

minutes

Policy Committee

MEETING HELD ON **MONDAY 12 JUNE 2017**

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CITY OF JOONDALUP

MINUTES OF THE POLICY COMMITTEE MEETING HELD IN CONFERENCE ROOM 2,
JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY
12 JUNE 2017.

ATTENDANCE

Committee Members

Cr Liam Gobbert	<i>Presiding Member</i>	
Mayor Troy Pickard		
Cr Kerry Hollywood		
Cr Philippa Taylor		
Cr Christine Hamilton-Prime		
Cr John Chester	<i>Deputy Presiding Member</i>	<i>Absent from 7.26pm to 7.56pm</i>
Cr Sophie Dwyer	<i>Deputising for Cr Fishwick</i>	

Officers

Mr Jamie Parry	Director Governance and Strategy
Ms Dale Page	Director Planning and Community Development
Mr Brad Sillence	Manager Governance
Mr Chris Leigh	Manager Planning Services
Mrs Lesley Taylor	Governance Officer

DECLARATION OF OPENING

The Presiding Member declared the meeting open at 7.00pm.

DECLARATIONS OF INTEREST**Disclosure of Financial / Proximity Interest**

A declaration under this section requires that the nature of the interest must be disclosed. Consequently a member who has made a declaration must not preside, participate in, or be present during any discussion or decision-making procedure relating to the matter the subject of the declaration. An employee is required to disclose their financial interest and if required to do so by the Council must disclose the extent of the interest. Employees are required to disclose their financial interests where they are required to present verbal or written reports to the Council. Employees are able to continue to provide advice to the Council in the decision making process if they have disclosed their interest.

Name/Position	Cr John Chester.
Item No./Subject	Item 6 – Draft <i>McLarty Avenue Local Planning Policy</i> – Consideration following advertising.
Nature of interest	Financial Interest.
Extent of Interest	Cr Chester has a financial interest in a project adjacent to the Draft <i>McLarty Avenue Local Planning Policy</i> .

Disclosures of interest affecting impartiality

Elected Members (in accordance with Regulation 11 of the *Local Government [Rules of Conduct] Regulations 2007*) and employees (in accordance with the Code of Conduct) are required to declare any interest that may affect their impartiality in considering a matter. This declaration does not restrict any right to participate in or be present during the decision-making process. The Elected Member/employee is also encouraged to disclose the nature of the interest.

Name/Position	Mayor Troy Pickard.
Item No./Subject	Item 5 – Draft <i>Home-Based Business Local Planning Policy</i> – Consideration following advertising.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Pickard operates a registered home-based business.

Name/Position	Cr Sophie Dwyer.
Item No./Subject	Item 5 – Draft <i>Home-Based Business Local Planning Policy</i> – Consideration following advertising.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Dwyer runs a home office.

Name/Position	Cr Kerry Hollywood.
Item No./Subject	Item 5 – Draft <i>Home-Based Business Local Planning Policy</i> – Consideration following advertising.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Hollywood answers phones and uses computers for a small business.

Name/Position	Cr Philippa Taylor.
Item No./Subject	Item 5 – Draft <i>Home-Based Business Local Planning Policy</i> – Consideration following advertising.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Taylor uses computer at home in office.

APOLOGIES/LEAVE OF ABSENCE**Apology**

Cr Russ Fishwick, JP.

Leave of Absence previously approved

Cr Sophie Dwyer	1 July to 17 July 2017 inclusive;
Cr Hamilton-Prime	14 July to 21 August 2017 inclusive;
Cr Sophie Dwyer	23 September to 8 October 2017 inclusive.

CONFIRMATION OF MINUTES**MINUTES OF THE POLICY COMMITTEE HELD ON 3 APRIL 2017**

MOVED Cr Taylor, **SECONDED** Cr Chester that the minutes of the meeting of the Policy Committee held on 3 April 2017 be confirmed as a true and correct record.

The Motion was Put and

CARRIED (7/0)

In favour of the Motion: Cr Gobbert, Mayor Pickard, Crs Chester, Dwyer, Hamilton-Prime, Hollywood and Taylor.

ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

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

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

PETITIONS AND DEPUTATIONS

Nil.

REPORTS**ITEM 1 REVIEW OF CIRCUS POLICY**

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance and Strategy
FILE NUMBER	101282, 101515
ATTACHMENTS	Attachment 1 Revised <i>Circus Policy</i> Attachment 2 Current <i>Circuses Policy</i>
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

For Council to review the *Circuses Policy* and adopt the revised *Circus Policy* as part of the Policy Manual review process.

EXECUTIVE SUMMARY

As a result of a review of the Policy Manual, the *Circuses Policy* was identified as requiring amendments, namely:

- amend the objective to better reflect the purpose of the policy
- clarify unclear terms or phrases.

The current *Circuses Policy* (Attachment 2 refers) was adopted by Council at its meeting held on 15 May 2012 (CJ093-05/12 refers) to provide a statement in relation to the City's stance on circuses using live performing animals. The policy has remained unchanged since this time.

Research into other local government circus policies found that approximately 90% of other local governments with circus policies did not support circuses using live exotic animals and of these approximately 40% also did not support circuses or organisations with any live performing animals, including domesticated animals.

Further research was conducted into relevant industry standards and found that the City of Joondalup policy currently does not align with either the *Code of Practice for the Conduct of Circuses in Western Australia* or the RSPCA's *Performing Animals Policy*. The *Circus Policy* has been revised to clarify the stance of the City and provide consistency with other City policies. The revised wording also allows discretion in approving or denying access to City owned or controlled land for circuses using domesticated animals.

It is therefore recommended that Council ADOPTS the revised Circus Policy, as shown in Attachment 1 to this Report.

BACKGROUND

At its meeting held on 26 April 2000 (CJ085-04/00 refers), the matter of circus policies was addressed. On that occasion, Council made a decision that it would not endorse any policy regarding circuses, “... due to the fact that Council has no wish to interfere with the right of residents in the City of Joondalup to attend performances if they so desire.”

At its meeting held on 16 October 2007 (CJ207-10/07 refers), it was recommended that Council adopt a policy on circuses in the City given the ongoing demand for that type of entertainment.

At its meeting held on 15 April 2008 (CJ052-04/08 refers), Council adopted the *City Policy – Statement on Circuses*, which was amended to provide consistency with other policies and clarity to the content at the Council meeting held on 15 May 2012, when it became the *Circuses Policy* (CJ093-05/12 refers). The policy has remained unchanged since 2012.

DETAILS

Since the *Circuses Policy* was adopted, the City has continued to liaise with circuses and organisations that use live performing animals to ensure entertainment is appropriate on City owned or controlled land in accordance with the policy.

As no major changes have been identified in relation to the City’s stance on live performing animals on City owned or controlled land, the policy has undergone a minor review to ensure consistency, relevance and currency with relevant legislation and best practice guidelines.

Local Government Comparison

An analysis of other local government circus policies was undertaken to inform the review of the City’s *Circuses Policy*. Of the 30 local governments benchmarked in the Greater Perth Metropolitan area, eight local governments have a policy relating to the management of circuses. These policies are summarised in the table below:

Name of Local Government	Policy Name	Notes
Town of Bassendean	Circus Policy	Only circuses without exotic animals permitted.
City of Fremantle	Circuses on land owned or controlled by the City of Fremantle	Does not permit circuses where those circuses incorporate performing animals (includes exotic and domestic animals).
Shire of Kalamunda	Circuses on Council Reserves	Circuses involving animal acts will be assessed on a case-by-case basis. No clarity or definition provided for “animal act”.
Town of Mosman Park	Circus Performances	Circuses using performing animal acts are prohibited on facilities owned or managed by the Town.

Name of Local Government	Policy Name	Notes
City of Nedlands	Prohibition of Circuses with Exotic or Caged Animals	Any circus that uses caged or exotic animals is prohibited.
City of Perth	Circuses and the use of performing animals	No wild or non-domestic animals permitted. Use of domestic animals with a good working relationship with humans is permitted.
City of Vincent	Prohibition of Circuses with Animals	Prohibits the use of performing and displayed animals in circuses on any City land.
City of Wanneroo	Circuses Policy	No wild animals are permitted. Circuses that use domesticated animals will be considered on an individual basis by the Chief Executive Officer on application to the City.

This benchmarking exercise indicates that seven out of the eight local governments that have circus policies prohibit circuses or organisations that involve exotic animals. Further, of the eight local governments that do have circus policies, three explicitly prohibit all circuses with any performing animals (including domestic animals). This research has informed recommended changes in the *Circuses Policy* as outlined below.

Relevant Code of Practice and Best Practice Guidelines

Research was also undertaken into existing guidelines from relevant industry bodies. The *Code of Practice for the Conduct of Circuses in Western Australia* allows for exotic animals to be involved in circus performances, however, provides strict guidelines for the care and treatment of specific exotic animals including suitability, safety, housing, behavioural training, medical, interaction and husbandry.

Conversely, the RSPCA's Policy *C02 Performing Animals* states that the RSPCA opposes the use of animals for any kind of entertainment where injury, pain, suffering or distress is likely to be caused. Specifically in relation to circuses, it provides that the requirements of circus life are not compatible with the physiological, social and behavioural needs of most animals and that the RSPCA is opposed to the use of animals in circuses unless scientific evidence indicates that the physiological, social and behavioural needs of the species can be adequately met during all aspects of circus life.

It should be noted that the current *Circuses Policy* does not align fully with either the *Code of Practice for the Conduct of Circuses in Western Australia* or the RSPCA Policy *C02 Performing Animals*.

Definitions

The definition of domestic animal has been taken from the *Code of Practice for the Conduct of Circuses in Western Australia*. The definition of exotic animal has been created from the previous statement of the policy and simplified to provide clarity in the application of the policy.

Statement

The statement has been simplified by moving the majority of the discussion about exotic animals to the definition section and adding that the policy applies to City owned or controlled land.

Details

The wording of the details section has been changed to:

“Council considers circuses or organisations that use human acts as a preferred alternative for public entertainment.”

Read in the context of the policy, it demonstrates that the City prefers circuses involving human acts to those involving animals. However, it allows discretion for the decision-maker to permit circuses involving domesticated animals if required.

Issues and options considered

Council has the option to either:

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

Option 1 is the recommended option.

Legislation / Strategic Community Plan / policy implications

Legislation	The <i>Code of Practice for the Conduct of Circuses in Western Australia</i> is referenced in the <i>Animal Welfare Act 2002</i> .
Strategic Community Plan	
Key theme	Community Wellbeing.
Objective	Cultural development.
Strategic initiative	Actively engage event promoters to host iconic, cultural and sporting events within the City.
Policy	<i>Circus Policy</i> .

Risk management considerations

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

Financial / budget implications

The City currently hosts the occasional circus or organisation that uses live performing animals. If the City were to prohibit circuses or organisations using live performing animals there may be a financial impact through loss of income from these organisations.

Regional significance

The City of Wanneroo has a similar policy to the *Circus Policy* which indicates interest within the region. Further, whether the City of Joondalup hosts organisations or circuses with performing animals affects the broader region.

Sustainability implications

Social

Social sustainability enhances the lives of those within communities and the processes required to achieve social cohesion. Cultural events contribute to achievement of social sustainability.

Economic

The City currently hosts the occasional circus or organisation that uses live performing animals. There may be minor financial implications for the City and regional stakeholders if the City experienced a decline in circus events.

Consultation

Not applicable.

COMMENT

The *Circuses Policy* has provided guidance with regard to the approval of circuses on land owned or controlled by the City. The modifications to the policy will allow the City to continue to use discretion in decision-making in relation to circuses on City land, while also clarifying the stance of the City about both exotic and domestic performing animals. As such, it is considered appropriate that the proposed *Circus Policy* is adopted by Council.

VOTING REQUIREMENTS

Simple Majority.

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

AMENDMENT MOVED Mayor Pickard, **SECONDED** Cr Chester that the motion be amended to read as follows:

"That Council ADOPTS the revised Circus Policy as detailed in Attachment 1 of this Report subject to clause 4 being amended to read as follows:

"Council considers circuses or organisations that use human acts and/or domestic animals that are kept in accordance with the RSPCA Policy - C02 Performing Animals, as appropriate forms of public entertainment."

The Amendment was Put and

CARRIED (6/1)

In favour of the Amendment: Cr Gobbert, Mayor Pickard, Crs Chester, Dwyer, Hamilton-Prime and Taylor.
Against the Amendment: Cr Hollywood.

The original Motion as amended, being:

That Council ADOPTS the revised Circus Policy as detailed in Attachment 1 of this Report subject to clause 4 being amended to read as follows:

"Council considers circuses or organisations that use human acts and/or domestic animals that are kept in accordance with the RSPCA Policy - C02 Performing Animals, as appropriate forms of public entertainment."

The Motion was Put and

CARRIED (6/1)

In favour of the Motion: Cr Gobbert, Mayor Pickard, Crs Chester, Dwyer, Hamilton-Prime and Taylor.

Against the Motion: Cr Hollywood.

Appendix 1 refers

To access this attachment on electronic document, click here: [Attach1agnPOLICY170612.pdf](#)

ITEM 2 AUSTRALIAN BUSINESS EXCELLENCE FRAMEWORK POLICY - REVIEW

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Governance & Strategy
FILE NUMBER	89549, 101515
ATTACHMENTS	Attachment 1 <i>Australian Business Excellence Framework Policy</i> Attachment 2 <i>Current Australian Business Excellence Framework Policy</i>
AUTHORITY / DISCRETION	Legislative – includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to approve the revised *Australian Business Excellence Framework Policy*.

EXECUTIVE SUMMARY

At its meeting held on 14 March 2006 (CJ032-03/06 refers), Council adopted the current *Australian Business Excellence Framework Policy* to provide a systematic process for continuous review and improvement of all aspects of leadership and management at the City. A copy of the current *Australian Business Excellence Framework Policy* is as shown as Attachment 2 to this Report.

No amendments have been made to the *Australian Business Excellence Framework Policy* since its adoption in 2006. The *Australian Business Excellence Framework (ABEF)* was updated in 2011 following a review by industry experts. The City's *Australian Business Excellence Framework Policy* needs to be updated to reflect these changes.

It is therefore recommended that Council APPROVES the revised Australian Business Excellence Framework Policy as shown in Attachment 1 to this Report.

BACKGROUND

Council adopted the *Australian Business Excellence Framework (ABEF)* as its leadership and management framework in November 2005 (CJ251-11/15 refers) to provide a best practice mechanism to assess the City's management systems and identify and implement improvements. In 2006, Council adopted the *Australian Business Excellence Framework Policy* shown as Attachment 2 to this Report (CJ032-03/06 refers).

The Inquiry into the City of Joondalup was tabled in 2005 following the dismissal of the Council in 2003 and included a number of recommendations intended to restore good governance to the City. One of the recommendations was the appointment of a suitably qualified Chief Executive Officer and in January 2005 the current Chief Executive Officer, Mr Garry Hunt, was employed. Given his experience and utilisation of the framework at the City of Perth he recommended Council adoption of the framework as a proven method for assessing the City's management and leadership systems and organisational performance.

The framework was first developed in 1987 and was one of the first four global excellence frameworks. It was initially developed in response to Commonwealth Government and general industry calls for Australian enterprises to be more efficient and competitive. The framework is reviewed and regularly updated by management and leadership professionals to reflect current and proven management thinking and practice.

The *ABEF* is an integrated leadership and management system that describes the elements essential to sustainable organisational performance. It is a framework which can be used to assess and improve any aspect of an organisation. The framework comprises the following:

- Principles which are required for organisational excellence and underpin the framework.
- Categories against which an organisation can review, question and analyse its leadership and management system. These include:
 - leadership
 - strategy and planning
 - information and knowledge
 - people
 - customer and stakeholder
 - process management, improvement and innovation
 - results and sustainable performance.
- Items which provide guidance to organisations on components to be addressed in order to achieve organisational excellence.
- A learning cycle which requires an organisation to demonstrate its *Approach, Deployment, Results* and *Improvement* for each Item.
- An assessment matrix against which an organisation's performance is assessed.

A number of leading Australian organisations use the framework to assess their management and leadership systems and inform strategic planning processes. Local governments currently utilising the framework include the City of Wollongong, Hobart City Council, Brisbane City Council and the Cities of Perth, Melville, Swan, Stirling, South Perth and Caloundra.

The *ABEF* is owned by the Australian Organisational Excellence Foundation and as a member, the City is able to take advantage of significant networking opportunities with other member organisations.

Since 2006, the City has successfully applied the framework to:

- assess organisational performance through a guided assessment
- provide training to City employees to enable them to undertake a self-assessment and gap analysis
- review the organisational structure
- promote excellence in leadership and management practices
- drive a systematic approach to continuous improvement through revision and improvement of processes and service reviews
- improve the delivery of services to the community
- inform strategic planning processes
- apply for the *ABEF* Strategy and Planning Category Award
- ISO 9001 Quality Management certification
- AS/NZS ISO 31000:2009 – Risk Management.

The City was recognised in the 2012 Business Excellence Awards for its best practice processes and systems in the Category of Strategy and Planning. The City continues to use the framework to guide its continuous improvement activities.

DETAILS

Revisions to the *ABEF* in 2011 have not resulted in changes to the overall intent or application of the framework. Changes are summarised as follows:

- Revised wording of some of the Principles to clarify direction, including the introduction of a new Principle – *Variation impacts predictability, profitability and performance.*
- Changes to two key Categories – *Customers and Stakeholders and Results and Sustainable Performance.*
- Changes to the assessment matrix and weightings.

The revised *Australian Business Excellence Framework Policy*, shown as Attachment 1 to this Report, reflects the updated framework. The revised policy also includes acknowledgement that the *ABEF* provides an umbrella under which other business initiatives can be implemented, such as ISO 9001 Quality Management and AS/NZS ISO 31000:2009 which the City has implemented since 2006 as part of its continuous improvement activities.

Endorsement of the revised policy, *Australian Business Excellence Framework Policy*, as shown in Attachment 1 of this Report, is recommended.

Issues and options considered

Council has the option to:

- revoke the *Australian Business Excellence Framework Policy* as shown in Attachment 2 to this Report
- modify the *Australian Business Excellence Framework Policy* as shown in Attachment 1 to this Report
or
- retain the *Australian Business Excellence Framework Policy* in its current format as shown in Attachment 2 to this Report.

The option to modify the *Australian Business Excellence Framework Policy* as shown in Attachment 1 to this Report is recommended.

Legislation / Strategic Community Plan / policy implications

Legislation	Not applicable.
Strategic Community Plan	
Key theme	Governance and Leadership.
Objective	Corporate capacity.
Strategic initiative	Continuously strive to improve performance and service delivery across all corporate functions.
Policy	<i>Australian Business Excellence Framework Policy.</i>

Risk management considerations

The *ABEF* provides the City with a proven methodology for assessing the organisation against key principles and criteria in order to prioritise opportunities for improvement.

The principles and categories within the framework describe the essential characteristics of leadership and management systems to achieve sustainable and excellent performance. The framework also requires organisations to assess the risks its business activities pose to the community and how such risks are reduced.

The practice of continual review and improvement of all organisational functions ensures continued scrutiny of the City's operations against the framework and assists in working towards sustainable performance.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

The *ABEF* provides a vehicle for sustainable business improvement. The framework provides the methodology for a planned, systematic approach to assessing and identify improvements to the City's leadership and management systems and, therefore, sustainable organisational performance.

Consultation

Not applicable.

COMMENT

The City provides a broad range of services to its stakeholders and the community in line with its vision in *Joondalup 2022* and is committed to ensuring these services are of a consistently high standard. Alignment with the framework provides a leadership focus and practical methodology for continuous improvement across all management aspects of the organisation with the aim of achieving excellence in service delivery and sustainable performance.

Use of the framework has contributed towards significant improvements as a result of assessments of its core functions and continued application will facilitate greater operational efficiencies and improved community and stakeholder relations. The City intends to submit a whole of organisation application to the Australian Organisational Excellence Awards to be held in Perth in October 2017.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hamilton-Prime, **SECONDED** Mayor Pickard that Council **APPROVES** the revised *Australian Business Excellence Framework Policy* as shown in Attachment 1 to this Report.

The Motion was Put and

CARRIED (7/0)

In favour of the Motion: Cr Gobbert, Mayor Pickard, Crs Chester, Dwyer, Hamilton-Prime, Hollywood and Taylor.

Appendix 2 refers

To access this attachment on electronic document, click here: [Attach2agnPOLICY170612.pdf](#)

ITEM 3 DRAFT MEDIUM-DENSITY SINGLE HOUSE DEVELOPMENT STANDARDS LOCAL PLANNING POLICY

WARD	All
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	106380, 101515
ATTACHMENT	Attachment 1 Planning Bulletin 112/2016 (Medium-density single house development standards – Development Zones) Attachment 2 Draft <i>Medium-density Single House Development Standards Local Planning Policy</i>
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider the draft *Medium-density Single House Development Standards Local Planning Policy* for the purposes of adoption.

EXECUTIVE SUMMARY

The medium-density single house development standards (R-MD Codes) are a relatively new set of standards released by the Western Australian Planning Commission (WAPC) that were developed to endeavour to better accommodate contemporary housing typologies on smaller lots.

The standards are, in effect, replacement deemed-to-comply standards of the Residential Design Codes (R-Codes) for single houses at the R25 to R60 density codes in development zones (like former school sites) or structure plan areas. They do not apply to areas such as the City's Housing Opportunity Areas.

The *MacNaughton Crescent Structure Plan* was approved by the WAPC on 1 May 2017, and approximately 65 single residential lots will be created when the site is subdivided. The *MacNaughton Crescent Structure Plan* references the use of the R-MD Codes for assessment of these single dwellings, subject to Council adopting the standards as a local planning policy.

It is recommended that Council adopts the draft *Medium-density Single House Development Standards Local Planning Policy*. In accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015*, the WAPC has resolved that adoption of the R-MD Codes as a local planning policy does not require public consultation.

BACKGROUND

The R-MD Codes were developed by a working group of government, development and building industry stakeholders that identified appropriate standards to facilitate development on smaller single residential lots. The R-MD Codes were a response to an increase in ad-hoc variations to the deemed-to-comply standards of the R-Codes in a variety of local government planning documents including planning schemes, local development plans, structure plans and planning policies.

The WAPC issued *Planning Bulletin 112/2015* in 2015 and an updated *Planning Bulletin 112/2016* in 2016 that outlines acceptable variations to the deemed-to-comply standards of certain clauses of the R-Codes that would apply to single house development within the density range of R25 to R60.

The *Planning Bulletin* confines the application of the R-MD Codes to “development zones” or “structure plan areas”. Throughout the City of Joondalup, these are typically new Greenfield or infill housing developments like former school sites.

The R-MD Codes must be adopted as a local planning policy for the standards to apply, and the policy must stipulate to which structure plan areas the R-MD Codes apply. Alternatively, the structure plan must identify that the R-MD Code local planning policy applies.

Since the release of the *Planning Bulletin*, a number of local governments have adopted the R-MD Codes as a local planning policy in accordance with the Bulletin and consistent with the approach proposed in the City’s local planning policy.

DETAILS

The *Medium-density Single House Development Standards Local Planning Policy* incorporates the requirements as set out in WAPC *Planning Bulletin 112/2016* (Attachment 1 refers), which vary the R-Code provisions for medium density housing in respect of the following:

- Building and garage setbacks.
- Open space.
- Front fences.
- Outdoor living areas.
- Parking.
- Vehicular access.
- Visual privacy.
- Solar access.

The specific variations to the deemed-to-comply standards of the R-Codes are set out in Appendix 1 to the draft policy (Attachment 2 refers). All other R-Code requirements continue to apply.

The R-MD Codes will only apply to single house developments and only in areas defined by the local planning policy.

Initially, the policy would only apply to the *MacNaughton Crescent Structure Plan* area. However, it is noted that the draft policy allows for future structure plan areas to be included, where deemed appropriate.

Issues and options considered

Council has the option to either:

- adopt the draft *Medium-density Single House Development Standards Local Planning Policy*, with or without modifications
or
- not adopt the draft *Medium-density Single House Development Standards Local Planning Policy*.

Legislation / Strategic Community Plan / policy implications

- | | |
|--------------------|--|
| Legislation | <ul style="list-style-type: none"> • <i>Planning and Development (Local Planning Schemes) Regulations 2015.</i> • <i>State Planning Policy 3.1 - Residential Design Codes.</i> |
|--------------------|--|

Strategic Community Plan

Key theme	Quality Urban Environment.
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Objective	Quality built outcomes.
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Strategic initiative	Buildings and landscaping is suitable for the immediate environment and reflect community values.
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Policy	Not applicable.
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Risk management considerations

If the R-MD Codes are not adopted for the *MacNaughton Crescent Structure Plan* area, development applications will be required whenever discretion is sought under the R-Codes. This will unnecessarily complicate and delay the approval process for these dwellings as discretion will be required in most instances to enable the medium density single house development already contemplated by the structure plan.

Financial / budget implications

The costs associated with any notice of any final adoption of the policy will be approximately \$500.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Planning Bulletin 112/2016 outlines that in accordance with Schedule 2, Part 2, Clause 4(1) of the *Planning and Development (Local Planning Scheme) Regulations 2015*, the WAPC has resolved that the adoption of the R-MD Codes as a local planning policy does not require public advertising for the purposes of consultation.

Upon adoption of a local planning policy to implement the R-MD Codes, the local government must notify the WAPC of the resolution. The WAPC will then confirm that the policy is in accordance with *Planning Bulletin 112/2016*.

COMMENT

The WAPC has now approved the *MacNaughton Crescent Structure Plan* and it is recommended that the draft *Medium-density Single House Development Standards Local Planning Policy* be adopted as contemplated within the structure plan.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Chester, **SECONDED** Cr Hamilton-Prime that Council in accordance with clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- 1 **PREPARES** and **PROCEEDS** with the draft *Medium-density Single House Development Standards Local Planning Policy*, as shown in Attachment 2 to this Report;
- 2 **ADVISES** the Western Australian Planning Commission that Council has adopted the *Medium-density Single House Development Standards Local Planning Policy*.

The Motion was Put and

CARRIED (7/0)

In favour of the Motion: Cr Gobbert, Mayor Pickard, Crs Chester, Dwyer, Hamilton-Prime, Hollywood and Taylor.

Appendix 3 refers

To access this attachment on electronic document, click here: [Attach3agnPOLICY170612.pdf](#)

ITEM 4 DRAFT CHILD CARE PREMISES LOCAL PLANNING POLICY

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

PURPOSE

For Council to consider the draft *Child Care Premises Local Planning Policy* for the purposes of public advertising.

EXECUTIVE SUMMARY

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

The existing *Child Care Centres Policy* requires review as a result of the changes between DPS2 and LPS3. The current provisions contained within DPS2 and the existing policy has been reviewed and a revised local planning policy has been developed. The draft policy includes provisions from DPS2 for car parking and landscaping and relevant provisions from other policies such as the *Height of Non-Residential Buildings Local Planning Policy*. Provisions from the existing policy have also been retained such as car park design and access and noise attenuation.

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

BACKGROUND

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

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

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

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

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

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

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

DETAILS

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

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

The provisions contained within the existing policy (Attachment 2 refers) and DPS2 have been reviewed and a revised local planning policy has been developed. It is noted that the majority of provisions have been working well and remain relevant. The main policy provisions including proposed changes are outlined below.

Location

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

Building setbacks

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

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

Within the 'Residential' zone, the building setbacks to child care premises are proposed to be assessed in accordance with the *Residential Design Codes* and the *City's Residential Development Local Planning Policy* (even though they are a non-residential land use). This will allow new child care premises and additions to existing child care premises to be set back in keeping with the existing residential environment and maintain the residential streetscape.

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

Building height

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

Car parking and access

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

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

Bicycle parking

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

Landscaping

The proposed landscaping requirements are the same as DPS2 in regard to the percentage of landscaping required, being 8% of the site. However, DPS2 requires a minimum three metre wide landscaping strip along all street boundaries where a development has a car parking area abutting the street. There is no requirement for landscaping where a car parking area does not abut the street. The policy proposes a 1.5 metre wide landscaping strip adjacent to all streets regardless of whether there is a car parking area or not. A minimum size of 4m² for landscaped areas is proposed to be included to ensure a usable area of land is provided.

Hours of operation

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

Issues and options considered

Council has the option to either:

- advertise the draft *Child Care Premises Local Planning Policy*, with or without modifications
or
- not support the advertising of the draft *Child Care Premises Local Planning Policy*.

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

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

Strategic Community Plan**Key theme**

Quality Urban Environment.

Objective

Quality built outcomes.

Strategic initiative

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

Policy

Child Care Centres Policy.

Risk management considerations

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

Financial / budget implications

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

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

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

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

If, in the opinion of the City, the policy is inconsistent with any State planning policy, then notice of the proposed policy is to be given to the WAPC. The proposed policy is not considered to be inconsistent with any State planning policy.

COMMENT

In accordance with the preparation and consideration of draft LSP3 by Council, it is recommended that the draft revised *Child Care Premises Local Planning Policy* be progressed to ensure that provisions are in place to guide the establishment of child care premises in a manner that will not have an adverse impact on the amenity of surrounding areas.

The main difference between the existing *Child Care Centres Policy* and the revised *Child Care Premises Local Planning Policy* is that the revised policy contains all the development provisions in the policy, rather than referencing development standards in the scheme. No major changes to the intent of the development provisions are proposed.

It is recommended that Council advertise the draft revised *Child Care Premises Local Planning Policy* for public comment for a period of 21 days.

VOTING REQUIREMENTS

Simple Majority.

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

The Motion was Put and

CARRIED (7/0)

In favour of the Motion: Cr Gobbert, Mayor Pickard, Crs Chester, Dwyer, Hamilton-Prime, Hollywood and Taylor.

Appendix 4 refers

To access this attachment on electronic document, click here: [Attach4agnPOLICY170612.pdf](#)

Disclosures of interest affecting impartiality

Name/Position	Mayor Troy Pickard.
Item No./Subject	Item 5 – Draft <i>Home-Based Business Local Planning Policy</i> – Consideration following advertising.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Mayor Pickard operates a registered home-based business.

Name/Position	Cr Sophie Dwyer.
Item No./Subject	Item 5 – Draft <i>Home-Based Business Local Planning Policy</i> – Consideration following advertising.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Dwyer runs a home office.

Name/Position	Cr Kerry Hollywood.
Item No./Subject	Item 5 – Draft <i>Home-Based Business Local Planning Policy</i> – Consideration following advertising.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Hollywood answers phones and uses computers for a small business.

Name/Position	Cr Philippa Taylor.
Item No./Subject	Item 5 – Draft <i>Home-Based Business Local Planning Policy</i> – Consideration following advertising.
Nature of interest	Interest that may affect impartiality.
Extent of Interest	Cr Taylor uses computer at home in office.

ITEM 5 DRAFT HOME-BASED BUSINESS LOCAL PLANNING POLICY – CONSIDERATION FOLLOWING ADVERTISING

WARD: All

RESPONSIBLE DIRECTOR: Ms Dale Page
Planning and Community Development

FILE NUMBER: 13048, 101515

ATTACHMENTS:

- Attachment 1 *Current Home Business Policy*
- Attachment 2 *Draft Home-based Business Local Planning Policy* (tracked changes)
- Attachment 3 *Draft Home-based Business Local Planning Policy* (non-tracked version)

AUTHORITY / DISCRETION Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider the draft *Home-based Business Local Planning Policy* following advertising for the purposes of final adoption.

EXECUTIVE SUMMARY

At its meeting held on 18 April 2017 (CJ056-04/17 refers), Council considered the draft *Home-based Business Local Planning Policy* and resolved that it be advertised for public comment.

The draft policy was advertised from 4 May to 25 May 2017 and no submissions were received. No further modifications to the draft policy are recommended following advertising and it is therefore recommended that Council endorses the *Home-based Business Local Planning Policy*.

BACKGROUND

DPS2 currently contains land use definitions for three scales of home-based business (that is Categories 1 - 3). The *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) contain model definitions for a range of land uses including home-based business activities. Those definitions are home office, home occupation and home business, which differ in various aspects from those definitions currently in DPS2.

While it is generally expected that new local planning schemes will utilise the model land use definitions outlined in the LPS Regulations, during the initial drafting of LPS3, it was proposed to retain the current DPS2 definitions within LPS3 given that the existing home-based business definitions had been in place for a number of years, were well established and worked well.

At its meeting held on 16 February 2016 (CJ005-02/16 refers), Council resolved to advertise draft LPS3. However, prior to the Western Australian Planning Commission (WAPC) granting approval to advertise draft LPS3, it required the home-based business definitions be changed to align with those within the LPS Regulations.

Therefore, the existing *Home Business Policy* requires review as a result of the new definitions that are included in draft LPS3. Draft LPS3 was considered by Council at its meeting held on 16 May 2017 (CJ068-05/17 refers) and referred back to the Chief Executive Officer for further consideration.

The draft *Home-based Business Local Planning Policy* was presented to Council at its meeting held on 18 April 2017 (CJ056-04/17 refers) for consent to advertise and subsequently released for public consultation in May 2017.

DETAILS

The new hierarchy of home-based business under LPS3 will be (from the lowest scale to the highest) as follows:

- Home Office.
- Home Occupation.
- Home Business.

Generally, a 'Home Business - category 1' as defined under DPS2 is equivalent to a 'Home Office' under the draft LPS3, a 'Home Business - category 2' is equivalent to a 'Home Occupation', and a 'Home Business - category 3' is equivalent to a 'Home Business'.

The following table compares the main attributes for each type of home-based business under the existing DPS2 and draft LPS3:

Definition	Existing DPS2	Draft LPS3
Category 1 (DPS2) Home office (LPS3).	<ul style="list-style-type: none"> • 30m² maximum area. • Includes family day care. • Can only involve members of household. • No sign permitted. • No customers permitted. 	<ul style="list-style-type: none"> • No maximum area stated. • Does not refer to family day care. • Can only involve members of household. • No sign permitted. • No customers permitted.
Category 2 (DPS2) Home occupation (LPS3).	<ul style="list-style-type: none"> • 30m² area, or larger if demonstrated to be appropriate. • Can employ one person not a member of household. • No retail sales, hire or display. • 0.2m² sign. • Can involve customers at premises. 	<ul style="list-style-type: none"> • 20m² maximum area. • Can only involve members of household. • No retail sales, hire or display but can sell by internet. • 0.2m² sign. • Can involve customers at premises.
Category 3 (DPS2) Home Business (LPS3).	<ul style="list-style-type: none"> • 50m² area or up to 100m² with community consultation. • Can employ two people not a member of household, or up to four people subject to community consultation. • No retail sales, hire or display. • 0.2m² sign, maximum two metres high. • Can involve customers at premises. 	<ul style="list-style-type: none"> • 50m² maximum area. • Can employ two people not a member of household. • No retail sales, hire or display but can sell by internet. • Not stated. • Can involve customers at premises.

It is likely that the largest impact in the change of definitions will be for Category 2 / Home Occupation proposals, as the area permitted to be utilised is reduced from 30m² (with the possibility of a larger area) and one external employee under DPS2, to a maximum of 20m² with no external employees under LPS3.

It is also noted for Category 3 / Home Business, the possibility of up to four external employees and up to an area of 100m² is removed under LPS3.

Family day care provides early childhood education and care services within the educator's own home, up to a maximum of seven children. DPS2 specifically recognises a family day care activity as a 'Home Business - Category 1' activity and is therefore exempt from the requirement for planning approval. The home-based business definitions in LPS3 do not specifically recognise a family day care activity.

Proposed amendments

The following amendments to the existing *Home Business Policy* (Attachment 1 refers) were made and these were advertised for public comment:

- Rename the policy '*Home-based Business Local Planning Policy*'.
- Replace the generic term 'home business' used in the existing policy to 'home-based business' in order to differentiate it from the LPS3 land use definition of 'Home Business'.
- Expand the policy objectives.
- Include the new home-based business definitions as contained in draft LPS3.
- Remove provisions from the policy that are already covered by the land use definitions.
- Limit the need for a management plan to those proposed Home Businesses that seek to have two external employees.

The revised draft policy is included as Attachment 2 (tracked change version) and Attachment 3 (non-tracked version).

Issues and options considered

Council has the option to:

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

Legislation / Strategic Community Plan / policy implications

Legislation

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

Strategic Community Plan

Key theme

Quality Urban Environment.

Objective

Quality built outcomes.

Strategic initiative

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

Policy*Home Business Policy.***Risk Management considerations**

The land use definitions related to home-based businesses within LPS3 will no longer align with those within the existing *Home Business Policy*. If an amendment to the policy is not progressed to align with the new planning scheme, there is a risk that the new scheme may become operational creating uncertainty how the existing policy relates to the new planning scheme.

Financial / budget implications

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

Regional Significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The draft policy was advertised for public comment in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* from 4 May 2017, closing on 25 May 2017, by way of:

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

No submissions were received during the public consultation period.

COMMENT

It is recommended that Council proceed with the revised *Home-based Business Local Planning Policy*. It is noted that the policy will come into effect when a notice is published in the local newspaper, however this will not occur until after *Local Planning Scheme No. 3* has been approved by the Minister for Planning and published in the *Government Gazette*.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hamilton-Prime, **SECONDED** Cr Chester that Council in accordance with subclauses 4(3)(b)(ii) and 5(1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- 1 **PROCEEDS** with the *Home-based Business Local Planning Policy*, as included in Attachment 3 to this Report;
- 2 **NOTES** that the policy will come into effect when published in the local newspaper which will occur once *Local Planning Scheme No. 3* comes into effect.

The Motion was Put and

CARRIED (7/0)

In favour of the Motion: Cr Gobbert, Mayor Pickard, Crs Chester, Dwyer, Hamilton-Prime, Hollywood and Taylor.

Appendix 5 refers

To access this attachment on electronic document, click here: [Attach5agnPOLICY170612.pdf](#)

Disclosure of Financial Interest

Name/Position	Cr John Chester.
Item No./Subject	Item 6 – Draft <i>McLarty Avenue Local Planning Policy</i> – Consideration following advertising.
Nature of interest	Financial Interest.
Extent of Interest	Cr Chester has a financial interest in a project adjacent to the Draft <i>McLarty Avenue Local Planning Policy</i> .

Cr Chester left the Room at 7.26pm.

ITEM 6 DRAFT MCLARTY AVENUE LOCAL PLANNING POLICY – CONSIDERATION FOLLOWING ADVERTISING

WARD:	North Central
RESPONSIBLE DIRECTOR:	Ms Dale Page Planning and Community Development
FILE NUMBER:	106461, 39603, 55579
ATTACHMENTS:	Attachment 1 <i>Draft McLarty Avenue Local Planning Policy</i>
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies

PURPOSE

For Council to consider the draft *McLarty Avenue Local Planning Policy* following advertising for the purposes of final adoption.

EXECUTIVE SUMMARY

At its meeting held on 18 April 2017 (CJ056-04/17 refers), Council considered the draft *McLarty Avenue Local Planning Policy* and resolved that it be advertised for public comment.

The draft policy was advertised from 4 May 2017 to 25 May 2017. Two submissions were received, one indicated general support for the policy, and the other objecting to the policy.

It is recommended that Council endorses the draft *McLarty Avenue Local Planning Policy*, with no modifications.

BACKGROUND

The City has prepared a Local Planning Policy (LPP) for Lot 9000 *McLarty Avenue* and Lot 999 *Piccadilly Circle*, Joondalup (the subject site). The draft LPP has been prepared in consultation with the Housing Authority, the owner of the subject site, to guide the development of the subject site as an inner city, residential and mixed use precinct.

The subject site is located to the north of the Joondalup City Centre, within *Precinct 2 – Health and Wellness* under the draft *Joondalup Activity Centre Plan (JACP)*. The site is bounded by Joondalup Drive to the west, Grand Boulevard to the north, McLarty Avenue to the east and Lot 1001 (63) McLarty Avenue (the existing North Metropolitan TAFE site) to the south.

The LPP has been drafted to ensure it is consistent with the relevant provisions applicable to the subject site under the draft JACP.

DETAILS

The hierarchy of the relevant planning framework for this site (if endorsed by Council) will be as follows:

- 1 *Local Planning Scheme No. 3 (LPS3)*.
- 2 *Joondalup Activity Centre Plan (JACP)*.
- 3 *Local Planning Policy (LPP)*.

All development applications submitted for the subject site will be assessed and determined taking into account the provisions and objectives of all three documents above, with LPS3 being a statutory document supported and supplemented by the JACP and LPP to which the City is required to give “due regard”.

Relationship with the draft *Joondalup Activity Centre Plan (JACP)*

Table 1 below compares the current provisions of the draft JACP (as advertised) with those provisions incorporated in the draft LPP:

TABLE 1 – PROVISION COMPARISON

Provision	Draft JACP	Draft LPP	Officer Comment
<u>Objectives</u>	<p><i>Precinct 2 – Health and Wellness</i> Objectives:</p> <p>a) Establish Shenton Avenue as the northern gateway to JAC and as a multi-modal east-west connection linking Joondalup Arena and Joondalup Health Campus.</p> <p>b) Encourage more intense development on both sides of Joondalup Drive and Grand Boulevard.</p> <p>c) Improve pedestrian connectivity between</p>	<p>Development that meets the standards and provision of this Policy will support the following four key objectives:</p> <ul style="list-style-type: none"> • A highly walkable, cyclist friendly environment with good access to public transport and local employment opportunities. • A highly urban built-environment that transitions to a higher scale from the established built form to the east. • A landscaped and activated public realm with access to breezes and natural light to promote liveability. • A range of housing types that provide for a diversity of 	<p>The proposed objectives under the draft LPP do not contradict the objectives for <i>Precinct 2 – Health and Wellness</i> under the draft JACP.</p> <p>It is considered the proposed objectives under the draft LPP further refine the broader precinct objectives and are more specific to the policy area, focusing on the development of the site.</p>

Provision	Draft JACP	Draft LPP	Officer Comment
	<p>Joondalup Arena and Joondalup Health Campus.</p> <p>d) Establish Kennedy Drive as an east-west connector for all transport modes.</p> <p>e) Establish a centrally located community focal point or neighbourhood centre to serve the residential community in the precinct.</p>	households.	
<u>Land Use</u>	Land use permissibility is included for the Precinct 2 – Health and Wellness under Table 2 of the draft JACP.	<p>‘Preferred uses’ are provided as a guide for each Precinct within the policy area as described in Diagram 2. Further permissible land uses are described in the Joondalup Activity Centre Plan, Table 2 Land Use Permissibility:</p> <p><u>Precinct 1:</u> Residential and aged care accommodation.</p> <p><u>Precinct 2:</u> Residential and short stay accommodation.</p> <p><u>Precinct 3:</u> Commercial uses including retail, restaurant, civic, community purpose and office at ground floor with residential above.</p> <p><u>Precinct 4:</u> Residential.</p> <p><u>Precinct 5:</u> Residential, short stay accommodation and educational establishment.</p>	<p>The preferred uses identified under the draft LPP do not contradict the land-use permissibility table under the draft JACP.</p> <p>The LPP seeks to provide further guidance as to where such uses would be preferable based on the vision for the policy area.</p> <p>The draft LPP clarifies that the ‘preferred uses’ listed for each precinct are provided as a guide, and further permissible land uses are described in the JACP.</p>
<u>Building Height</u>	Development within <i>Precinct 2 – Health and Wellness</i> is	Development height, scale and intensity will vary across the precinct. Indicative storey	The draft LPP provides guidance on where buildings

Provision	Draft JACP	Draft LPP	Officer Comment
	<p>required to be a minimum of 13.5m and a maximum of 45m as per <i>Figure 4 – Building Heights Plan</i>.</p>	<p>heights are reflected in Figure 4 Indicative Building Heights. Key consideration will also be given to:</p> <ul style="list-style-type: none"> • The creation of active, well design streetscapes. • building orientation for solar access and addressing the street. • space between taller buildings on the same site to ensure privacy between habitable rooms and access to cooling summer breezes/ • the provision of shade, shelter and amenity to active pedestrian frontages. <p>Roof structures and screening associated with utilities/service infrastructure may extend up to 1 metre above the maximum building height specified under the JACP.</p>	<p>of a certain height are considered appropriate based on the vision for the site.</p> <p>The <i>Indicative Building Heights Plan</i> (Figure 4 under the draft LPP) illustrates potential building heights in storeys, taking into account the context of the surrounding land, whilst still maintaining the intent of the 13.5 metres to 45 metres building height range specified under the draft JACP is achieved.</p> <p>The increase in building height by 1 metre meets the intent and provisions under the draft JACP. The definition of building height under the JACP states that building height is determined based on the distance from natural ground level to the roof ridge height of any building. As a result, a building can still be built to a roof height of 45 metres; however additional services and utilities can be located on the roof of the building without varying the building height provision.</p>
			<p>The draft LPP therefore provides</p>

Provision	Draft JACP	Draft LPP	Officer Comment
			appropriate guidance as to what additional height is considered appropriate for minor incursions above the maximum building height.
<u>Movement Network</u>	<p>Four-way intersection anticipated under JACP at the intersection of Joondalup Drive and Kennedy Drive.</p> <p>Upgrade required to the intersection of Shenton Avenue and Lawley Crescent.</p> <p>Number of additional inter-connected streets within subject site which link in with the existing road network.</p>	<p>Key road connections defined under the LPP as:</p> <p>a) Intersection access to Joondalup Drive (modification of the existing intersection required); and,</p> <p>b) Intersection access to the south of the policy area to connect with Shenton Avenue (modification to the existing intersection required).</p>	The overall road network indentified under the draft LPP is consistent with that shown under the Health and Wellness Precinct Plan (Figure 7) of the draft JACP.
<u>Public Realm</u>	Public Open Space (POS) site identified under the Health and Wellness Precinct Plan (Figure 7).	<p>Public Realm Precincts are included within the draft LPP to identify the objectives and key considerations for each precinct.</p> <p>Public Open Space (POS) site is included on the western side of the policy area adjacent to Joondalup Drive.</p>	The draft LPP provides further guidance on what is to be accommodated with the public areas of the policy area, and ensures that the POS site to the west of the policy area is consistent with that shown under the Health and Wellness Precinct Plan (Figure 7) of the draft JACP.

All other provisions which are not mentioned or referenced in the draft LPP will be assessed as per the relevant provision under the Residential Design Codes (R-Codes), the City's scheme and/or the JACP.

The above table demonstrates that the draft *McLarty Avenue LPP* is consistent with the overarching draft JACP document.

The draft JACP was advertised for public consultation throughout March 2017 and a number of modifications to the draft JACP will be recommended for Council's consideration.

Importantly, the modifications recommended for the draft JACP do not affect the provisions contained within the draft *McLarty Avenue LPP*. Therefore, whether the draft JACP is adopted as advertised or in the recommended modified format, the draft *McLarty Avenue LPP* will remain consistent with the draft JACP.

Outcomes of consultation

The draft *McLarty Avenue LPP* was advertised for 21 days from 4 May 2017 to 25 May 2017.

Two submissions were received at the conclusion of advertising – one submission in support of the draft policy (Housing Authority) and one submission opposing some aspects of the draft policy (Department of Training and Workforce Development).

The two issues raised in the Department of Training and Workforce Development (DTWD) submission were as follows:

- Identification of a north-south link road intersecting with Shenton Avenue.
- A portion of policy area currently being the subject of potential land exchange negotiations.

The two issues are considered in further detail below:

Proposed north-south link road

DTWD is concerned that the proposed north-south link road intersecting with Shenton Avenue will result in significant traffic flow issues; could result in safety concerns for campus users; will create increased transport noise; and will be challenging to design due to the topography of the land.

Officer Comment

The proposed road connection depicted in the draft policy runs north-south through the policy area and through the adjoining land to the south (currently owned and operated by the DTWD – North Metropolitan TAFE) providing a connection between Shenton Avenue and Grand Boulevard.

The road connection is consistent with the proposed road network planning under the City's draft Joondalup Activity Centre Plan (JACP).

As part of the formulation of the draft JACP the City engaged a transport and traffic engineering consultant to undertake detailed movement network analysis of the JACP area. It was determined through the traffic impact assessment that the location of this road (and the connection with Shenton Avenue) was acceptable and would assist transport flow throughout the locality. It is also noted that during public consultation of the draft JACP, the DTWD did not provide comment on the location of this proposed road connection.

In light of the above, the proposed road connection (and intersection with Shenton Avenue) is consistent with the draft JACP, and associated traffic impact assessment, and is considered a required component of the movement network within the JACP area.

The future road design will ensure safety and topography is taken into account, in accordance with Australian Standards.

As a result, no modification is recommended to the road network under the draft *McLarty Avenue Local Planning Policy*.

Land exchange negotiations

The DTWD has advised that they and the Housing Authority are currently in negotiations about the exchange of land which is generally located within Precinct 5 of the draft policy. DTWD anticipates that Precinct 5 will be used for trade training purposes in the future and, as such, have requested the maximum building height to be shown as three storeys.

Officer Comment

The City is not a party to these negotiations and therefore has developed the draft policy on the advice given by the Housing Authority (current landowner).

Further, the draft McLarty Avenue LPP has been prepared consistent with the draft JACP, including building heights.

Should Council adopt the draft policy, and a variation to the indicative building height plan is proposed through a development application, Council has the discretion to vary the requirements of the policy if considered appropriate. It is also important to note that Figure 4 is 'indicative' and represents one possible development outcome for the site, but the actual mixture of building heights may vary at development stage.

In view of the above, no modification is recommended to the *McLarty Avenue Local Planning Policy* in this regard.

Modifications following consultation

No modifications to the draft LPP are recommended following public advertising, and therefore the provisions and requirements included in the draft LPP (Attachment 1 refers) are the same as that previously presented to Council at its meeting on 18 April 2017.

Issues and options considered

Council has the option to:

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

Legislation / Strategic Community Plan / policy implications

Legislation

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

Strategic Community Plan

Key theme

Quality Urban Environment.

Objective

Quality built outcomes.

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

Policy Not applicable.

Risk Management considerations

Should significant modifications to the draft JACP be recommended by Council and/or imposed by the WAPC, this may result in the draft LPP needing to be modified to ensure it is consistent with the adopted version of the JACP.

Financial / budget implications

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

Regional Significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The draft policy was advertised for public comment in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* from 4 May 2017, closing on 25 May 2017, by way of:

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

Two submissions were received during the public consultation period. One was received from the landowner of the subject site (Housing Authority) who indicated support for the draft policy, and one from the adjoining landowner (Department of Training and Workforce Development) who has objected to aspects of the draft policy.

COMMENT

As detailed in Table 1 above, the provisions of the draft LPP are consistent with those of the draft JACP and only relate to land owned by the Housing Authority. The matters raised in the submission from the Department of Training and Workforce Development request modifications to the draft LPP that would result in the policy being inconsistent with the draft JACP and therefore are not supported.

It is recommended that the draft *McLarty Avenue Local Planning Policy* be adopted without modification.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, **SECONDED** Cr Hamilton-Prime that Council in accordance with subclauses 4(3)(b)(ii) and 5(1) of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- 1 **PROCEEDS** with the *McLarty Avenue Local Planning Policy*, as included in Attachment 1 to this Report;
- 2 **NOTES** that the policy will come into effect when published in the local newspaper;
- 3 **NOTES** the submissions received and **ADVISES** the submitters of Council's decision.

The Motion was Put and

CARRIED (6/0)

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

Appendix 6 refers

To access this attachment on electronic document, click here: [Attach6agnPOLICY170612.pdf](#)

ITEM 7 DRAFT MULTIPLE DWELLINGS WITHIN PORTION OF HOUSING OPPORTUNITY AREA 1 LOCAL PLANNING POLICY

WARD	South
RESPONSIBLE DIRECTOR	Ms Dale Page Planning and Community Development
FILE NUMBER	106682, 101515
ATTACHMENT	Attachment 1 <i>Draft Multiple Dwellings within Portion of Housing Opportunity Area 1 Local Planning Policy (Option 1)</i> Attachment 2 <i>Draft Multiple Dwellings within Portion of Housing Opportunity Area 1 Local Planning Policy (Option 2)</i>
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider the draft *Multiple Dwellings within Portion of Housing Opportunity Area 1 Local Planning Policy* for the purposes of public advertising.

EXECUTIVE SUMMARY

At its meeting held on 16 May 2017 (CJ078-05/17 refers), Council considered the minutes of a Special Electors Meeting and resolved to support the development of a local planning policy which restricts the development of multiple dwellings in Housing Opportunity Area 1 (HOA1).

Two options for this policy have been prepared for Council's consideration. Option One prohibits the development of multiple dwellings in the application area. Option Two restricts the type of multiple dwellings that can be developed in the application area, by requiring development to meet the deemed-to-comply provisions of Part 5 of the Residential Design Codes (R-Codes) and the relevant sections of the City's *Residential Development Local Planning Policy*, as well as restricting building height to a maximum of two storeys.

Council can decide which option is preferred and then advertise the draft policy for public comment for a period of 21 days.

BACKGROUND

The State Government has developed a strategy aimed at the development of dwellings and the creation of employment for the population of Perth and Peel out to 2031. This strategy sets dwelling targets for all local governments in the metropolitan area. For local governments, which do not have many or any greenfield sites left, the dwellings need to be accommodated as infill development. In order to demonstrate how the City was going to achieve its dwelling targets, the City was required by the State Government to prepare a *Local Housing Strategy* (LHS). The LHS was endorsed in November 2013.

A scheme amendment to implement the density code changes proposed by the LHS to *District Planning Scheme No. 2 (DPS2)* was gazetted in February 2016. However, some of the initial provisions to assist in managing the transition to higher residential densities, such as restricting multiple dwellings to sites larger than 2,000m², were removed by the WAPC. Since that time, there have been a number of subdivision and development applications for lots within dual density coded areas.

The *Residential Development Local Planning Policy* was also developed to try and control (as best it could), the potential impact that increased density could have on existing areas.

Special Electors Meeting

As requested by electors of the City of Joondalup, a Special Meeting of Electors was held on Monday, 24 April 2017 in accordance with the provisions of the *Local Government Act 1995*. The purpose of the meeting was to discuss the following matter:

“To request the City of Joondalup to initiate a review of its Local Housing Strategy (LHS) and an associated amendment to District Planning Scheme No. 2 to change the density coding of lots within Housing Opportunity Area 1, that are currently coded R20/R60, to a density coding of no higher than R20/R30.”

The following motion was carried at the Special Electors Meeting:

“Motion 1

MOVED Mr D Bessen, Duncraig, SECONDED Mrs N Mehra, Duncraig that Council:

- 1 urgently works with the Western Australian Planning Commission and the Department of Planning to amend the R Coding to R20/R30 in Housing Opportunity Area 1, bounded by Mitchell Freeway to the East, Davallia Road to the West, Beach Road to the South and Warwick Road to the North;*
- 2 immediately puts together Local Planning Policies or Urban Design Policies in Housing Opportunity Area 1 and in doing so, restrict the building of inappropriate dwellings, in particular apartment blocks.”*

The *Local Government Act 1995* requires all decisions made at an electors meeting to be referred to Council for consideration. At its meeting held on 16 May 2017 (CJ078-05/17 refers), Council resolved, in part, as follows:

- “1 NOTES the minutes of the Special Meeting of Electors held on Monday, 24 April 2017 forming Attachment 1 to Report CJ078-05/17;*
- 2 in relation to Motion No. 1 carried at the Special Meeting of Electors SUPPORTS initiating an amendment to District Planning Scheme No. 2 to reduce the density coding of properties in Housing Opportunity Area 1, bounded by the Mitchell Freeway to the East, Davallia Road to the West, Beach Road to the South and Warwick Road to the North, from R20/R40 and R20/R60 to R20/R30;...”*
- 3 in relation to Motion No. 1 carried at the Special Meeting of Electors SUPPORTS the development of a new Local Planning Policy which restricts the development of multiple dwellings in Housing Opportunity Area 1;...”*

DETAILS

For the purposes of this report, HOA1 is interpreted to be the area bounded by the Mitchell Freeway, Warwick Road, Davallia Road and Beach Road, Duncraig, being the area outlined in point 2 of Council's resolution.

This area is referred to as the "application area" in this report and in the draft policies. In addition, Council's resolution refers to a local planning policy to 'restrict' multiple dwellings in HOA1, which is taken to mean prohibit the approval of multiple dwellings.

The R-Codes, supported by the City's *Residential Development Local Planning Policy*, provide development standards against which applications for multiple dwellings are assessed. DPS2 allows multiple dwellings to be approved within the 'Residential' zone.

Option One

This draft policy (Attachment 1 refers) prohibits the development of multiple dwellings by stating that development applications for multiple dwellings will not be approved within the application area.

The *Planning and Development (Local Planning Scheme) Regulations 2015* (the Regulations) require that any determination under the Scheme (for example a development approval) must have regard to each relevant local planning policy to the extent that the policy is consistent with the Scheme.

Advice has been received that such a policy, as outlined above, even if adopted by Council, could not be given any weight as it is inconsistent with DPS2 in that it would purport to prohibit multiple dwellings where DPS2 does not. Secondly, the advice indicates that there have been a number of State Administrative Tribunal decisions that affirm that a policy cannot prevail over scheme provisions with which it is inconsistent.

Given the issues outlined above, a second option is presented below.

Option Two

Multiple dwellings at the R40 and R60 density codes are assessed in accordance with Part 6 of the R-Codes which contain development provisions specifically for multiple dwellings. Part 5 of the R-Codes is used to assess all single and grouped dwelling applications, as well as multiple dwellings up to the R30 density code.

A principal difference between Part 5 and Part 6 of the R-Codes is that multiple dwellings assessed in accordance with Part 5 have a minimum dwelling site area (for example one dwelling per 350sqm of land at the R30 code). Multiple dwellings assessed in accordance with Part 6 do not have a minimum dwelling site area. Rather, the number of dwellings that can be developed on a lot is the result of other provisions such as plot ratio, building setbacks, car parking and landscaping.

The Option Two draft policy (Attachment 2 refers) would still allow the development of multiple dwellings within the application area, but would restrict any proposed development to meeting the deemed-to-comply provisions of Part 5 of the R-Codes and the appropriate sections of the *Residential Development Local Planning Policy*.

The approach included in Option Two would have the effect of requiring multiple dwellings to meet the same deemed-to-comply standards that single and grouped dwellings are required to meet, and in addition, not permit any discretion beyond those deemed-to-comply standards.

At the Special Electors Meeting and during subsequent deputations and statements, residents have advised that they are not opposed to redevelopment of grouped dwellings. A two-storey height limit would also apply.

As the draft policy seeks to amend the deemed-to-comply provisions of the R-Codes, the approval of the Western Australian Planning Commission (WAPC) would be required.

The City has received advice regarding the appropriate timing of when it would be suitable to give weight to the Option Two policy provisions when assessing development applications. The City has been advised that the appropriate time would be once the WAPC has provided an indication that they are prepared to support the amendments to the deemed-to-comply provisions of the R-Codes included in the policy.

Issues and options considered

Council has the option to:

- advertise Option One of the draft *Multiple Dwellings within Portion of Housing Opportunity Area 1 Local Planning Policy*, with or without modifications
- advertise Option Two of the draft *Multiple Dwellings within Portion of Housing Opportunity Area 1 Local Planning Policy*, with or without modifications
- or
- not support the advertising of the draft *Multiple Dwellings within Portion of Housing Opportunity Area 1 Local Planning Policy* (either option).

Legislation / Strategic Community Plan / policy implications

Legislation *Planning and Development (Local Planning Schemes) Regulations 2015.*
 District Planning Scheme No. 2.
 State Planning Policy 3.1: Residential Design Codes.

Strategic Community Plan

Key theme Quality Urban Environment.

Objective Quality built outcomes.

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

Policy Not applicable.

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

Part 2, clause 3(3) of the Regulations sets out that local planning policies must be based on sound town planning principles and may address either strategic or operational conditions in relation to matters to which the policy applies.

In addition, Part 2, clause 3(5) of the Regulations states that any determination under the Scheme must have regard to each relevant local planning policy to the extent that the policy is consistent with the Scheme. This implies that if a local planning policy is inconsistent with the Scheme, the policy will not carry any weight when making a determination on a planning application.

Residential Design Codes

Clause 7.3.1 of the R-Codes permits local planning polices to amend or replace specified deemed-to-comply provisions of the R-Codes. Notwithstanding clause 7.3.1, clause 7.3.2 allows a local government, with the approval of the WAPC, to amend any other deemed-to-comply provision of the R-Codes by means of a local planning policy.

Draft policy Option Two effectively would seek to replace all the deemed-to-comply provisions that would normally be applicable to multiple dwellings developed at the R40 and R60 density codes. In addition, multiple dwelling developments would be required to meet all deemed-to-comply provisions of the R-Codes, thereby removing any discretion normally available under the R-Codes. Therefore the approval of the WAPC will be required to implement that policy. It is considered that the likelihood of the WAPC approving the draft policy is low.

Risk management considerations

As outlined, legal advice has indicated that adopting a local planning policy that is inconsistent with the Scheme would lead to a situation where no weight could be given to the policy. If Option One were adopted, an applicant's request for review through the State Administrative Tribunal of a City or Council decision to refuse a multiple dwelling application on the basis of the policy is likely to succeed, and may also expose the City to potential claims for costs associated with a review.

Financial / budget implications

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

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The deemed provisions as set out in the *Planning and Development (Local Planning Scheme) Regulations 2015* require a new policy to be advertised for public comment for a period of not less than 21 days. It is proposed that the draft policy would be advertised for 21 days as follows:

- Letters to all landowners within the subject area (approximately 580).
- A notice published in the local newspaper.
- A notice and documents placed on the City's website.
- A notice placed through the City's social media platforms.

In accordance with Part 2, clause 4(1)(b) of the Regulations, if, in the opinion of the City, the policy is inconsistent with any State Planning Policy, then notice of the proposed policy is to be given to the WAPC.

Both policy options are considered to be inconsistent with the R-Codes, as they either prohibit the development of multiple dwellings entirely or require all multiple dwellings to comply with the deemed to comply provisions. Therefore notice will need to be provided to the WAPC if either option is progressed.

In addition, the Option Two draft policy requires the approval of the WAPC given the extent of amendments to the deemed-to-comply provisions of the R-Codes, in accordance with clause 7.3.2 of the R-Codes.

COMMENT

Advice has been provided that, even if adopted, the Option One draft policy could not be given any weight when making a decision as it is inconsistent with DPS2. It is therefore considered that the Option Two draft policy is the preferred approach in order to progress implementation of Council's resolution. It is noted, however, that the approval of the WAPC is required for the policy given the extent of the amendments to the deemed-to-comply provisions of the R-Codes.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Hollywood, SECONDED Cr Hamilton-Prime that Council in accordance with clauses 3, 4 and 5 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- 1 PREPARES and ADVERTISES the draft *Multiple Dwellings within Portion of Housing Opportunity Area 1 Local Planning Policy*, as shown in Attachment 2 to this Report, for a period of 21 days;**
- 2 GIVES NOTICE of the draft policy to the Western Australian Planning Commission;**
- 3 SEEKS APPROVAL from the Western Australian Planning Commission for the draft policy in accordance with clause 7.3.2 of the *Residential Design Codes*.**

The Motion was Put and

CARRIED (4/2)

In favour of the Motion: Crs Dwyer, Hamilton-Prime, Hollywood and Taylor.

Against the Motion: Mayor Pickard and Cr Taylor.

Appendix 7 refers

To access this attachment on electronic document, click here: [Attach7agnPOLICY170612.pdf](#)

Cr Chester entered the Room at 7.56pm.

URGENT BUSINESS

Nil.

MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

Nil.

CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 7.57pm; the following Committee Members being present at that time:

Cr Liam Gobbert
Mayor Troy Pickard
Cr Kerry Hollywood
Cr Philippa Taylor
Cr Christine Hamilton-Prime
Cr John Chester
Cr Sophie Dwyer