions in the City's scheme

If Council elects to initiate an amendment to include additional provisions in the City's scheme the City, as the proponent, is required to cover the costs associated with the scheme amendment process.

The costs incurred are for the advertising of the scheme amendment which could include letters to all owners and placing a notice in the local newspaper and on the City's website. Costs associated with the advertising of scheme amendments are estimated at approximately \$2,700.

It is intended that this scheme amendment would also include the proposed amendment to reference the recommendations of the Joondalup Design Reference Panel in decision making. This would achieve some cost efficiencies for the City by requiring a single scheme amendment (and therefore a single cost) for two different management strategies.

Regional Significance

Council's decision and the outcomes of any initiatives pursued have the potential to have broader implications.

The management of urban infill is becoming an increasingly common issue being experienced by local governments throughout metropolitan Perth as each respond to the State Government's target of providing 47% of population growth within existing suburbs.

Accordingly, successful initiatives and lessons learnt are likely to be embraced by other local governments and could also inform future policy making at State level.

Sustainability Implications

Environmental

A key principle of the City's LHS is to enable increased residential densities in appropriate areas. These areas are predominantly located around train stations, high frequency public transport routes and activity centres to reduce car dependency and in turn reduce the environmental impacts of private vehicle use.

Further, applying a strategic approach rather than allowing densification to occur everywhere means that the majority of the City's residential areas cannot be redeveloped and therefore the broader tree canopy throughout the City can be retained.

Social

A key principle of the City's LHS is to provide housing choice and diversity throughout the City's suburbs.

The ability to provide a range of housing types in the City's HOAs, including grouped housing and multiple dwellings, promotes opportunities for ageing in place by allowing existing residents to downsize to smaller properties if desired. Equally, this same housing choice provides opportunities for potential residents to become part of a community they would not otherwise be able to if the choice in housing was limited to single, detached dwellings.

Economic

A number of the City's HOAs are located in close proximity to activity centres. Establishing a framework that supports an increased population in close proximity to activity centres, in turn also provides opportunity for improved commercial viability of these centres.

Consultation

The only option presented in this report which has a direct consultation component that could arise from Council's decision relates to the inclusion of the area of HOA1 located west of Davallia Road into Amendment No. 88.

If Council elects to adopt either option presented, being the inclusion of the area of HOA1 located west of Davallia Road into Amendment No. 88 before or after undertaking public consultation, and subject to the agreement of the WAPC being received, consultation would be undertaken as follows:

- Letters will be sent to all landowners within the scheme amendment area.
- Frequently Asked Questions will be attached to the letter to provide explanation of the issues.
- A notice will be placed in the Joondalup Community newspaper.
- A notice and documents will be placed on the City's website, including an online comment form.
- Documents will be available for viewing at the City's Administration building.
- Letters will be sent to relevant service authorities.
- A notice will be placed through the City's social media platforms.

Consultation related to all other options outlined would be detailed in separate reports presented to Council prior to any consultation occurring.

COMMENT

Since implementation of the City's *Local Housing Strategy* (LHS), via Amendment No. 73, in February 2016, development is occurring throughout all Housing Opportunity Areas.

It is considered that the overarching principles of the LHS to strategically locate areas of urban infill around public transport and activity centres is sound and remains consistent with State planning policies and best practice planning principles.

It is also considered that allowing a variety of housing typologies, including multiple dwellings, in these areas is an appropriate way of providing housing choice and diversity throughout the City.

Notwithstanding the above, it is clear that there is concern among some community members about the impact that urban infill, particularly multiple dwellings, is having and has the potential to have on the City's neighbourhoods.

This concern has manifested itself in a number of requests to Council to implement location specific action that would undermine the broader intent of the LHS. Rather than adopting an ad hoc approach, it is considered that a more appropriate and effective way of dealing with the issues raised can be achieved through implementation of a number of strategies that seek to both better inform the community and to better manage the impact of urban infill and in particular, multiple dwellings.

VOTING REQUIREMENTS

Simply Majority.

OFFICER'S RECOMMENDATION

That Council:

- 1 DOES NOT SUPPORT the request to include the portion of Housing Opportunity Area 1, located west of Davallia Road into Amendment No. 88 to District Planning Scheme No. 2, to reduce the density coding from R20/R40 and R20/R60 to a density coding of no higher than R20/R30;
- 2 DOES NOT SUPPORT the request to initiate a separate amendment to District Planning Scheme No. 2 to reduce the density coding of the portion of Housing Opportunity Area 1, located west of Davallia Road, from R20/R40 and R20/R60 to a density coding of no higher than R20/R30;
- 3 DOES NOT SUPPORT the request to immediately place a pause on planning approvals of subdivisions that exceed R30 in the portion of Housing Opportunity Area 1, located west of Davallia Road;
- 4 DOES NOT SUPPORT the request that community consultation with residents in the suburb of Edgewater is a requirement for all development applications lodged, and advertisement of any such proposals includes all neighbours of any sites and notification to the Edgewater Community Residents Association Inc;

- 5 DOES NOT SUPPORT the request that all development applications in the suburb of Edgewater must include traffic impact assessments, environmental impact assessments and noise management plans to allow residents and Council to fully assess the impact of any proposal;
- 6 NOTES that the signatories of the petition submitted by the Edgewater Community Residents Association are not against development in Edgewater but wish development to occur in an inclusive way, supported by the local community;
- 7 REQUESTS a review of the City's consultation procedures be undertaken and that a new consultation process be adopted to increase the amount of consultation and notification undertaken on multiple dwelling development applications lodged in the City's Housing Opportunity Areas;
- 8 REQUESTS the preparation of a Planning Consultation Policy to provide greater certainty and transparency regarding consultation undertaken for planning proposals;
- 9 REQUESTS the Terms of Reference of the Joondalup Design Reference Panel be amended to subject a greater number of multiple dwelling proposals to independent design review as part of the City's assessment of the proposals;
- 10 REQUESTS the preparation of a design-led local planning policy for multiple dwellings in the City's Housing Opportunity Areas that requires a higher quality of design and better manages the impact of multiple dwellings on existing residents and streetscapes;
- 11 NOTES that the preparation of a design-led local planning policy for multiple dwellings in the City's Housing Opportunity Areas will be prepared by a consultant, appointed by the City;
- 12 REQUESTS the initiation of an amendment to *District Planning Scheme No. 2* to include provisions which enable the City to better control the impact of multiple dwellings on existing residents and streetscapes, along with provisions which require regard be given to recommendations made by the Joondalup Design Reference Panel in the determination of planning proposals;
- 13 ADVISES the lead petitioners of its decision.

MOVED Mayor Jacob, SECONDED Cr Taylor that Council:

- 1 **REQUESTS a review of the City's consultation procedures be undertaken and that a new consultation process be adopted to increase the amount of consultation and notification undertaken on multiple dwelling development applications lodged in the City's Housing Opportunity Areas;**
- 2 **REQUESTS the preparation of a Planning Consultation Policy to provide greater certainty and transparency regarding consultation undertaken for planning proposals;**
- 3 **REQUESTS the Terms of Reference of the Joondalup Design Reference Panel be amended to subject a greater number of multiple dwelling proposals to independent design review as part of the City's assessment of the proposals;**

- 4 **REQUESTS** the preparation of a design-led local planning policy for multiple dwellings in the City's Housing Opportunity Areas that requires a higher quality of design and better manages the impact of multiple dwellings on existing residents and streetscapes by focusing on the context and character of the Housing Opportunity Areas as well as the scale, functionality and build quality of new development;
- 5 **NOTES** that the Chief Executive Officer will need to engage a consultant to prepare the local planning policy outlined in part 4 above;
- 6 **REQUESTS** the initiation of an amendment to District Planning Scheme No. 2 to include provisions which enable the City to better control the impact of multiple dwellings on existing residents and streetscapes, including the provisions of draft Amendment No. 73 that were previously deleted by the Western Australian Planning Commission that required a minimum site area of 2,000m² for multiple dwelling developments and that required all development at the higher density to comply with the City's *Residential Development Local Planning Policy* or equivalent, along with provisions which require regard be given to recommendations made by the Joondalup Design Reference Panel in the determination of planning proposals;
- 7 **DEFERS** consideration of the request to include the portion of Housing Opportunity Area 1, located west of Davallia Road into Amendment No. 88 to *District Planning Scheme No. 2*, to reduce the density coding from R20/R40 and R20/R60 to a density coding of no higher than R20/R30, to be dealt with as a separate matter at the Council meeting to be held on 12 December 2017;
- 8 **AGREES** that all other requests made in the petitions received from the residents in Housing Opportunity Area 1, located west of Davallia Road and the Edgewater Community Residents Association not be progressed at this time;
- 9 **ADVISES** the lead petitioners of its decision.

AMENDMENT MOVED Cr Dwyer, **SECONDED** Cr Poliwka that Part 7 be replaced with the following:

"7 SUPPORTS the request to include the portion of Housing Opportunity Area 1, located west of Davallia Road into Amendment No. 88 to *District Planning Scheme No. 2*, to reduce the density coding from R20/R40 and R20/R60 to a density coding of no higher than R20/R30 and **NOTES** that a report dealing with the revocation of Council's earlier decision to initiate existing Amendment No. 88 and to initiate a replacement amendment will be presented to an upcoming Council meeting;"

The Amendment was Put and

CARRIED (10/0)

In favour of the Amendment: Mayor Jacob, Crs Dwyer, Hamilton-Prime, Hollywood, Jones, May, McLean, Norman, Poliwka and Taylor.

The original motion as amended being that Council:

- 1 **REQUESTS** a review of the City's consultation procedures be undertaken and that a new consultation process be adopted to increase the amount of consultation and notification undertaken on multiple dwelling development applications lodged in the City's Housing Opportunity Areas;
- 2 **REQUESTS** the preparation of a Planning Consultation Policy to provide greater certainty and transparency regarding consultation undertaken for planning proposals;
- 3 **REQUESTS** the Terms of Reference of the Joondalup Design Reference Panel be amended to subject a greater number of multiple dwelling proposals to independent design review as part of the City's assessment of the proposals;
- 4 **REQUESTS** the preparation of a design-led local planning policy for multiple dwellings in the City's Housing Opportunity Areas that requires a higher quality of design and better manages the impact of multiple dwellings on existing residents and streetscapes by focusing on the context and character of the Housing Opportunity Areas as well as the scale, functionality and build quality of new development;
- 5 **NOTES** that the Chief Executive Officer will need to engage a consultant to prepare the local planning policy outlined in part 4 above;
- 6 **REQUESTS** the initiation of an amendment to District Planning Scheme No. 2 to include provisions which enable the City to better control the impact of multiple dwellings on existing residents and streetscapes, including the provisions of draft Amendment No. 73 that were previously deleted by the Western Australian Planning Commission that required a minimum site area of 2,000m² for multiple dwelling developments and that required all development at the higher density to comply with the City's *Residential Development Local Planning Policy* or equivalent, along with provisions which require regard be given to recommendations made by the Joondalup Design Reference Panel in the determination of planning proposals;
- 7 **SUPPORTS** the request to include the portion of Housing Opportunity Area 1, located west of Davallia Road into Amendment No. 88 to *District Planning Scheme No. 2*, to reduce the density coding from R20/R40 and R20/R60 to a density coding of no higher than R20/R30 and **NOTES** that a report dealing with the revocation of Council's earlier decision to initiate existing Amendment No. 88 and to initiate a replacement amendment will be presented to an upcoming Council meeting;
- 8 **AGREES** that all other requests made in the petitions received from the residents in Housing Opportunity Area 1, located west of Davallia Road and the Edgewater Community Residents Association not be progressed at this time;
- 9 **ADVISES** the lead petitioners of its decision.

Was Put and

CARRIED (10/0)

In favour of the Motion: Mayor Jacob, Crs Dwyer, Hamilton-Prime, Hollywood, Jones, May, McLean, Norman, Poliwka and Taylor.

REASON

In accordance with Regulation 11 (da) of the *Local Government (Administration) Regulations 1996*, the reason Council made its decision which was significantly different to what the administration recommended is because the decision is reflective of community desire within the City of Joondalup across a range of housing opportunity areas and particularly Housing Opportunity Area 1 and this is largely consistent with the City of Joondalup position on this matter over a long period of time.

Cr Taylor left the Chamber at 8.27pm.

Cr Chester returned to the Chamber at 8.28pm.