

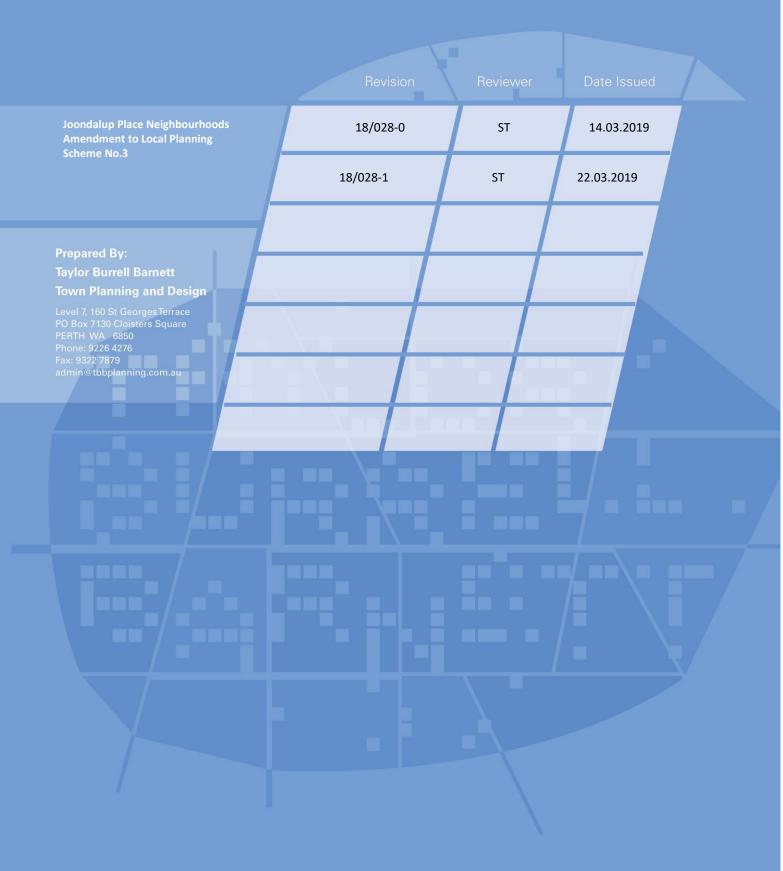
# JOONDALUP PLACE NEIGHBOURHOODS



**Prepared for City of Joondalup** Prepared by **Taylor Burrell Barnett** 

March 2019

# DOCUMENT HISTORY AND STATUS



### Introduction

This report is submitted in support of a request for the City of Joondalup to initiate an amendment to *Local Planning Scheme No. 3* (LPS3) in relation to the residential density codes assigned to land within the Place Neighbourhood Precincts (formerly known as the Housing Opportunity Areas, HOAs) of the City's Scheme, in addition to the introduction of a Special Control Area over the Place Neighbourhood Precincts.

The amendment is proposed as the culmination of a significant review of the residential development occurring within these precincts and the desired built form outcomes and development standards that are expected by the community and the local government.

### Background

The LHS process commenced in 2009 and identified 10 areas known as HOAs throughout the City of Joondalup that were considered appropriate for increased densities based on a set of criteria consistent with State Government policy and endorsed by Council. The criteria were generally based upon close proximity to rail stations, key public transport corridors and major activity centres.

The initial draft 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.

Comprehensive city-wide public consultation on the draft LHS was undertaken from **3 June 2010 to 16 August 2010** and over 7,000 submissions were received.

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 (then) Department of Planning (DoP) and the Western Australian Planning Commission (WAPC) for endorsement.

In **January 2012**, the City received formal advice from the DoP 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 DoP in **February 2012**.

Further advice was received from the DoP 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 quite significantly increasing the densities within the HOAs.

Following the DoP'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. The number of potential additional dwellings that could be accommodated in these areas increased markedly, and well beyond the Housing Target figure of 12,110 additional dwellings outlined in the Delivering Directions 2031 Annual Report Card 2012.

Council, at its meeting held on **15 December 2012** (CJ389-12/12 refers), considered the feedback from the DoP and adopted the revised LHS for the purposes of seeking community feedback on the proposed changes to HOAs.

In accordance with Council's decision, community consultation on the revised LHS was undertaken from **1 February 2013 to 21 February 2013**, however only encompassed the areas where changes were proposed from the original HOAs. It was felt that more comprehensive consultation would have had no effect on the outcome. A total of 30 submissions were received, including 19 letters of support, nine letters of non-support, one neutral submission and one requesting expansion of a HOA boundary.

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

The revised LHS was forwarded to the DoP and the WAPC and was subsequently endorsed on **12** November 2013.

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**. Each HOA was assigned a dual density code for all properties zoned 'Residential', as follows:

Housing Opportunity Area	Density Coding
HOA 1	R20/R40; R20/R60
HOA 2	R20/R40
НОА 3	R20/R25
HOA 4	R20/R40; R20/R60
HOA 5	R20/R40; R20/R60
HOA 6	R20/R40; R20/R60
HOA 7	R20/R40; R20/R60
HOA 8	R20/R30; R20/R40
НОА 9	R20/R30
HOA 10	R20/R40; R20/R60

This density coding was incorporated into the City's Local Planning Scheme No. 3 (LPS3), and has been implemented since its gazettal.

The City also adopted its Residential Development Local Planning Policy (RDLPP) in December 2015, which includes specific requirements for development at the higher density in HOAs.

Since implementation of the LHS via Amendment No. 73 and adoption of the Residential Development LPP, development has been occurring throughout all HOAs. The resultant types of development have raised concern within sectors of the community. 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.

These concerns were pre-empted by the City throughout the process. The City attempted to implement measures such as limiting/preventing apartment development through Amendment No. 73, Dual Density Code Policy and raising concern relating to the removal of the minimum lot size for multiple dwellings in the Multi-Unit Housing Code, however this was not supported by the WAPC. The City has since undertaken engagement with the Department of Planning, Lands & Heritage (DPLH) on policy provisions to better manage the impacts of density has been occurring over the past two years.

In light of this, and rather than responding on an ad hoc basis to petitions as they are received, a report was presented to Council in **November 2017** (CJ177-11/17 refers) recommending the adoption of 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.

### **Amendment Proposal**

In 2018 the City of Joondalup commenced a review of the Housing Opportunity Areas with a view to revising the built form requirements to ensure a higher quality of built form was developed moving forward, and a development pattern more conducive with the character of existing neighbourhoods would be facilitated.

The project commenced with the appointment of a multi-disciplinary consultant team comprised of:

- Taylor Burrell Barnett (Urban design and town planning)
- Gresley Abas (Built form design and architecture)
- Creating Communities (Community engagement and consultation)
- Yolk Property Group (Development feasibility and market analysis); and

• NGIS (Geographic Information Systems analysis)

Over the course of 9 months the project team undertook:

- A comprehensive review of the relevant background information and development context;
- Engagement with key industry and government stakeholders;
- Extensive engagement with the local community through drop in sessions, workshops and meetings;
- Preparation and extensive analysis of built form typologies based on the preferred outcomes and dominant lot typologies;
- Extensive engagement and liaison with the City of Joondalup elected members.

The above work culminated in:

a) A reconsideration of the appropriateness of Residential Coding's

The distribution of residential density within the Housing Opportunity Areas was not considered to be sufficiently linked with the actual walkable catchment around key public transport nodes and commercial centres. The delineation of the current codes was based on a distance 'as the crow flies' without considering the obstructions to the pedestrian route, which include cul-desacs, busy roads/freeways and generally poor walkability.

A proposal to revise the distribution of the residential density has resulted in a new Residential Coding Plan for each of the Place Neighbourhoods. This proposal removes the existing 'dual coding' of sites in favour of a single upper coding limit which reflects the locational proximity to key public transport nodes and commercial centres, and the ease of walkability between the site and these nodes/centres.

The revised Residential coding plans are to form the basis of changes to the Scheme Maps via this amendment, and are included as **Attachment A.** 

### b) The preparation of a new draft Local Planning Policy for the Place Neighbourhoods

The new draft Place Neighbourhood Local Planning Policy provides detailed guidance on the built form outcomes desirable against each of the relevant Residential Coding's as they relate to the Place Neighbourhood they are located within.

The policy seeks to vary the Residential Design Code provisions for a range of elements, including building setbacks, open space, plot ratio and frontage width, amongst others.

In preparing this policy there is a need to ensure that it is given sufficient statutory weight in consideration of development applications in the precinct, and that specific provisions that are intended to be mandatory are clearly stated as such within the Scheme.

Reference to the policy, and mandatory requirements of the policy, is proposed to be outlined as a Special Control Area for the purpose of the Scheme Maps and the Scheme text. The proposed Scheme Text is included within the Amendment text on the resolution page, and the delineation of the Special Control Area is shown in the Scheme Maps outlined in **Appendix A.** 

### **Statutory Context**

The proposed amendment to the City's Local Planning Scheme No. 3 is considered to be a 'Complex Amendment' in accordance with Part 5, Division 1, clause 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, as it is considered 'an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality.'

The identification of the amendment as a 'Complex Amendment' results in the local government being required to:

 a) Once initiated, refer the amendment document to the Western Australian planning Commission for their review in accordance with Part 5, Division 2, clause 37 of the Planning and Development (Local Planning Schemes) Regulations 2015 for a period of 60 days for review and modifications (if required). b) Once approved for advertising by the WAPC, the local government will be required to advertise the amendment for a period of 60 days in accordance with Part 5, Division 2, clause 38 of the *Planning and Development (Local Planning Schemes)* Regulations 2015.

### Conclusion

The proposed amendment is the culmination of a significant review of the residential development occurring within the Place Neighbourhood Precincts and the desired built form outcomes and development standards that are expected by the community and the local government.

The initiation of this amendment is considered appropriate and necessary as the first step in establishing the new planning framework for these precincts.

## PLANNING AND DEVELOPMENT ACT 2005 RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

## CITY OF JOONDALUP LOCAL PLANNING SCHEME No.3 AMENDMENT No. 3

**RESOLVED** that the Council, in pursuance of Section 75 of the Planning and Development Act 2005, amend the City of Joondalup Local Planning Scheme No. 3 as follows:

- 1. Amend clause 36 of the Scheme Text to delete the words 'There are no special control areas which apply to this scheme' and insert the following:
  - 1. The following Special Control Areas are shown on the Scheme Map:
    - a) Special Control Area No. 1 Place Neighbourhoods.
  - 2. In respect of a Special Control Area shown on a Scheme Map, the provisions applying to the special control area apply in addition to the provisions applying to any underlying zone or reserve and any general provisions of the Scheme.
  - Special Control Areas are shown on the Scheme Map as 'SCA' with a number and included in Schedule B.
  - 4. The purpose of a Special Control Area is to:
    - a) Identify areas requiring comprehensive planning to allow redevelopment in an appropriate form; and
    - b) Coordinate development and subdivision of land within a Special Control Area in order to comply with the requirements of Schedule B.
- 2. Amend the Scheme Text to introduce a new Schedule B as follows:

### SCHEDULE B - SPECIAL CONTROL AREAS

NO	DESCRIPTION OF LOCALITY		OBJECTIVES	ADDITIONAL PROVISIONS		
SCA 1	Place Neighbour- hoods	a) b)	To provide a planning framework to support a high standard of urban design and residential amenity in a high-quality public realm setting; To facilitate compact sustainable urban form around centres and transit through pedestrian-oriented development, safe pedestrian spaces,	<ul> <li>1.0 <u>Place Types</u></li> <li>The Place Neighbourhoods SCA is the lan Maps, which consist of five Place Types</li> <li><b>Place Types</b> <ul> <li>a) Suburban</li> <li>b) Local Activity Centre</li> <li>c) Neighbourhood Activity Centre</li> <li>d) Transit</li> <li>e) District Activity Centre</li> </ul> </li> <li>as referenced in the Place Neighbourhood</li> </ul>	<ul> <li>and various Transition Areas, being:</li> <li>Transition Areas</li> <li>a) Suburban</li> <li>b) Transit</li> <li>c) District Activity Centre</li> </ul>	

NO	DESCRIPTION OF LOCALITY	OBJECTIVES	ADDITIONAL PROVISIONS
		<ul> <li>and adequate parking facilities;</li> <li>c) To ensure that the Place Neighbourhoods provide for both the needs of the existing community and the future population of the area;</li> <li>d) To ensure that new development enhances, and respects, the desired character of the locality and provides a neighbourhood within which the residents can identify;</li> <li>e) To concentrate development in localities with adequate infrastructure that is accessible to transport and centres;</li> <li>f) To protect and enhance the amenity of residents through attractive streetscapes and increased greening of the private and public realm.</li> <li>g) To encourage variety and diversity of housing choices that meet the future housing needs of the City of Joondalup; and h) To allow development that is of a scale and nature that provides an appropriate transition to adjoining land uses.</li> </ul>	<ul> <li>The purpose of the Place Types is to facilitate the orderly planning and development in an integrated manner through the application of a Local Planning Policy adopted under Clause 4(3) of the Deemed Provisions in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015.</li> <li><b>2.0</b> Subdivision and Development <ul> <li>a) In considering an application for subdivision or development within the Place Neighbourhood SCA, the local government is to have regard to: <ul> <li>The objectives of the Place Neighbourhoods;</li> <li>The provisions of any Local Development Plan, Structure Plan or Activity Centre Plan or Inter Plan, Structure Plan or Inter Plan or Inter Plan or Plance Neighbourhoods and policy; and</li> <li>The provisions of any Local Development Plan, Structure Plan or Activity Centre Plan for that land, whereby the varied provision applicable under the Local Planning Policy, Activity Centre Plan for that land, whereby the varied provision applicable under the Local Planning Policy, Activity Centre Plan, Structure Plan, Structure Plan or Local Development Plan, Structure Plan, Structure Plan, Structure Plan or Local Development Plan shall prevail.</li> </ul> </li> <li>All development within the Place Neighbourhoods SCA requires the prior approval of the local government, with the exception of the following works: <ul> <li>the carrying out of internal building work which does not materially affect the external appearance of the building.</li> <li>the carection or extension of an ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool on the same lot as a single house or a grouped dwelling if SPP 7.3 apply to the development attifies the deemed-toccomply requirements of SPP 7.3 (Volume 1).</li> <li>the demolition of an ancillary dwelling, outbuilding, external fixture, boundary wall or fence, patio, pergola, veranda, garage, carport or swimming pool.</li> <li>temporary works which are in existen</li></ul></li></ul></li></ul>

NO	DESCRIPTION OF LOCALITY	OBJECTIVES	ADDITIONAL PROVISIONS	
			<ul><li>ii. Shall not be subject to plot ratio requirements specified by SPP</li><li>7.3, Volume 2.</li></ul>	
			3.0 General Development Controls	
			3.1 All development within the Place Neighbourhoods SCA shall conform with the following general development controls:	
			<ul> <li>3.1.1 Access and Parking <ul> <li>a) All access crossovers shall be limited to a maximum width of: <ul> <li>i. 3.0m for a single width enclosed garage, except where development yield exceeds 10 dwellings.</li> <li>ii. 4.5m for double width enclosed garage, except where development yield exceeds 10 dwellings.</li> </ul> </li> <li>b) Visitor parking shall be provided for all single, grouped and multiple dwelling types, at a rate of 0.25 bays per dwelling (rounded up to the next whole number).</li> <li>c) Resident parking ratios shall be in accordance with Location A (SPP 7.3) where: <ul> <li>i. Development is within an 800m walkable catchment of a train station within or adjacent a Place Neighbourhood.</li> <li>ii. Development is within a 200m walkable catchment of a high frequency bus stop.</li> </ul> </li> <li><i>Note: walkable catchments shall be measured along existing pedestrian infrastructure routes using a ped shed analysis.</i></li> <li>3.1.2 Solar Access for Adjoining Sites <ul> <li>a) Where a development site shares its southern boundary with any other adjoining property, its shadow cast at midday 21 June shall not exceed the following limits: <ul> <li>i. on adjoining properties coded R50 or greater – 40% of the site area.</li> <li>ii. on adjoining properties coded R25 and lower – 25% of the site area.</li> </ul> </li> </ul></li></ul></li></ul>	
			3.1.3 Garages	
			<ul> <li>a) The width of an enclosed garage facing the street is not to occupy more than 50 percent of the frontage at the setback line as viewed from the street. This may be increased to 60 percent where an upper floor habitable room with a major opening or balcony extends for the full width of the garage and the entrance to the dwelling is clearly visible from the primary street.</li> </ul>	
			4.0 Other Development Controls	
			4.1 All development within the Place Neighbourhoods SCA, with the exception of land identified as being within the District Activity Centre R60 (0-400m) and Transit R60 (0-400m) Place Types (which are to comply with the requirements of SPP 7.3, Vol 2) as identified in the Local Planning Policy shall conform with the following development controls:	

NO	DESCRIPTION OF LOCALITY	OBJECTIVES	ADDITIONAL PROVISIONS			
			4.1.1 Landscape Area         a)       Each lot must have a minimum Landscape Area as a percentage (%) of the lot area as defined below. This area forms a component of the Private Open Space.         Lot Area (m²)       Minimum Landscape Area         Area       Area			
				0 - 300m <sup>2</sup> 301 - 400m <sup>2</sup> 401 - 500m <sup>2</sup> > 500m <sup>2</sup>	20% 25% 30% 35%	
			b) c)	shall be included in Lot Area (calculations above), distributed to each lot proportionally.		
			-			
			f)	Outdoor Living Areas are Area calculations.	not included in minimu	m Landscape
			4.1.2 Tree S a)	<ul> <li>ee Sizes and Deep Soil Areas</li> <li>For single, grouped and multiple dwelling development, Tree</li> <li>Sizes and Deep Soil Area definitions and requirements are as</li> <li>per SPP 7.3, Vol 2: <ol> <li>Figure 3.3a-f</li> <li>Table 3.3b</li> </ol> </li> </ul>		
			4.1.3 Trees a) b)	The minimum number of producing canopies) shall Area as follows: i. 1 Small Tree for every ii. 1 Medium Tree for every iii. 1 Large Tree for every iv. A combination of the The verge(s) adjacent to the specifications and satisfact street tree for every 10.0	l be determined by the L y 20m <sup>2</sup> or yery 60m <sup>2</sup> or y 100m <sup>2</sup> or above. the lot(s) shall be landsc ction of the City and sha	andscape aped to the Il include one

- 3. Amend the Scheme Text to:
  - a) Modify clause 26(3) to delete the words 'where a dual density code applies'
  - b) Delete clauses 26(4) and 26(5) and renumber clause 26 accordingly.
- 4. Amend the Scheme Map by introducing a Special Control Area boundary and recoding various lots within that boundary as outlined in **Appendix A**.

This scheme amendment is a Complex amendment as the proposal is not consistent the City of Joondalup Local Housing Strategy.

Dated this ..... day of ..... 20......

GARRY HUNT CHIEF EXECUTIVE OFFICER

## SCHEME AMENDMENT REPORT

- 1. LOCAL AUTHORITY City of Joondalup
- Local Planning Scheme No. 3 3. **TYPE OF SCHEME** Local Planning Scheme
- 4. NUMBER OF AMENDMENT Amendment No. 3
- 5. PROPOSAL

**DESCRIPTION OF** 

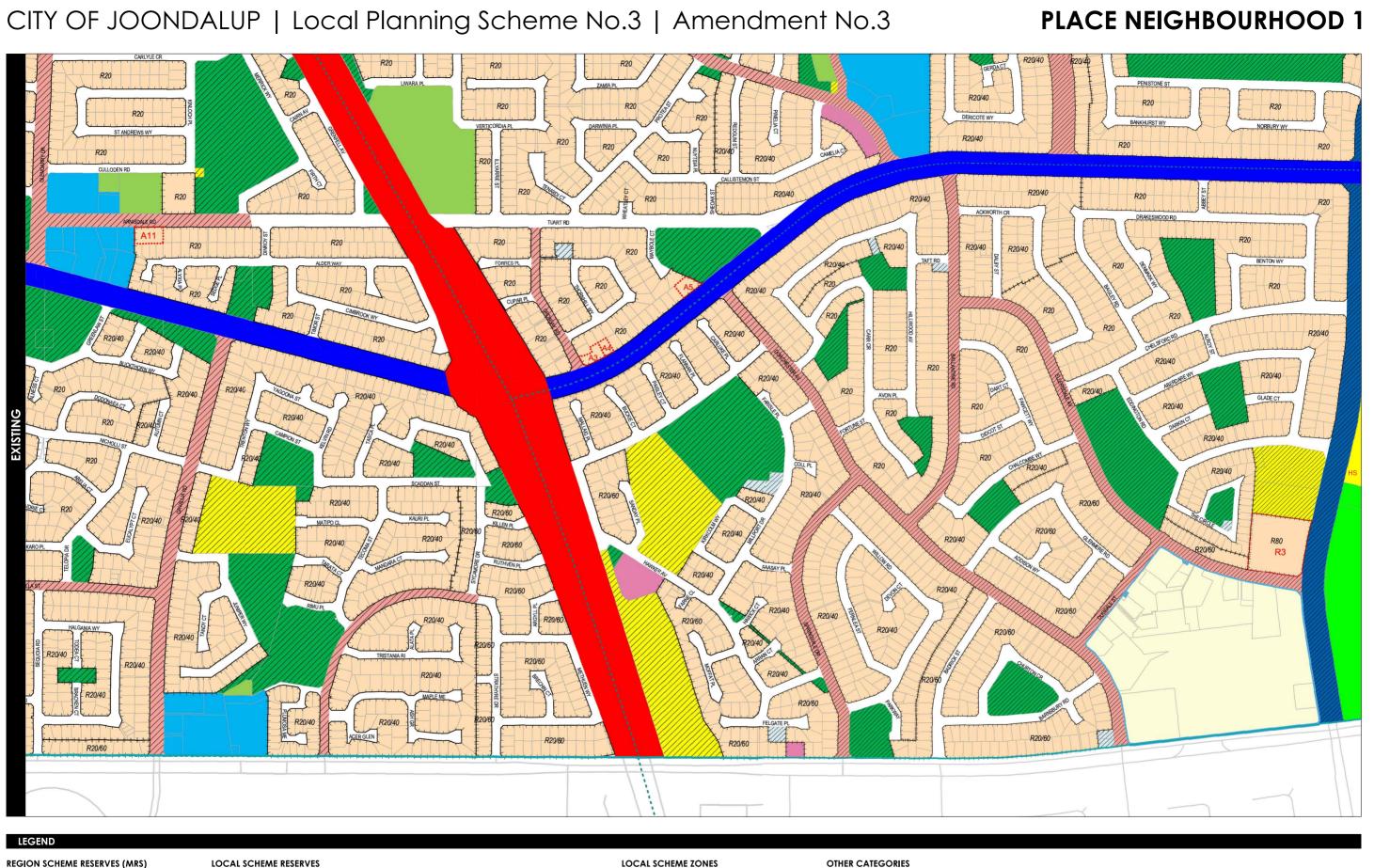
2.

To amend the Scheme by: -

LOCAL PLANNING SCHEME

- 1. Introduce Special Control Area provisions and include a new 'Special Control Area 1 - Place Neighbourhoods' designation into the Scheme Text and Map.
- 2. Introduce a new Schedule B into the Scheme Text and insert specific provisions relating to 'Special Control Area 1 - Place Neighbourhoods'.
- Amend the Scheme Text to delete Part 3, Clause 26 (5). 3.
- 4. Amend the Scheme Map by introducing a Special Control Area boundary and recoding various lots within that boundary as outlined in Appendix A.

APPENDIX A PLANS FOR AMENDMENT TO CITY OF JOONDALUP LOCAL PLANNING SCHEME NO. 3



### **REGION SCHEME RESERVES (MRS)**

OTHER REGIONAL ROADS PARKS AND RECREATION PRIMARY REGIONAL ROADS PUBLIC PURPOSES PUBLIC PURPOSES - HIGH SCHOOL



PUBLIC OPEN SPACE PUBLIC PURPOSE



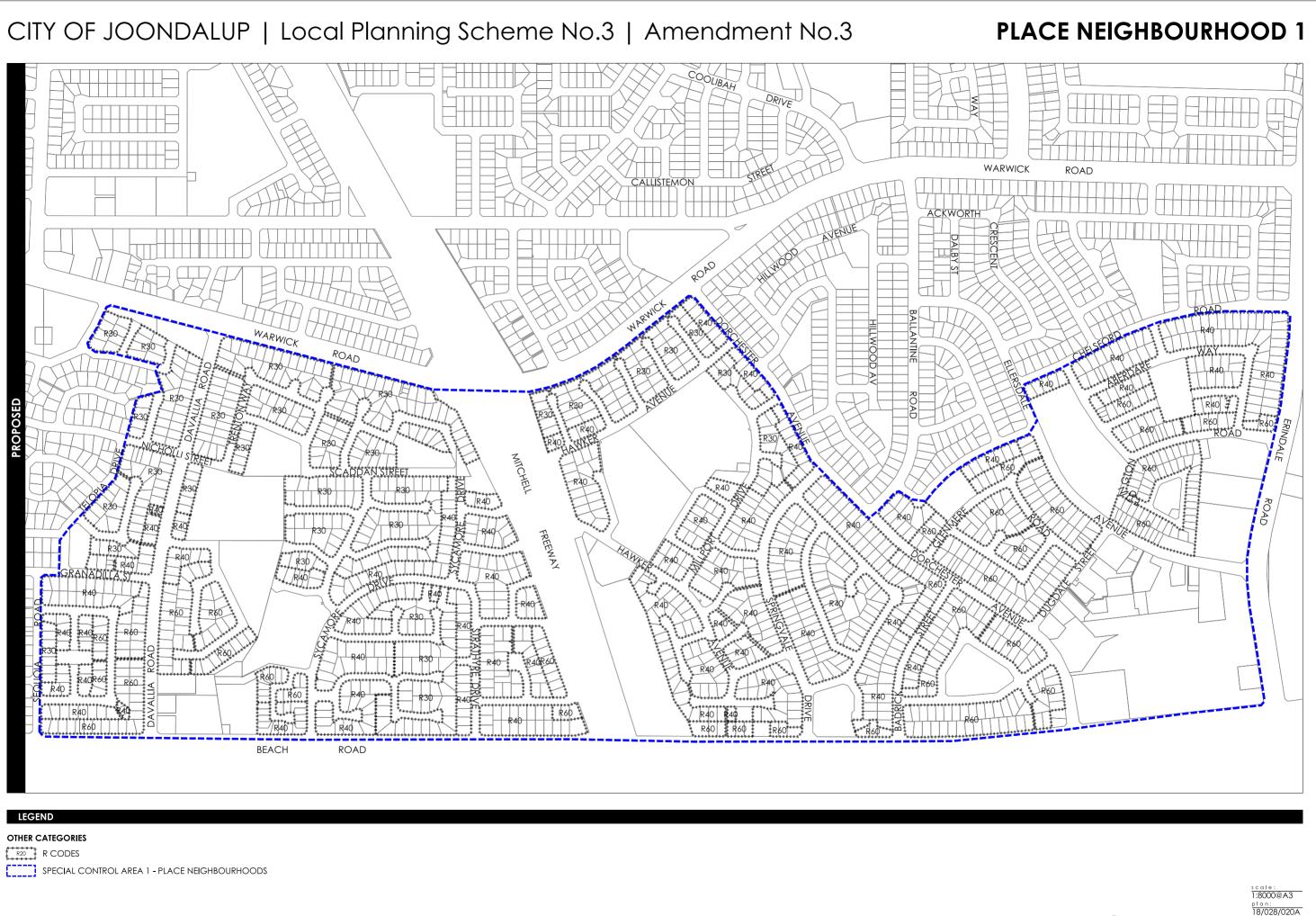
### OTHER CATEGORIES

SCHEME AREA BOUNDARY LOCAL GOVERNMENT BOUNDARY

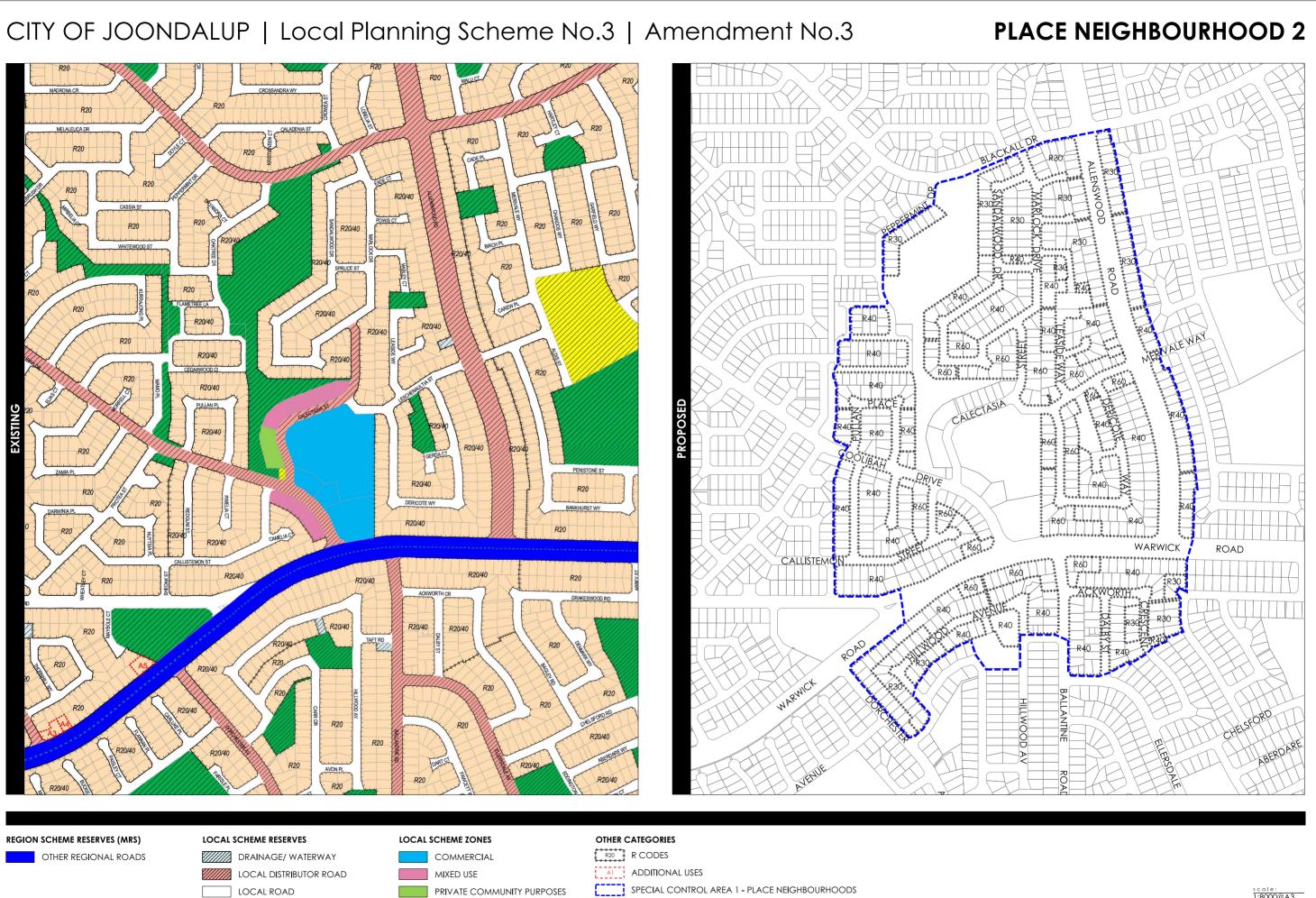
R CODES

RI RESTRICTED USES



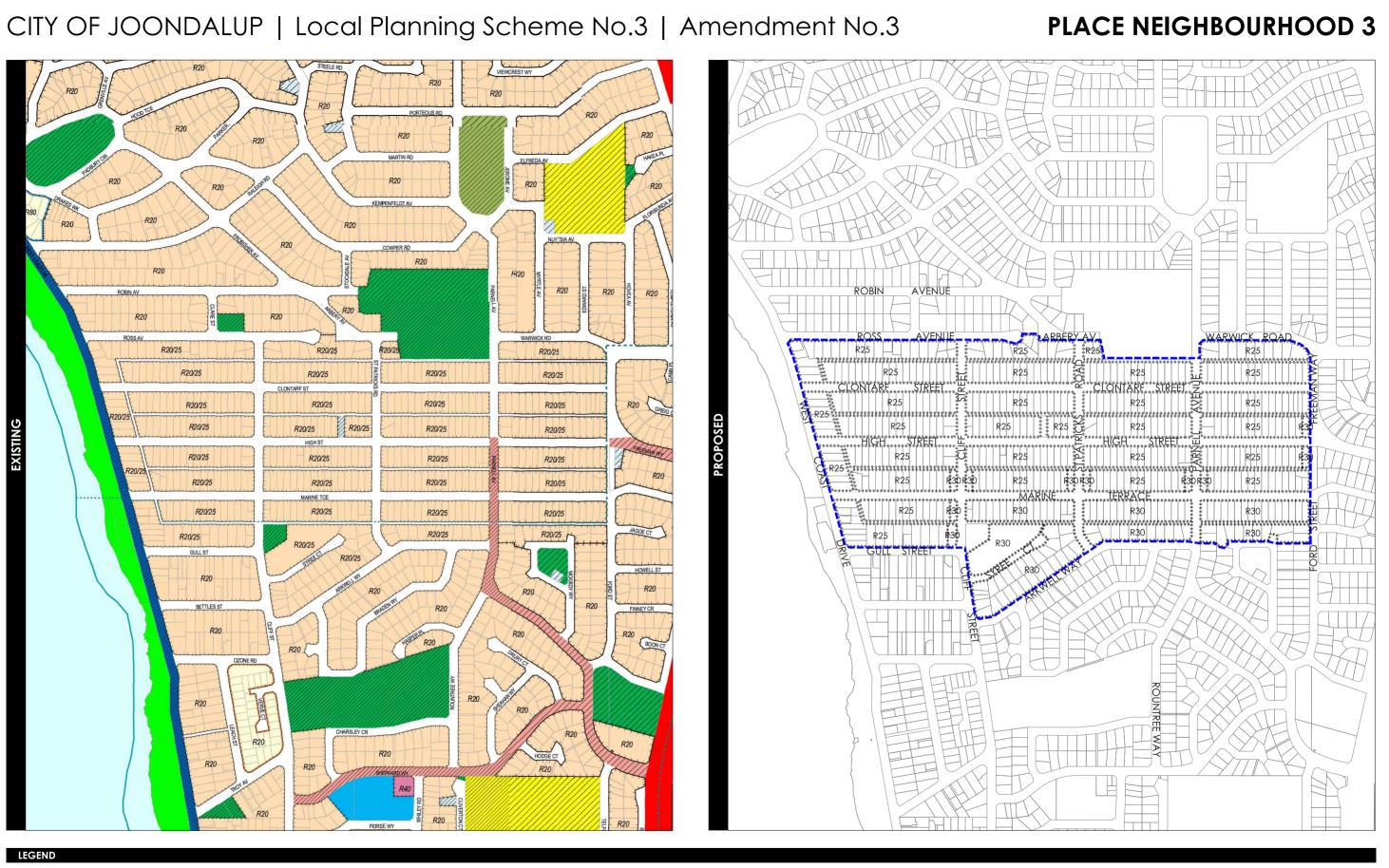


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RESIDENTIAL



### **REGION SCHEME RESERVES (MRS)**



### LOCAL SCHEME RESERVES



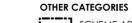
LOCAL ROAD

PUBLIC OPEN SPACE PUBLIC PURPOSE



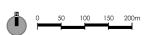
RESIDENTIAL

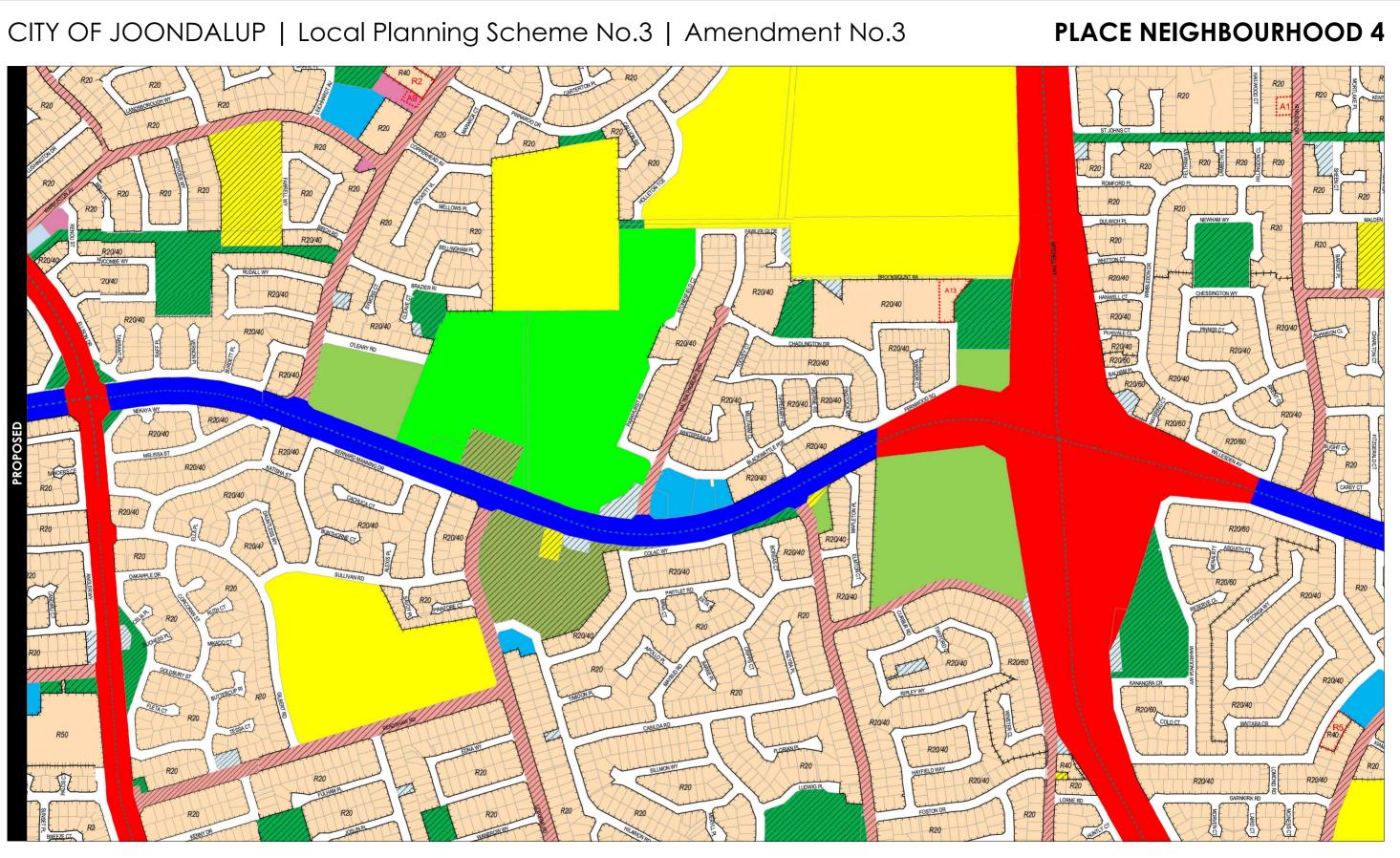
URBAN DEVELOPMENT





SPECIAL CONTROL AREA 1 - PLACE NEIGHBOURHOODS

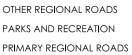


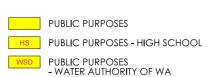


### LEGEND

### **REGION SCHEME RESERVES (MRS)**









DRAINAGE/ WATERWAY ENVIRONMENTAL CONSERVATION LOCAL DISTRIBUTOR ROAD LOCAL ROAD

PUBLIC OPEN SPACE

### LOCAL SCHEME ZONES

COMMERCIAL MIXED USE PRIVATE COMMUNITY PURPOSES RESIDENTIAL

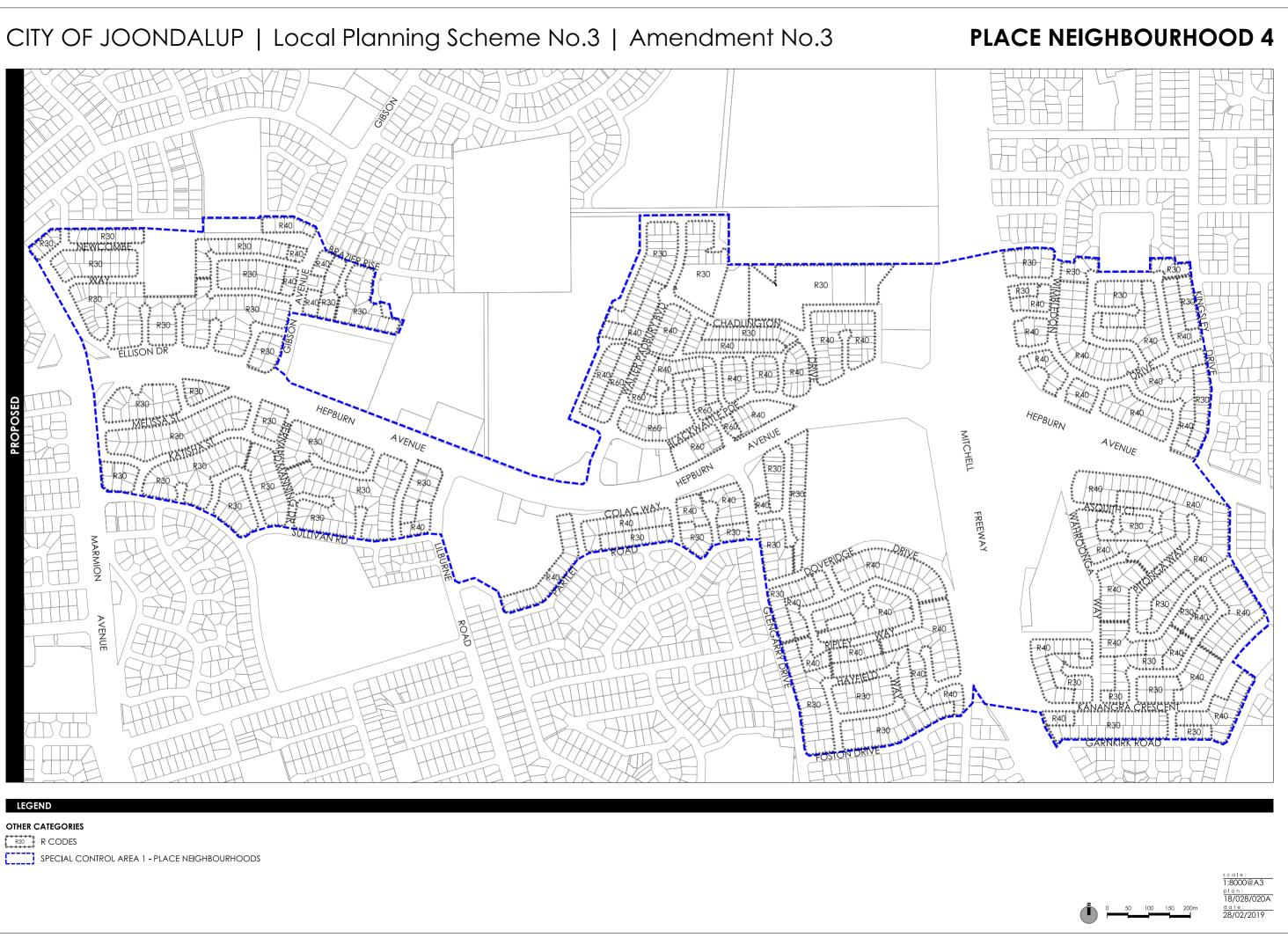
### OTHER CATEGORIES

R CODES AI ADDITIONAL USES R RESTRICTED USES

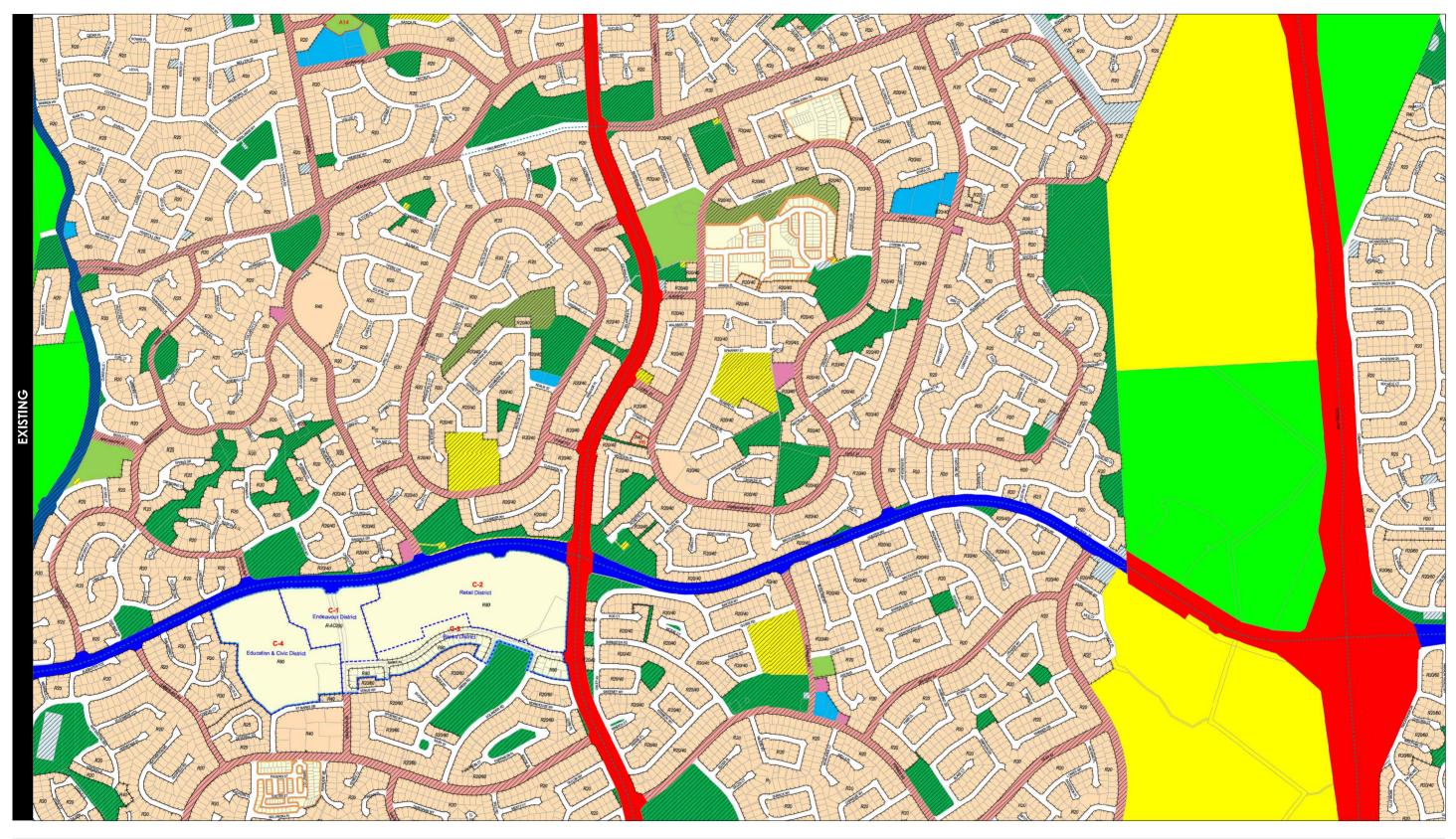
RESTRICTED USES



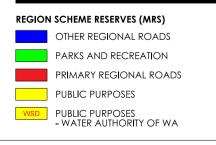
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## CITY OF JOONDALUP | Local Planning Scheme No.3 | Amendment No.3



### LEGEND





LOCAL ROAD

LOCAL DISTRIBUTOR ROAD

PUBLIC OPEN SPACE PUBLIC PURPOSE

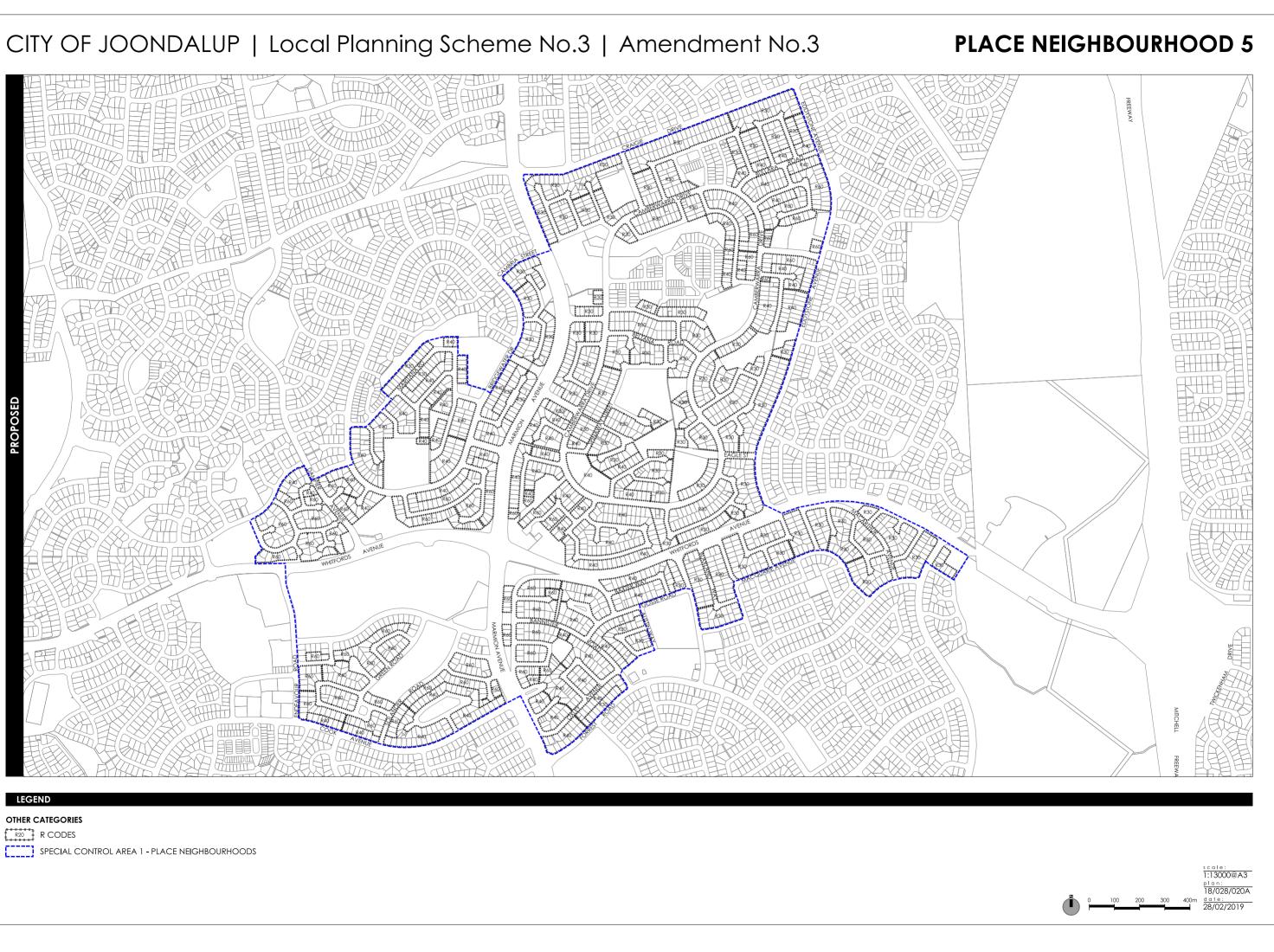


URBAN DEVELOPMENT

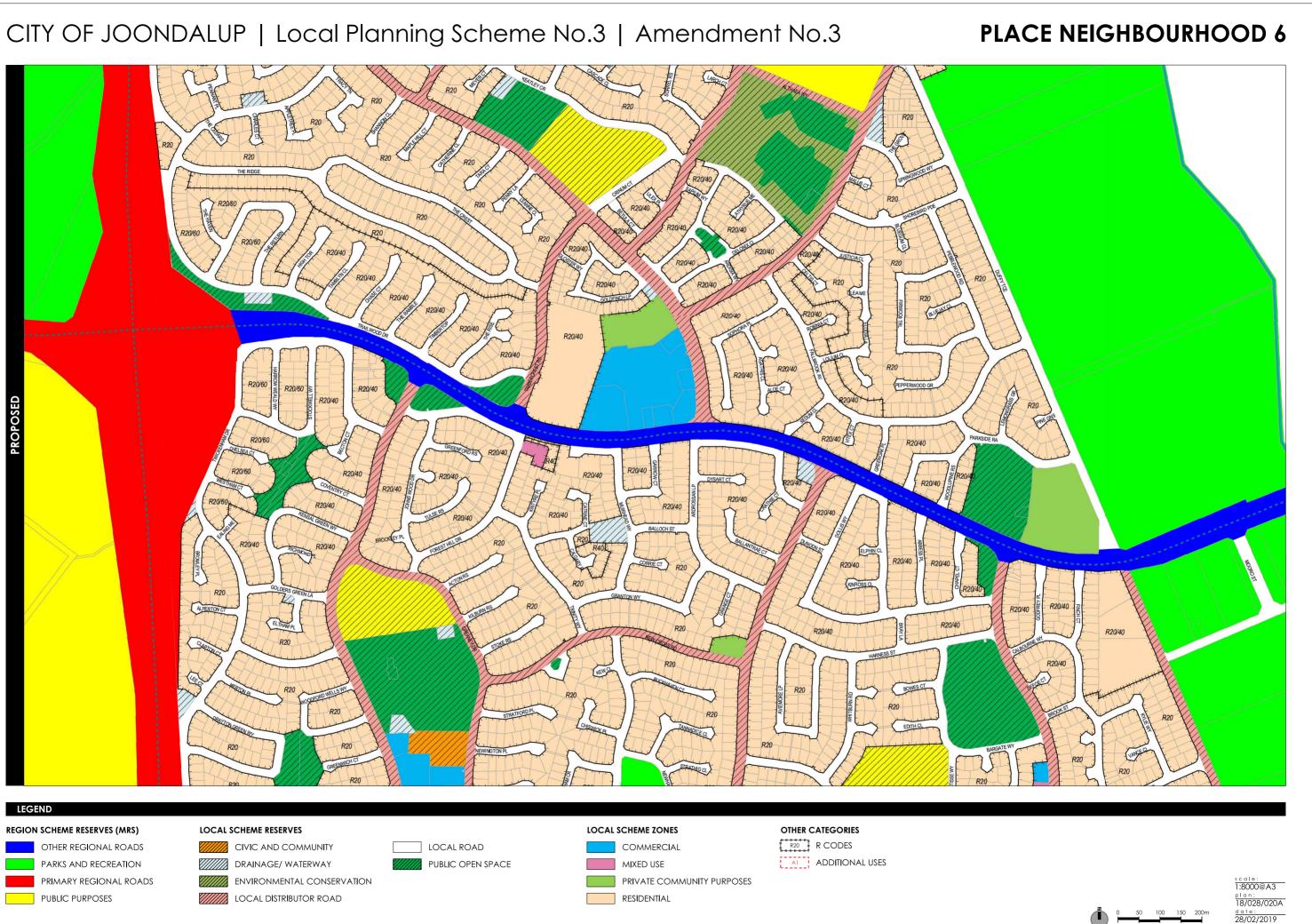


OTHER CATEGORIES R CODES



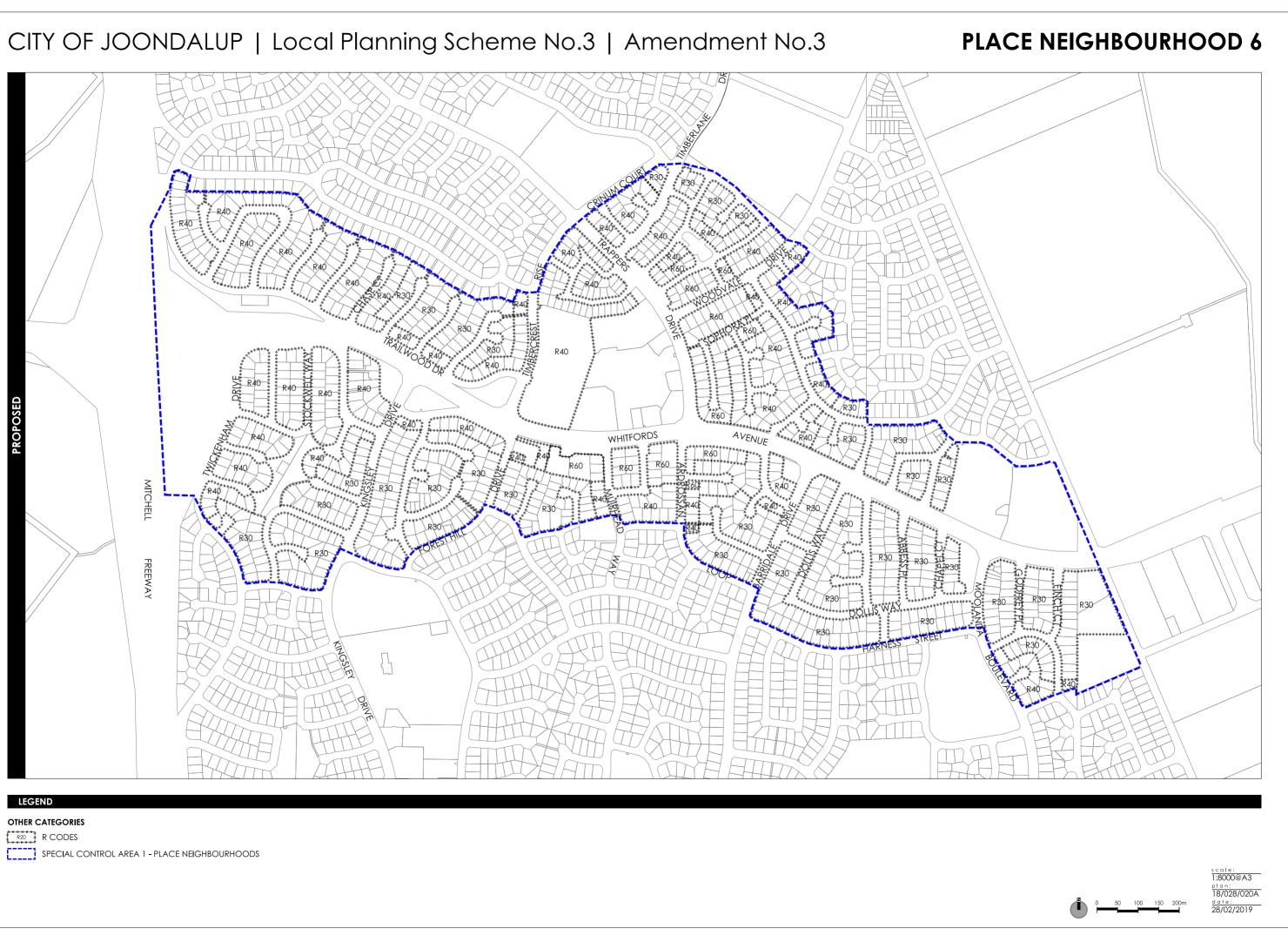


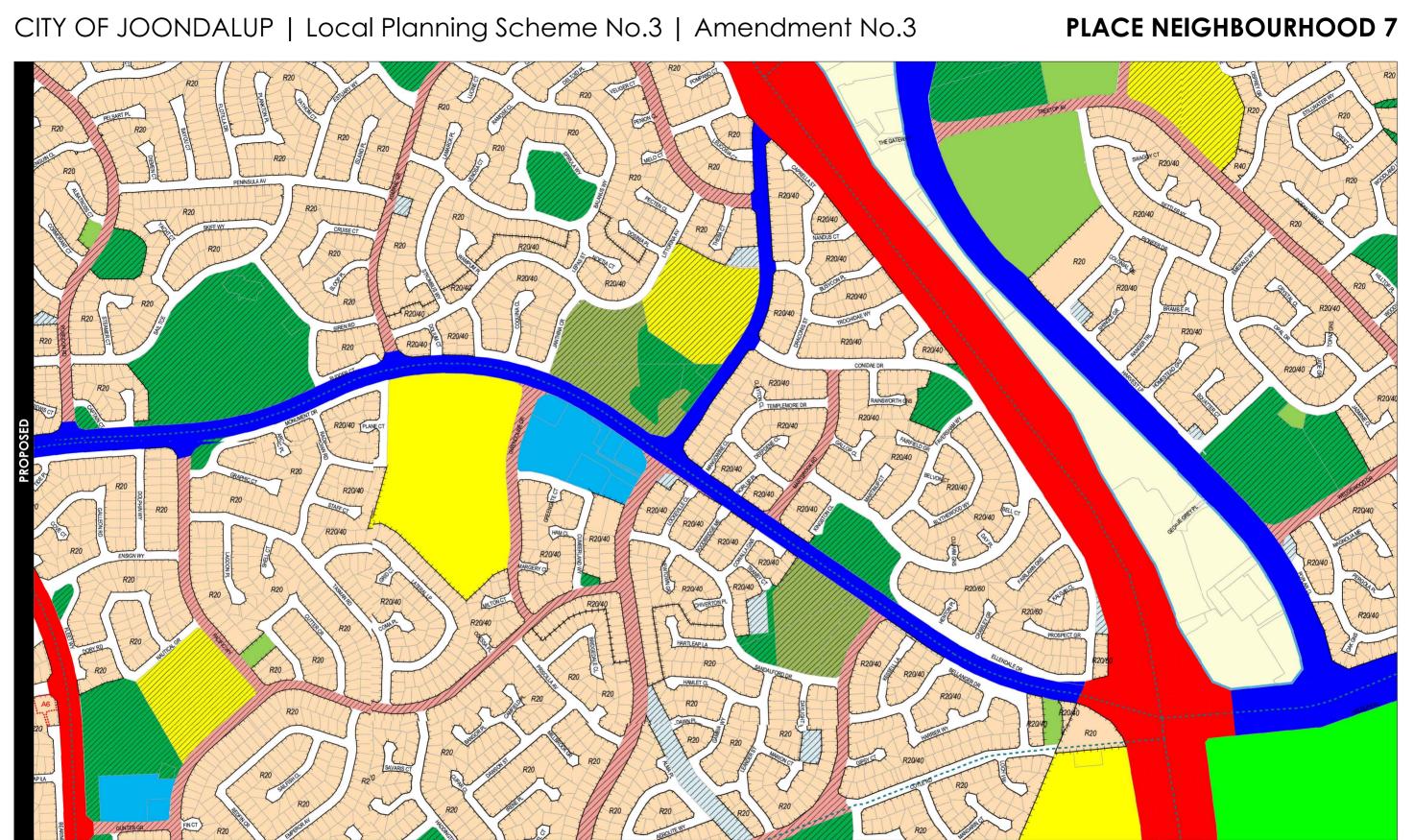








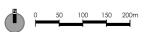


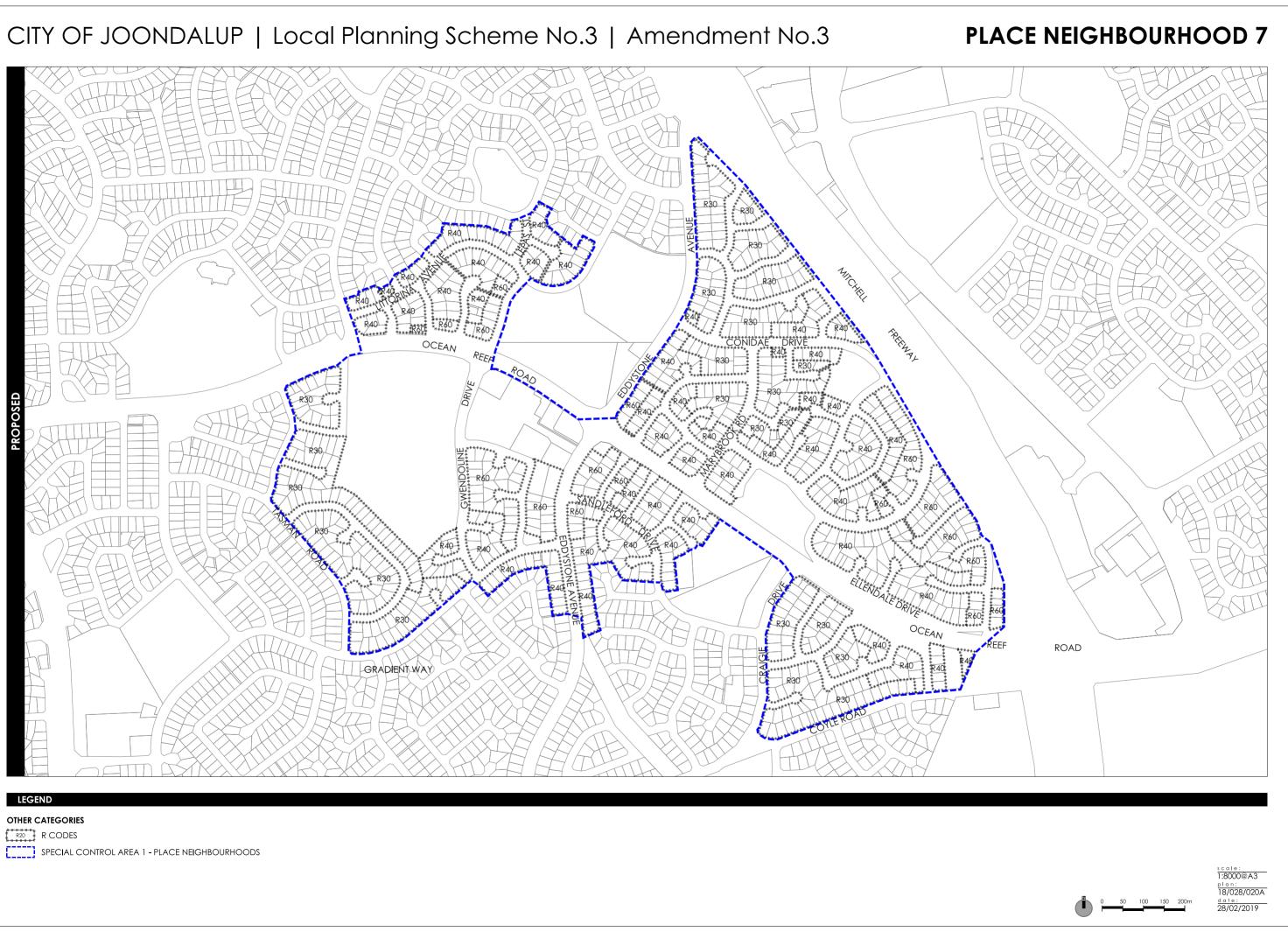


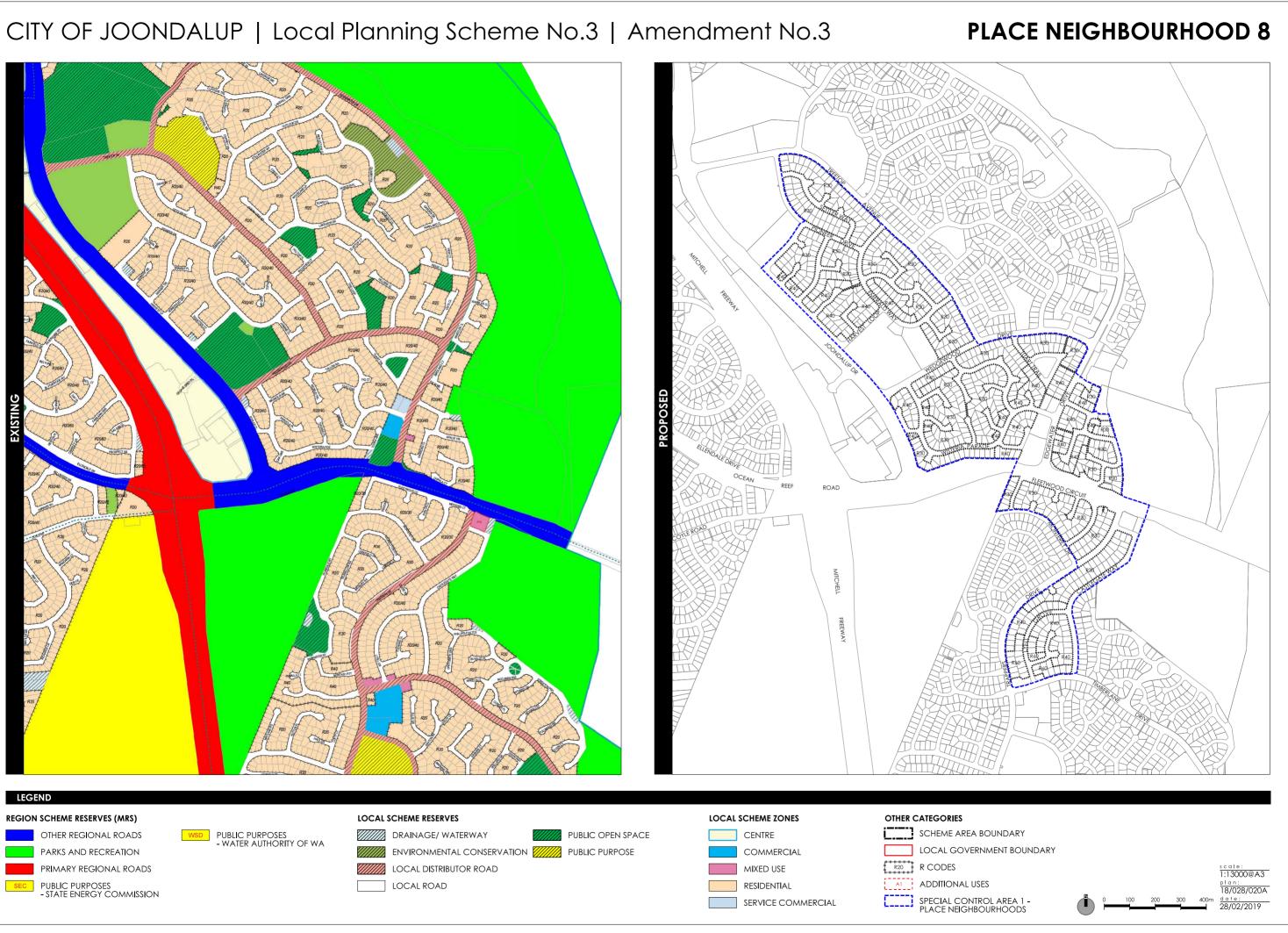
### LEGEND



OTHER CATEGORIES R CODES



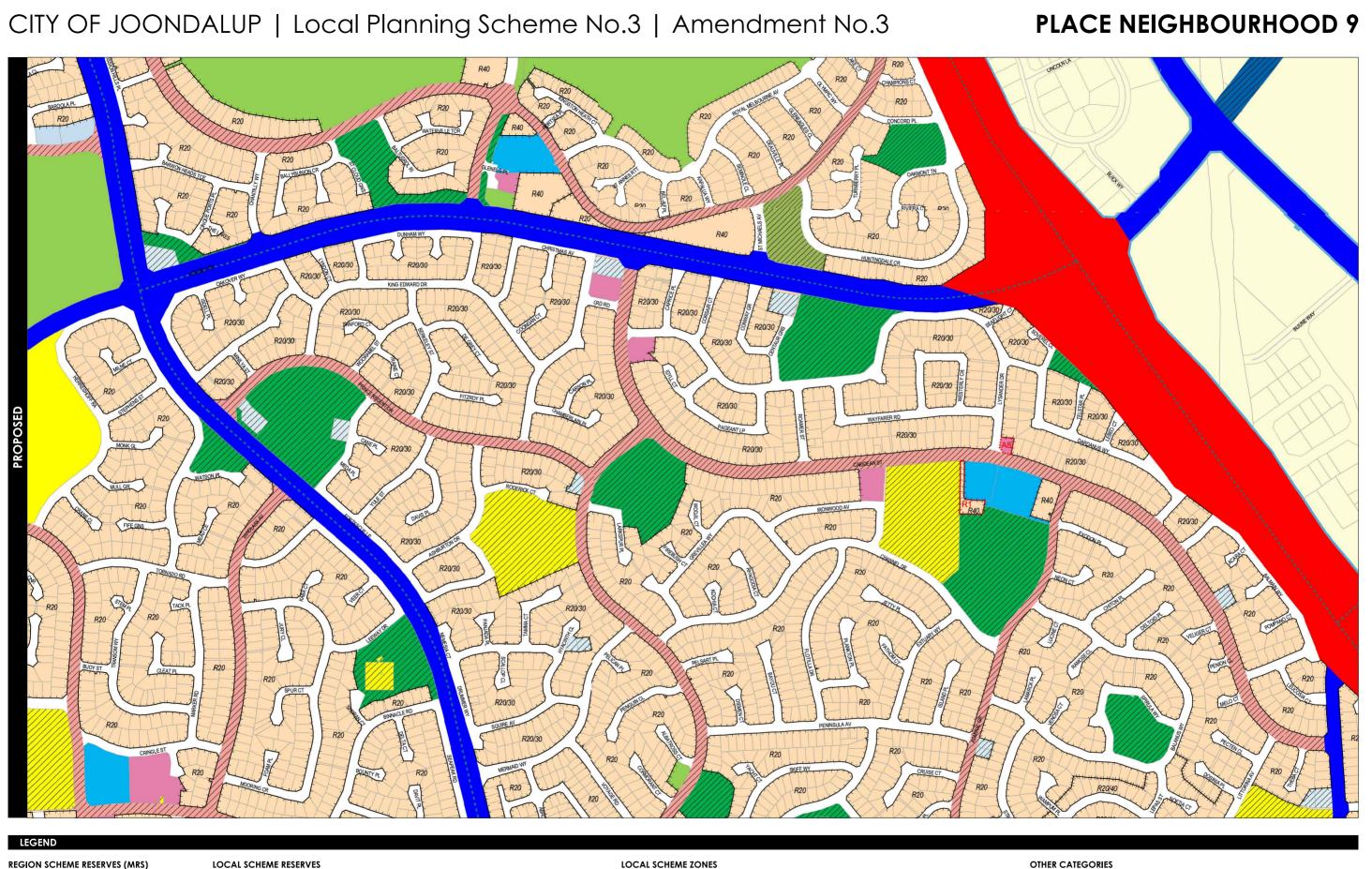




### LEGEND

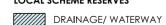






### **REGION SCHEME RESERVES (MRS)**

OTHER REGIONAL ROADS PRIMARY REGIONAL ROADS PUBLIC PURPOSES





LOCAL ROAD

PUBLIC OPEN SPACE PUBLIC PURPOSE

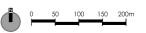


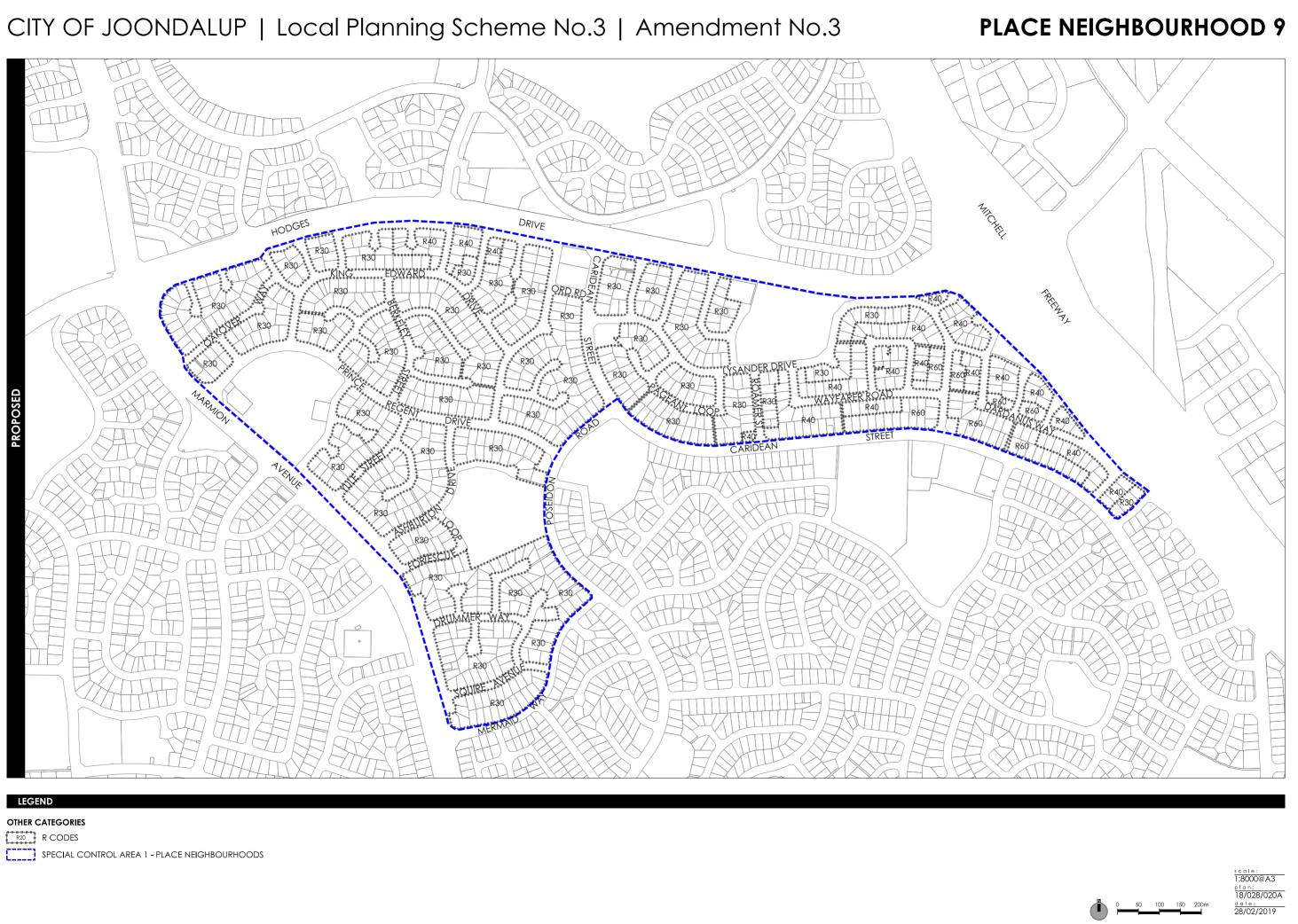
MIXED USE

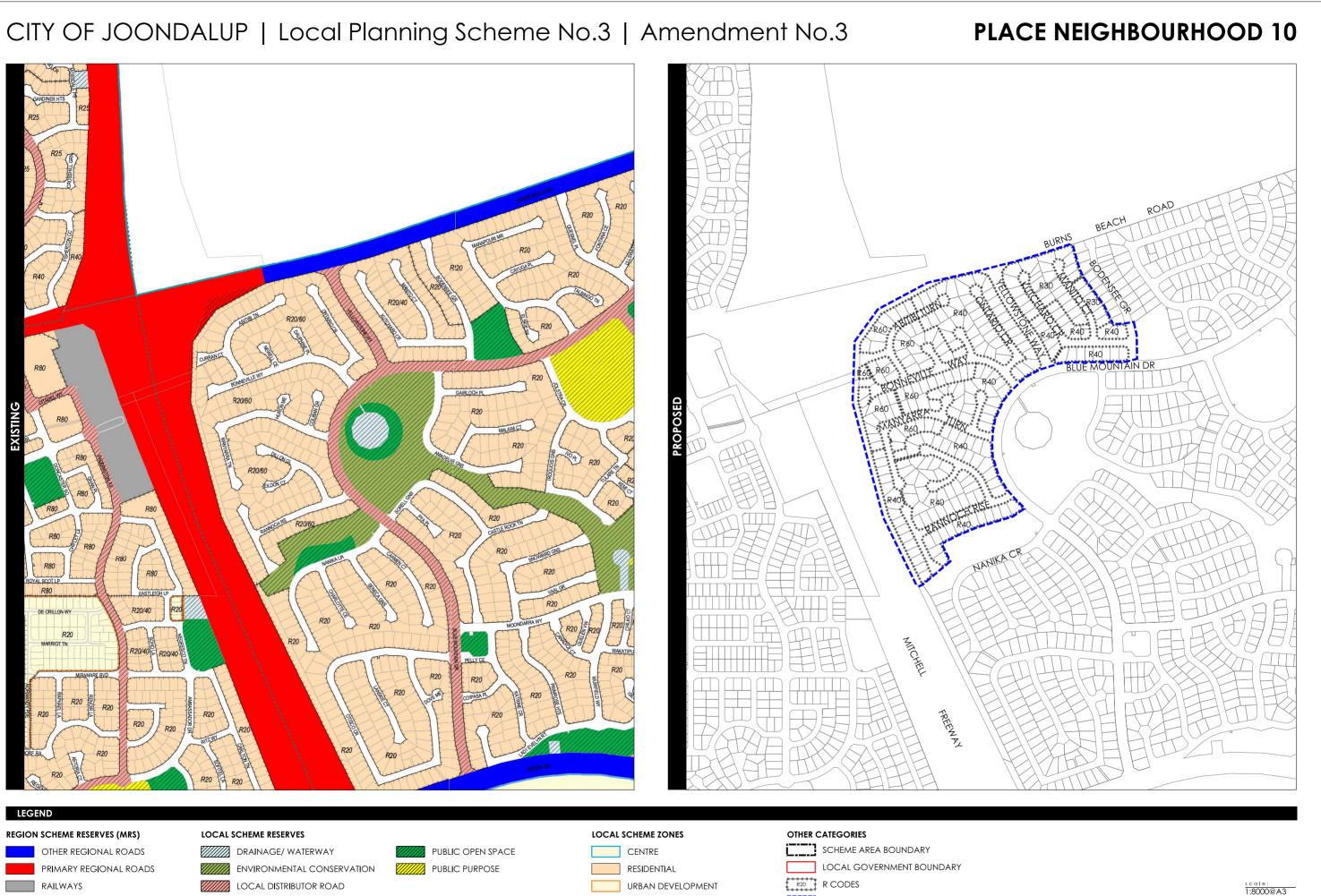
PRIVATE COMMUNITY PURPOSES



- R CODES
- A1 ADDITIONAL USES
- R1 RESTRICTED USES









LOCAL ROAD

PRIMARY DISTRIBUTOR ROAD

SPECIAL CONTROL AREA 1 - PLACE NEIGHBOURHOODS

plan: 18/028/020A <u>date:</u> 28/02/2019