

# minutes

## Policy Committee

MEETING HELD ON **TUESDAY 2 APRIL 2019**

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## CITY OF JOONDALUP

### MINUTES OF THE SPECIAL POLICY COMMITTEE MEETING HELD IN CONFERENCE ROOM 2, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON TUESDAY 2 APRIL 2019.

#### ATTENDANCE

##### Committee Members

Cr Sophie Dwyer	<i>Presiding Member</i>	
Mayor Hon. Albert Jacob, JP		
Cr John Chester		<i>to 5.50pm</i>
Cr Kerry Hollywood		
Cr Nige Jones	<i>Deputy Presiding Member</i>	
Cr Russell Poliwka		

##### Observers

Cr Christopher May		
Cr Russ Fishwick, JP		<i>to 5.50pm</i>
Cr Philippa Taylor		
Cr Tom McLean, JP		

##### Officers

Mr Garry Hunt	Chief Executive Officer	
Ms Dale Page	Director Planning and Community Development	
Mr Nico Claassen	Director Infrastructure Services	<i>from 6.12pm</i>
Mr Glenn Heaperman	Acting Director Governance and Strategy	
Mr Brad Sillence	Manager Governance	
Mr Chris Leigh	Manager Planning Services	
Mrs Wendy Cowley	Governance Officer	

#### DECLARATION OF OPENING

The Presiding Member declared the meeting open at 5.49pm.

**DECLARATIONS OF INTEREST****Disclosures 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.

<b>Name/Position</b>	<b>Cr John Chester.</b>
<b>Item No./Subject</b>	Item 1 - Draft new Planning Framework for Infill Development.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Cr Chester owns residential property in HOA / Place Neighbourhood 1 and 7 and his son and daughter own residential property in HOA / Place Neighbourhood 1 and 5.

<b>Name/Position</b>	<b>Cr Russ Fishwick, JP.</b>
<b>Item No./Subject</b>	Item 1 - Draft new Planning Framework for Infill Development.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Cr Fishwick is a joint owner of property in Place Neighbourhood 1.

*Crs Chester and Fishwick left the room at 5.50pm.*

**Disclosures of interest affecting impartiality**

Nil.

**APOLOGIES / LEAVE OF ABSENCE****Leave of Absence Previously Approved:**

Cr Mike Norman	29 March to 5 April 2019 inclusive;
Cr Nige Jones	5 to 10 May 2019 inclusive;
Cr Sophie Dwyer	5 to 12 May and 28 May to 3 June 2019 inclusive;
Cr Kerry Hollywood	23 July to 27 August 2019 inclusive.

**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.

**REPORT****Disclosures of Financial Interest**

<b>Name/Position</b>	<b>Cr John Chester.</b>
<b>Item No./Subject</b>	Item 1 - Draft new Planning Framework for Infill Development.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Cr Chester owns residential property in HOA / Place Neighbourhood 1 and 7 and his son and daughter own residential property in HOA / Place Neighbourhood 1 and 5.

<b>Name/Position</b>	<b>Cr Russ Fishwick, JP.</b>
<b>Item No./Subject</b>	Item 1 - Draft new Planning Framework for Infill Development.
<b>Nature of interest</b>	Financial Interest.
<b>Extent of Interest</b>	Cr Fishwick is a joint owner of property in Place Neighbourhood 1.

*Crs Chester and Fishwick had already left the room before the consideration of this item.*

*The Director Infrastructure Services entered the room at 6.12pm.*

## **ITEM 1                    DRAFT NEW PLANNING FRAMEWORK FOR INFILL DEVELOPMENT**

<b>WARD</b>	All
<b>RESPONSIBLE DIRECTOR</b>	Ms Dale Page Planning and Community Development
<b>FILE NUMBER</b>	106679, 30622, 101515
<b>ATTACHMENT</b>	Attachment 1    Background Review and Analysis – Key Findings and Recommendations Attachment 2    Draft <i>Place Neighbourhoods Local Planning Policy</i> Attachment 3    Draft Amendment No. 3 to <i>Local Planning Scheme No. 3</i> Attachment 4    Comparison Plans for HOA / Place Neighbourhoods 1 – 10
<b>AUTHORITY / DISCRETION</b>	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

**PURPOSE**

The purpose of this report is for Council to:

- consider the draft new planning framework for infill development in the City of Joondalup

- note that the draft new planning framework comprises a draft Local Planning Policy and draft Scheme Amendment
- endorse the *Place Neighbourhoods Local Planning Policy* for the purposes of public advertising
- endorse Amendment No. 3 to *Local Planning Scheme No. 3* for the purposes of public advertising

## EXECUTIVE SUMMARY

At its meeting held on 21 November 2017 (CJ177-11/17 refers), Council committed to preparing a new planning framework for infill development.

After an appropriate scoping and tendering process, in July 2018 the City engaged a specialist consultant team to consult with the community and to prepare the new planning framework.

As a precursor to preparation of the new planning framework, the consultant team engaged and consulted extensively with the community between September and December 2018. The outcomes of this extensive engagement process were then used to compile a Consultation Report, which was made available to the community on the project webpage and via the City's website on Friday 8 March 2019. The City had no role in compiling or editing the report.

This report on early consultation outcomes does not form part of the draft new planning framework but is one of the key inputs that has been used by the consultants to inform development of the framework. Other inputs are State Government policy, State Government advice and direction, and the knowledge and expertise of the different consultant team members.

The consultants have now finalised development of the draft new planning framework, which is comprised of two different documents:

- Draft *Place Neighbourhoods Local Planning Policy*.
- Draft Amendment No. 3 to the *City of Joondalup Local Planning Scheme No. 3*.

**This report seeks Council's agreement to advertise the draft new planning framework for public consultation. The report is not seeking Council's support for or final endorsement of the content of the framework at this stage.**

If Council agrees to advertise the new planning framework, the draft scheme amendment will be sent to the Environmental Protection Authority and the Western Australian Planning Commission. Once these authorities give approval to advertise the draft scheme amendment, the City will commence consultation on both the draft scheme amendment and draft local planning policy, with the community and other stakeholders, to ensure the details of the new framework are understood and to seek comment/feedback on the draft new planning framework. The Western Australian Planning Commission will need to approve the draft local planning policy, however it is not required to give consent prior to advertising.

Only once this second round of consultation has been undertaken, will Council be requested to formally consider the merits of the draft new planning framework and any submissions received during the consultation period.

The draft new planning framework has been prepared to respond to community feedback about the impact of infill development that is occurring under the current standards and requirements. This feedback has included concerns relating to:

- the impacts of infill, and particularly multiple dwellings as a type of housing
- the loss of vegetation and 'green space'
- increased traffic and parking
- loss of character of an area.

In recognition of this community feedback, coupled with consideration of State Government policy and expert independent analysis, the draft new planning framework will:

- maintain the current infill boundaries and formalise them as 'Special Control Areas' under the City's *Local Planning Scheme No. 3*
- revise the term 'Housing Opportunity Area' to 'Place Neighbourhood'
- remove the dual density code and allocate density throughout the Place Neighbourhoods, based on walkable catchments to nodes such as activity centres and train stations.
- elevate the importance of design and built form standards in determining the number of dwellings per lot and development outcomes, as opposed to an underlying density code. As such, it is critical that a density code is considered in conjunction with the proposed scheme and policy standards
- moderate development potential of multiple dwellings in cul-de-sacs
- introduce the requirement for a 'green ratio' in development, being a minimum provision of landscape area and tree provision
- recognise that each of the City's ten Place Neighbourhoods have their own unique characteristics.

It is therefore recommended that Council endorsed the draft local planning policy and the draft scheme amendment to enable the process to commence in terms of advertising both the policy and the scheme amendment for public comment.

## **BACKGROUND**

In August 2010, the State Government released *Directions 2031 and Beyond* - a high level spatial framework and strategic plan to guide the future development of Perth. This document set a target of accommodating 47% of population growth within existing suburbs. These principles have been reinforced in the State Government's latest strategic plan, known as *Perth and Peel @3.5million*.

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

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*.



It was established early in the development of the *Local Housing Strategy* that it was not appropriate to allow higher density development to occur everywhere throughout the City of Joondalup or only in the Joondalup City Centre. Instead, there were certain areas in the City of Joondalup (outside the City Centre) that were identified as being most suitable for increases in residential density. These ten areas, known as Housing Opportunity Areas (HOAs), were selected, based on a set of criteria, including:

- proximity to train stations, high frequency bus routes and higher order activity centres
- suburbs which would benefit from revitalisation
- lots with laneway access.

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

Since development began occurring in the HOAs, concern has been raised by some members of the community about the impact that higher density development is having on existing residential areas.

The City acknowledges the community's concerns about the type of infill development currently taking place and, therefore, at its meeting held on 21 November 2017 (CJ177-11/17 refers), Council resolved to engage consultants to prepare a design-led local planning policy for multiple dwellings (apartments) in the HOAs and a scheme amendment to better control the impact of multiple dwellings on existing residents and streetscapes.

Following this decision of Council, the City engaged with other local governments experiencing issues with density. The City also engaged with the Department of Planning, Lands and Heritage regarding its expectations on a proposed scope for the project. Through this work, it was identified that, to be effective, the solution needed to have a broader focus than a policy and scheme amendment to deal with only multiple dwellings (apartments), and that the solution needed to be developed after additional extensive engagement with the community.

Therefore, the project scope was expanded to include a review of the City's current approach to density, and development of a new design-led planning framework for infill development, which would apply to multiple dwellings and grouped dwellings (units/townhouses) in areas where density is appropriate. The scope also included a requirement for the inclusion of independent community consultation and engagement specialists in the consultant team.

Following appropriate scope development and tendering processes, at its meeting held on 17 July 2018, Council accepted the tender submitted by Taylor Burrell Barnett to review the City's current position on infill development and develop a new planning framework that addresses State Government policy and responds to the key concerns raised by the community (CJ128-07/18 refers).

### **Physical analysis of the existing Housing Opportunity Areas (HOA)**

As a precursor to starting any work on a new planning framework, the consultant team undertook a physical analysis of the existing HOAs. The following characteristics of each HOA were assessed:

- Predominant lot sizes.
- Lot widths.
- Architectural character.

- Landscape character (including established trees).
- Topographical considerations.
- Street verge widths and landscaping.
- Footpath networks, street trees and lighting.
- Traffic considerations.

Tables outlining the key characteristics of each HOA are included in the consultant's *Background Review and Analysis – Key Findings and Recommendations Report* detailed as Attachment 1.

### **Community consultation/engagement**

One of the consultant team's first tasks was to prepare a Community Consultation and Engagement Plan to outline how best to engage with the community ahead of and during preparation of the new planning framework for infill development.

In line with this Community Consultation and Engagement Plan, the engagement strategy was executed as follows:

- A dedicated HOA telephone line and email address were created.
- A dedicated HOA project webpage was created, which includes all relevant information for the project, including a detailed set of frequently asked questions.
- A social media campaign was rolled out to generate interest in the project.
- Letters and flyers were sent to every ratepayer and resident in the City of Joondalup (circa 66,000 letters). These letters introduced the project, outlined the different participation opportunities, invited people to participate in an online survey and sought expressions of interest to be part of extended consultation and engagement.
- An online survey was conducted between 24 September 2018 and 29 October 2018 (residents also had opportunities to fill in hard copies).

A total of 1,505 valid surveys was received (response rate of around 2.2%). The key findings of the survey are outlined in the *Background Review and Analysis – Key Findings and Recommendations Report* at Attachment 1.

- Letters were sent to numerous stakeholders (including local Members of Parliament, State Government stakeholders and all the resident and ratepayer associations). Seventeen one-on-one meetings were held with 35 interviewees between 25 September 2018 and 25 October 2018.

Table 2 in the *Background Review and Analysis – Key Findings and Recommendations Report* (Attachment 1 refers) outlines the key issues, concerns and opportunities identified during the stakeholder meetings.

- Five listening posts were held between 17 September 2018 and 24 September 2018 at various times and locations throughout the City of Joondalup to ensure ease of access for the community. A total of 380 participants registered their attendance at the listening posts.

The key issues raised at the listening posts are outlined in the *Background Review and Analysis – Key Findings and Recommendations Report* at Attachment 1.

- An industry forum was held on 9 October 2018 with 20 key industry stakeholders and property developers and builders.

The feedback received from this group is summarised in Table 3 in the *Background Review and Analysis – Key Findings and Recommendations Report* at Attachment 1.

- Five community design workshops were held between 19 November 2018 and 5 December 2018 at different times and locations throughout the City of Joondalup to ensure ease of access for the community.

A total of 193 people participated in the workshops. Presentations were made by members of the consultant team and workshop participants were involved in an interactive three-dimensional (3D) modelling activity. Following completion of the activity, further feedback was sought from participants in relation to a range of alternative housing typologies (typologies being a reference to different types of housing designs) that are possible at different densities. Feedback received on each of the potential housing typologies and the potential areas in which they may be appropriate is outlined in Table 4 in the *Background Review and Analysis – Key Findings and Recommendations Report* at Attachment 1.

Workshop participants also provided feedback on ideas for design and planning controls. The design considerations and feedback provided are outlined in Table 5 in the *Background Review and Analysis – Key Findings and Recommendations Report* at Attachment 1.

Following conclusion of this first round of community engagement, the consultant team combined all the outcomes of these processes into a Consultation Report. This report was received by the City on 26 February 2019 and was uploaded onto the HOA webpage on 8 March 2019. On the same day letters/emails were sent to local Members of Parliament and:

- everyone who attended a listening post session and/or community design workshop and who provided an email address
- everyone who registered for updates
- people who made direct contact with the City regarding the project
- members of the City's Community Engagement Network.

The Consultation Report is extensive (at around 780 pages) as it contains all feedback received from interested parties during the consultation period, as well as consultant analysis of the feedback. An Executive Summary has been included in the report to highlight the key consultation outcomes. Given the need for independent and unbiased community engagement and analysis of the outcomes, the City has not had any role in compiling or editing the report. The City has received the report and made it available to the Community via the City's website.

The full Consultation Report and Executive Summary can be found on the HOA webpage at <https://www.joondalup.wa.gov.au/kb/resident/hoa> and via the "Community Consultation" section of the City's website.

The consultation outcomes have been analysed by the consultants and are an integral input into the draft new planning framework, along with State Government Policy, State Government advice and direction, and the knowledge and expertise of the different consultant team members. It is requested that Council notes the outcomes of the Consultation Report and that it has informed the development of the draft new planning framework.

## Implications for the new planning framework

The key issues, considerations and opportunities that arose from the engagement exercises and the consultant review of the existing planning framework have informed a proposed new approach to infill development in the City of Joondalup as well as a series of other recommended actions that could be taken by the City, outside of the planning framework, to achieve the complete, desired vision for the areas of increased density.

These recommendations outline that the City should undertake the following:

- Consider what amendments are necessary to the *Local Housing Strategy* to reflect the new policy position on infill development.
- Undertake a major review of the *Local Housing Strategy* before density is allocated to other areas of the City, outside the current HOAs.
- Consider future provision of activity centres/commercial land uses to meet demands of increased population in a future review of the *Local Commercial Strategy*.
- Consider initiatives for placemaking, economic development and investment attraction in context of a review of the City's economic development plan and any place activation strategies.
- Undertake traffic analysis of the proposed new approach to determine the likely trip generation for each area of higher density and the impact of these new trips on the 2031 road network. Assumptions should be made about the anticipated take-up rates of development opportunity.
- Consider improved access to community facilities and activity centres in any review of its *Bike Plan* and *Walkability Plan* and in the context of ongoing infrastructure and service delivery strategies.
- Work with the Public Transport Authority regarding network requirements having regard to the objectives of State Government to provide accessibility within Transit Oriented Development precincts.
- Consider preparation of a Public Realm Strategy for areas of higher density.
- Consider what enhancements and improvements are needed to areas of public open space in/near areas of increased density in a future review of its Parks and Open Space Classification Framework and as part of its five-year capital works programming.
- Consider appropriate methods of waste collection for larger developments, in the context of current and future waste collection contractual arrangements.
- Consider any implications on existing infrastructure resulting from intensification and increase in population. This may include both community and traditional infrastructure. This should be factored into a future major review of the *Local Housing Strategy* and any existing City infrastructure plans and processes.
- Consider preparation/implementation of a Community Needs Assessment that takes into account anticipated population growth.
- Use the outcomes of a Community Needs Assessment to prepare and implement a Community Infrastructure and Contribution Plan.
- Prepare a Planning Consultation Policy.
- Review and update the Terms of Reference for the Joondalup Design Reference Panel.

There are also matters that the City cannot address or control directly, such as improving public transport and restricting/preventing the development of affordable/social housing. However, the City will continue to engage with the Public Transport Authority to discuss public transport upgrade opportunities, as the areas of density grow over time and increased patronage from additional residents/visitors make improvements to public transport viable. The City will also continue to engage with the Department of Communities to clarify expectations about the standard of built form outcomes expected under the new planning framework.

## DETAILS

### Important issues to note

The City does not have carte blanche to include whatever it wishes in the new planning framework. The framework is required to align with the State Government's *Residential Design Codes (R-Codes)* and the recently released *State Planning Policy 7.3: Residential Design Codes Volume 2 – Apartments*. The latter is a state policy, that all local governments are required to apply, for apartments and mixed-use developments which focuses on improved design outcomes for apartments and will replace Part 6 of the R-Codes.

The City can change some aspects of these State planning policies, but if it wants to change others, those changes will need the approval of the WAPC. For this reason, the City needs to refer its draft new Local Planning Policy to the WAPC and the WAPC will need to approve the Local Planning Policy.

The City also needs WAPC approval to advertise the draft scheme amendment and once it has been advertised and then referred back to Council, the WAPC will need to formally consider the amendment and make a recommendation to the Minister for Planning. The Minister is the final decision-maker on the scheme amendment, not Council.

Infill development will always impact on existing areas and not everyone will support the new approach proposed by the consultant team. However, it is important to note that the consultants have based their proposed approach on State Government policy. Significantly deviating from, contradicting or ignoring State Government policy would put the City at risk of delaying approval of the new framework, which would not be in the best interests of the residents currently impacted by density.

### Where increased density is proposed to occur

The consultants are of the view that, outside the Joondalup City Centre, the most appropriate locations for increased density at this time should be in the existing HOAs, and that the boundaries of the HOAs should not be altered at this stage.

The reasons for this are as follows:

- The criteria upon which the HOAs were initially based are still largely relevant and generally align with State Planning Policy and sound planning principles.
- If the City scrapped the existing HOAs and started the process again of identifying areas suitable for higher densities, it is likely that the City's whole *Local Housing Strategy* would need to be amended. This would significantly delay any solution for those currently affected by infill development.
- If the boundaries of the HOAs were expanded to allow density to spill beyond the existing boundaries, it is likely that the City's whole *Local Housing Strategy* would need

to be amended. As above, this would significantly delay any solution for those currently affected by infill development.

- If the boundaries of the current HOAs were to contract and development rights were completely removed from properties currently in HOAs, this is likely to cause significant concern for residents who have bought properties based on the higher density coding.

Notwithstanding proposed retention of the current HOA locations and boundaries, the consultants have come up with a new approach to development within the HOAs that moves away from blanket density codes and uniform development controls and recognises that each HOA is different and that there are different areas within each HOA.

The new framework is a design-led framework that applies a finer-grained response to development control.

### **The use of density codes**

Density codes are currently allocated to lots under the City's *Local Planning Scheme No. 3*. Density codes are used to link each lot to associated development standards in the State's existing *Residential Design Codes (R-Codes)* and the recently released *State Planning Policy 7.3: Residential Design Codes Volume 2 – Apartments (SPP7.3)*. This new State Planning Policy will replace Part 6 of the existing R-Codes when it becomes operational on 24 May 2019.

While SPP7.3 focuses on improved design outcomes for multiple dwellings, this policy does not apply to grouped dwellings, which can potentially have similar impact on existing residential areas as multiple dwellings. Until the State Government releases future policies dealing with precinct design and medium density development, the existing R-Codes will continue to guide the development of grouped dwellings.

Unfortunately, the R-Codes have limited flexibility, are generic in nature and do not respond to the complexities of development intensification in established low density areas. For this reason, the consultants are proposing scheme and policy provisions reflective of a finer-grained approach to development control and a shift away from the provisions or development standards in the R-Codes.

Given this, the density codes or R-Code "numbers" (R30, R40, R60) will no longer accurately reflect the development potential of lots. For this reason, the City and the consultant team would like to move away from the use of the R-Code numbers or density codes. However, this will not be possible and density codes will need to be allocated, even if the specific code will not accurately reflect the actual development potential of the lot.

In fact, full development potential under the allocated density codes will not be achievable in some instances because it is proposed to restrict certain types of dwellings in certain locations, multiple dwelling yield will be constrained in cul-de-sacs (in areas where they are permitted) and other new detailed development standards will also limit the building envelope on a lot.

The most notable of these development standards is the equivalent of a "green ratio". Up until now, a combination of height, plot ratio and open space (which can include open car parking and driveways) have been the main drivers of the building envelope on a lot. It is now proposed to reverse this by mandating a certain amount of area on a site (within the overall open space) that can only be used for landscaping. Once this has been set aside, areas for parking and servicing need to be provided, and the area that is left determines the building envelope.

## **The draft new planning framework**

The draft new planning framework will comprise:

- a Local Planning Policy
- a Scheme Amendment.

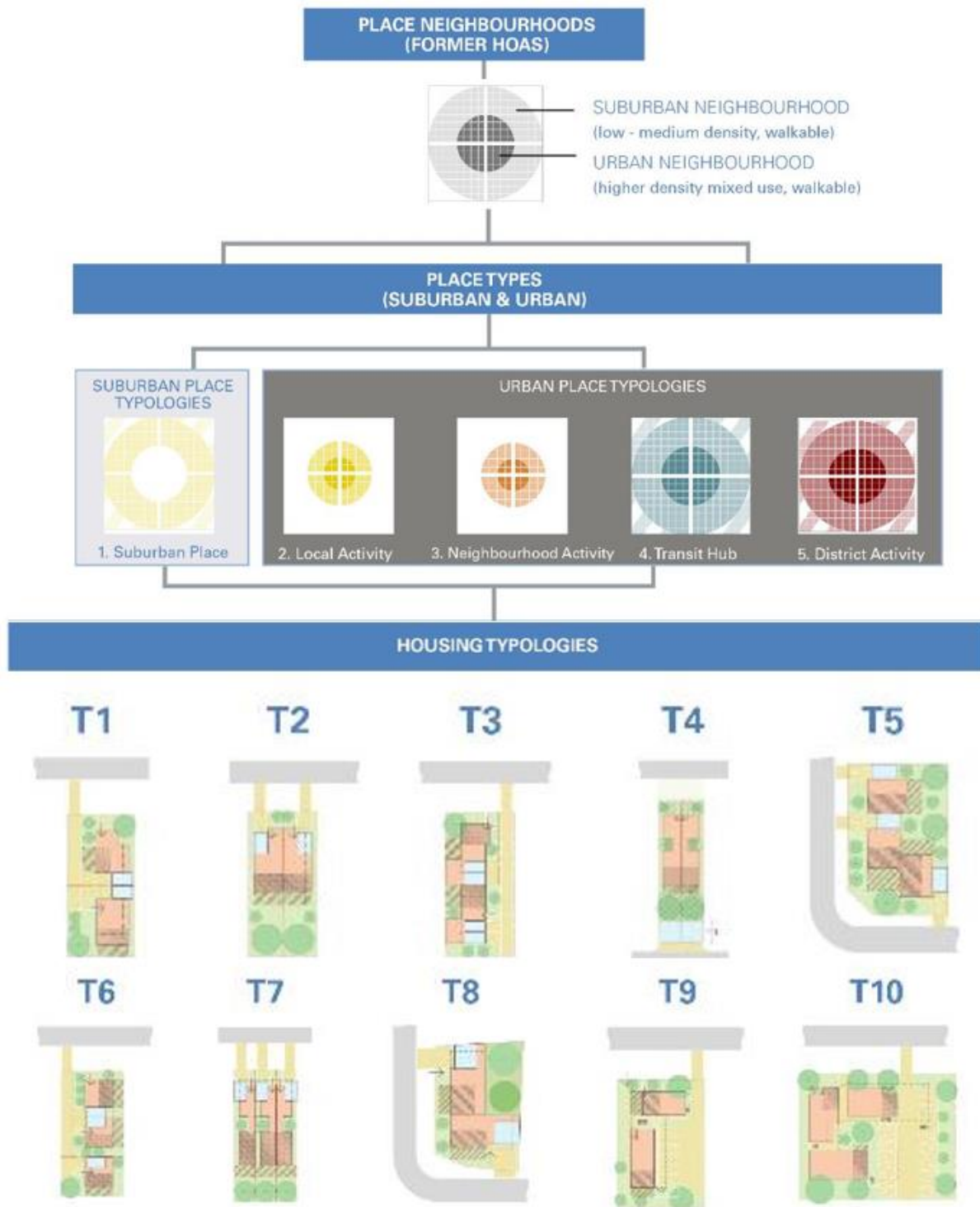
The Local Planning Policy is a more comprehensive document that outlines the planning rationale and methodology, as well as detailed provisions and requirements.

The Scheme Amendment gives stronger statutory effect to certain provisions and is the implementation mechanism for the new planning framework - in particular, the density codes that will apply to different lots.

The new framework (as summarised in the graphics below) will promote intensification of densities around activity centres and train stations, based on walkable neighbourhoods and transitioning of densities away from activity centres and train stations to existing suburban neighbourhoods.

This will be achieved as follows:

- The HOAs will now be known as Place Neighbourhoods.
- Each Place Neighbourhood will be divided into Urban Neighbourhoods and Suburban Neighbourhoods.
- Urban Neighbourhoods will be higher density, mixed-use walkable areas focused around activity centres or train stations and will generally have medium to higher densities.
- Suburban Neighbourhoods will sit outside the Urban Neighbourhoods, further away from the activity centres or train stations, and will generally be low to medium densities.
- Within each of these neighbourhoods, there will be different types of places with common characteristics, similar land use mixes and intensities of development.
- These different Place Types will be defined by walkable catchments around activity centres or train stations and are aspirational places of the future, each with their own vision and objectives.
- The size/extent of different Place Types, and the densities allowable in them, will vary based on the role and function of the activity centre or train station at their core.
- Within each Place Type, development will be controlled through the application of the following:
  - Density codes (as defined on the Scheme Map).
  - General Development Controls that apply to all development.
  - Housing Typology controls that apply to a particular type of housing, dependent on the Place Type it is developed in – noting that not all Housing Typologies will be permitted in all Place Types.
  - Transition Area controls that apply to lots which fall outside walkable catchments of activity centres and train stations.



The above information provides a high-level description of how the draft new planning framework is intended to function. This is expanded on in more detail below.

**Neighbourhoods**

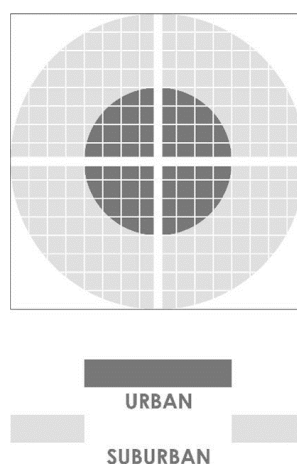
It is proposed that higher density, outside the Joondalup City Centre should continue to be accommodated in the current areas identified for higher densities. These areas of higher density will no longer be known as Housing Opportunity Areas, but as *Place Neighbourhoods*.



Although the current areas for higher density are proposed to remain, the consultants are looking at a new approach to development within these areas. This new approach and the criteria the consultants have used are based wholly on sound planning principles and State Government policy and respond to the key areas of concern identified by the community through the initial consultation process.

The new approach moves away from blanket density codes and uniform development controls and recognises that each Place Neighbourhood is and should be different.

It also recognises that there are and should be different areas or smaller neighbourhoods within each Place Neighbourhood. Some smaller neighbourhoods will have a more urban character (Urban Neighbourhoods) and some will have a more suburban character (Suburban Neighbourhoods).



*Urban Neighbourhoods* will generally have medium to higher density (40 to 100 dwellings per hectare) and will be mixed use, walkable areas, focussed around nodes or activity centres. These Urban Neighbourhoods will not all be the same but will have different characteristics based on the role and function of the nodes or activity centres at their core.

*Suburban Neighbourhoods* will sit outside the Urban Neighbourhoods, further away and outside the walkable catchments around the activity centres or nodes.

Development in these Suburban Neighbourhoods will generally be low to medium density at around 20 to 40 dwellings per hectare. The predominant type of development in the Suburban Neighbourhoods will be single houses with some grouped dwellings closer to where the Urban Neighbourhood begins. There will be restrictions on multiple dwellings and large scale grouped dwelling developments in the Suburban Neighbourhoods.

### **Place Types**

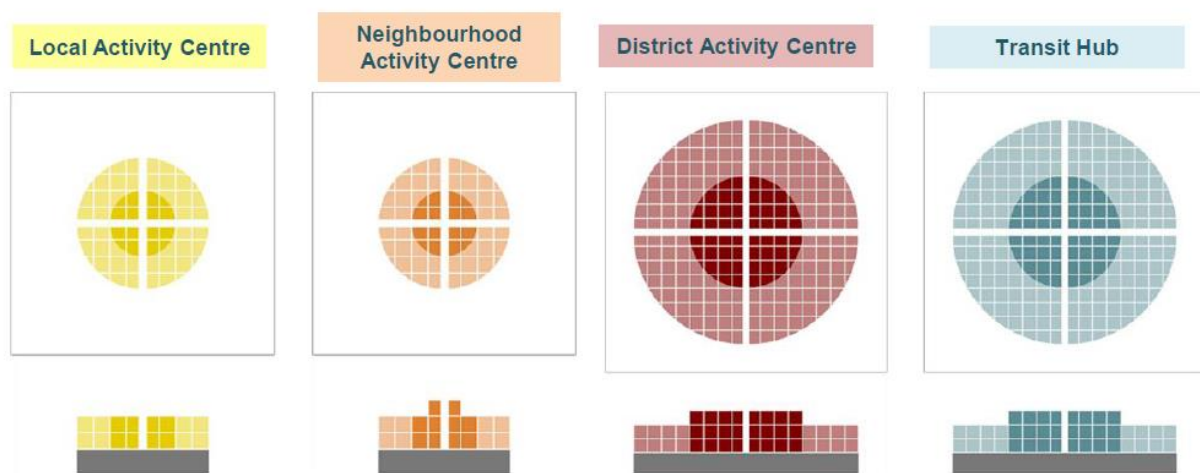
All Suburban Neighbourhoods will share the same characteristics and will generally be the same or similar types of places.

Not all Urban Neighbourhoods will share the same characteristics and may not be the same type of places.

Within each of the ten Place Neighbourhoods there will be Suburban Neighbourhoods but there could be one or more different types of Urban Neighbourhoods, with different characteristics based on the role and function of the nodes or activity centres at their core.

As depicted below, the Urban Neighbourhoods will therefore be categorised as one of four different *Place Types*, as follows:

- Local Activity Centre.
- Neighbourhood Activity Centre.
- District Activity Centre.
- Transit Hub.



The size/extent of the different Place Types vary because the size of the walkable catchment applied around each activity centre or node is different – depending on the role and function of that activity centre or node.

Westfield Whitford City, for example, is a District Activity Centre. It has a different role and function to the Springfield centre in Kallaroo (Local Activity Centre), and its sphere of influence and attraction is much greater.

It is important to note that the Place Types are aspirational. They are not reflective of existing places but are the places of the future, each with their own vision and objectives.

### How density has been allocated

The consultants have applied density codes to lots, based on actual walkability from transit nodes or activity centres.

Being within 200 metres of an activity centre equates to around a 2½ minute walk, being within 400 metres of an activity centre equates to around a five minute walk, while being within 800 metres of an activity centre equates to around a 10 minute walk.

Higher order transit nodes or activity centres will have higher densities allocated to lots within their walkable catchments. Lower order activity centres will have less density located to lots within their walkable catchments.

Density will be at its highest within the boundaries of the activity centre itself. Development within the activity centres will be controlled through separate planning mechanisms, such as Activity Centre Plans or Local Development Plans.

Outside the activity centre boundary, the closer to the activity centre a lot is, the higher its density code will be. Densities will decrease for lots that are further away from activity centres.

Using the above methodology, density codes have been applied to properties, based on different walkable catchments appropriate for the different Place Types, as per the table below:

	Suburban	Local Activity Centre	Neighbourhood Activity Centre	Transit Hub (non-activity)	District Activity Centre
Inside centre/station	n/a	R80	R80	R80+	As per ACP
0-200m	n/a	R40	R60	R60	R60
200-400m	n/a	R30	R40	R60	R60
400-800m	R30	R30	R30	R40	R40

As can be seen from the above table, for Local Activity Centre Place Types, lots within a walkable catchment of 200 metres (or a 2½ minute walk) from the activity centre, will have a density of R40. Lots that fall within a walkable catchment of 200 to 800 metre (or a five to 10 minute walk) from the activity centre will have a density of R30.

For Neighbourhood Activity Centre Place Types, lots within a walkable catchment of 200 metres (or a 2½ minute walk) from the activity centre will have a density of R60. Lots that fall within a walkable catchment of 200 to 400 metres (or a five minute walk) from the activity centre, will have a density of R40. Lots that fall within a walkable catchment of 400 to 800 metre (or a five to 10 minute walk) from the activity centre will have a density of R30.

For Transit Hubs and District Activity Centre Place Types, lots within a walkable catchment of 0-400 metres (or a five minute walk) of the node/activity centre will have a density of R60. Lots that fall within a 400 to 800 metres (or a five to 10 minute walk) from these nodes/activity centres will have a density of R40.

Suburban Place Types fall outside the walkable catchments of nodes and activity centres and, therefore these areas will have a maximum density of R30.

As mentioned earlier, it is important to note that this density is not an automatic reflection of development potential. Multiple dwellings (apartments) will only be allowed in certain Place Types, yield will be moderated in cul-de-sacs and more stringent controls may reduce development potential of a lot.

### Transition Areas

When the consultants applied the different Place Types and associated densities to the ten Place Neighbourhoods (formerly HOAs), there were instances where “gaps” arose between different Place Types.

An example of this is the pink “hatched” area on the map below, where a number of properties fall between the higher density Place Types around the Warwick train station and the Warwick shopping centre. In this area, density should theoretically drop back to R20 as it is outside the walkable catchments to the station and the shopping centre.

However, it does not make sense to have a small pocket of R20 surrounded by higher density development and therefore the consultants propose to classify this as a Transition Area, with some increased density to reflect the density of adjoining Place Types but with specific Transition Area development controls.



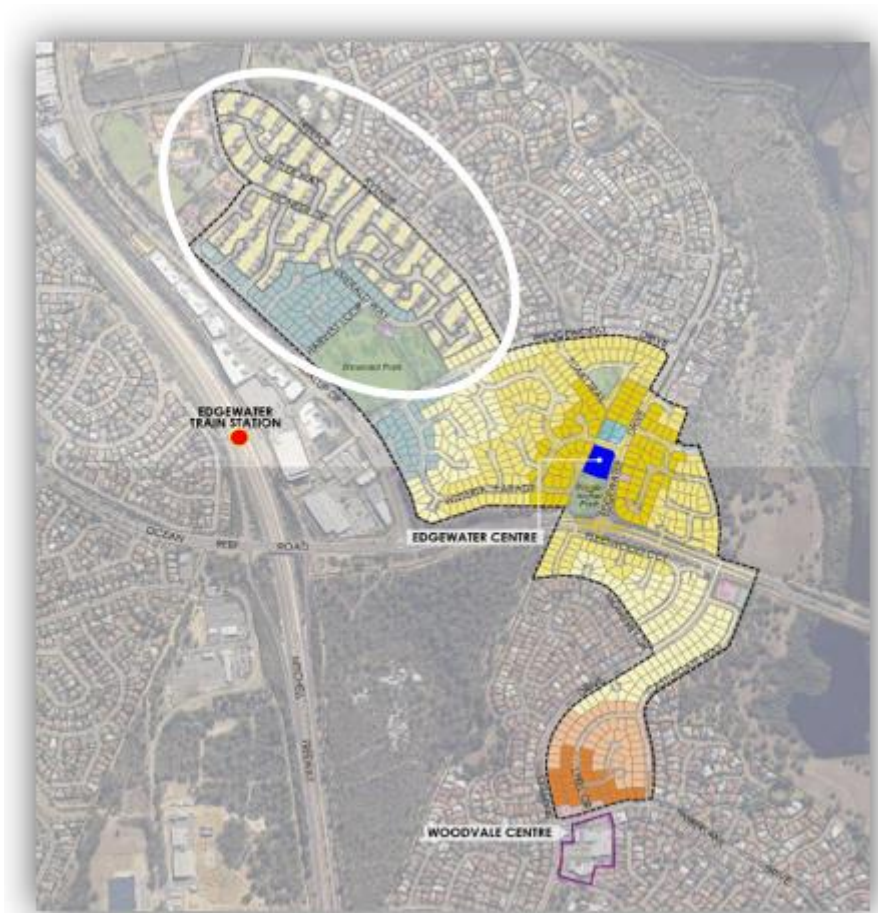
There were also instances where gaps arose between Place Types and the Place Neighbourhood (HOA) boundaries.

An example of this is the yellow “hatched” area on the map below, where a number of properties fall between the higher density Place Type around the Edgewater train station and the existing R20 outside the boundary of the Place Neighbourhood (HOA). In this area, density should theoretically drop back to R20 as it is outside the walkable catchment to the train station.

However, in areas like these, consideration should be given to the fact that:

- people may have bought and invested in properties in these areas based on the redevelopment potential currently afforded to them
- residents in the HOAs have (generally) indicated they would be satisfied with some density (around R30)
- some transition of character may have begun as development at the current, higher densities may have already occurred.

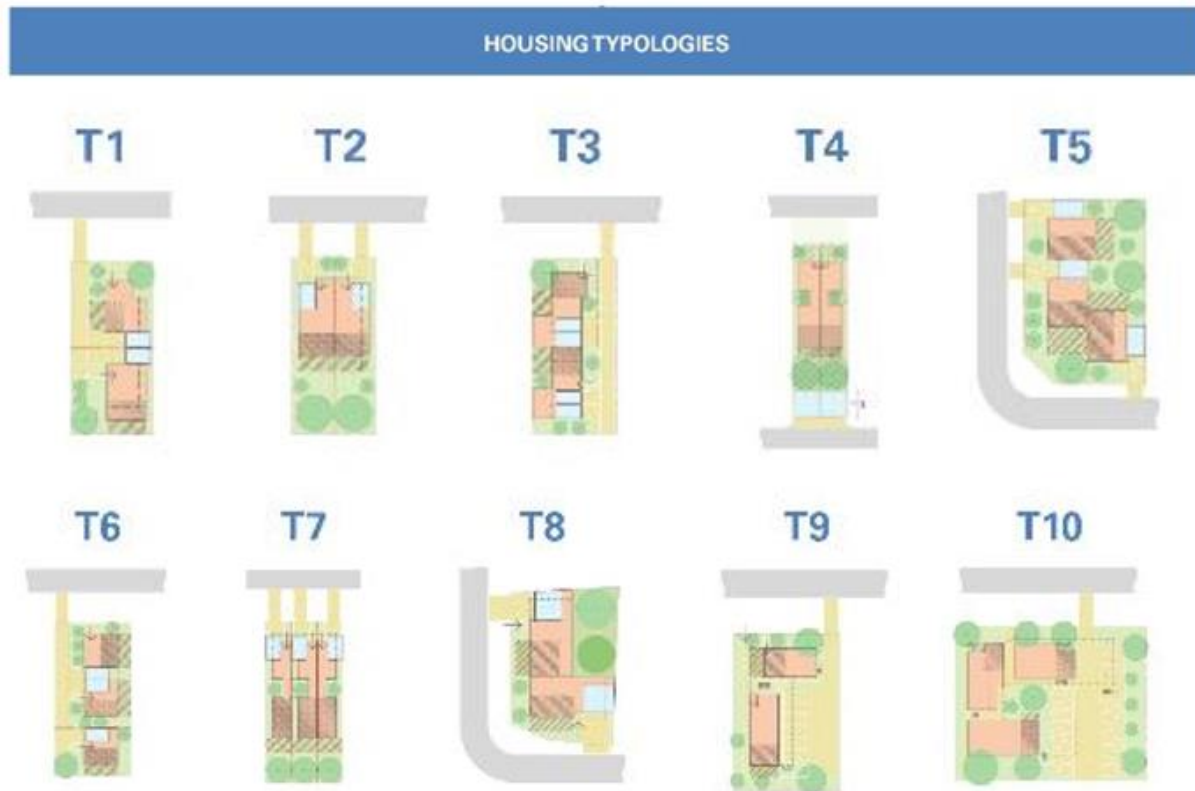
Therefore, the consultants propose to classify areas like these as Transition Areas, with some lower density to still enable redevelopment of land, but with stricter controls to transition between the Place Types and existing R20 development outside the Place Neighbourhoods (HOAs).



### Housing Typologies

In addition to a single residential dwelling, the consultants have identified ten other Housing Typologies, which were presented and tested with the community at the Community Design Workshops:





The consultants have also established different development standards for each of the Housing Typologies relative to the different Place Types they could be developed in as outlined in Attachment 2.

As mentioned earlier in this report, not all types of housing will be allowed in all the Place Types, including the Transition Areas. The development standards for each Housing Typology make it clear which Place Type that Housing Typology can be developed in.

Of particular interest, it should be noted that:

- certain, smaller grouped dwelling developments will not be permitted within District Activity Centre or Transit Hub Place Types
- certain, smaller grouped dwelling developments will not be permitted within 200 metres of Neighbourhood Activity Centre Place Types
- multiple dwellings (other than Manor Houses on corner lots) will not be permitted in the Suburban Place Types or the outer walkable catchment of Local Activity Centre Place Types.

### **Structure of the new planning framework**

Currently, all applications for residential development need to be assessed against the State Government's *Residential Design Codes* (R-Codes).

For each design element in the R-Codes (such as open space, setbacks, privacy, and so on) there are objectives that need to be met. Within the R-Codes there are two different sets of standards that are used to assess whether development proposals meet the objectives of the R-Codes – "Deemed-to-Comply" standards and "Design Principles".

The deemed-to-comply standards are specific, measurable development standards. If a development proposal meets these specific standards, it is automatically considered to have met the objectives.

If, however, it does not meet these specific deemed-to-comply standards, the development can then be assessed against the alternative design principles, which are more performance-based in nature. Given the less specific performance-based nature of these design principles, the City undertakes a professional assessment to determine whether the proposal meets the design principles, and therefore the objectives. When an assessment determines that a proposal complies with the design principles, this does not mean that variations or concessions are being granted.

The draft new *Place Neighbourhoods Local Planning Policy* (Attachment 2 refers) is structured and will function a little differently and aligns with the terms used in the new State Planning Policy 7.3 (SPP 7.3) relating to apartment design. Like SPP 7.3, the draft new policy will also contain 'Objectives' that each development proposal needs to meet and 'Acceptable Outcomes' which will assist in meeting the objectives. Unlike the current R-Codes, there is no longer a 'Deemed-to-Comply' approval pathway.

It is important to note that the new policy will not completely replace the R-Codes and the new SPP 7.3 (relating to apartment design). Some standards from both these documents are still considered suitable and the new planning policy will defer to these sound and relevant standards, where appropriate.

### **Specific provisions of interest**

As part of the community engagement process, participants were asked to highlight their top two priorities for the design of new housing developments. Given the feedback received from the community, there are certain development provisions worth highlighting in this report.

#### *Minimum lot frontages*

Currently *Local Planning Scheme No. 3* only contains provisions requiring a minimum lot frontage of 10 metres for single and grouped dwellings and 20 metres for multiple dwellings.

This is causing some issues as, specifically, the 10 metres lot frontage requirement does not readily allow the development of terrace style dwellings (for instance side by side attached dwellings) and forces the development of battleaxe style duplexes and triplexes, or multiple dwellings.

The consultants propose to retain the provision requiring a minimum frontage of 10 metres, unless the proposal is for terrace lots, development on a laneway or seeks to create rear access lots. In these cases, the draft new provisions allow a minimum lot width of 7.5 metres for lots coded R25 and R30, and six metres for lots coded R40 and above.

This will allow for more flexibility and improved built form outcomes.

#### *Open space / landscaping / trees*

One of the key issues and concerns raised by the community was the removal of trees, erosion of open space and insufficient landscaping on private properties and verges.

Currently, the R-Codes and the City's *Residential Development Local Planning Policy* only contain provisions relating to the overall amount of open space on site (and what is and is not open space) and the amount of landscaping required in the front setback area between the buildings and the property boundary.

Current open space provisions include open car parks and driveways and do not necessarily correlate with the amount of green space on a site.

Therefore, in response to community concerns and in addition to the general open space provisions, the proposed new policy introduces a "green ratio" or a landscape area, which must be a percentage of the total lot area, as follows:

Lot Area (m <sup>2</sup> )	Minimum Landscape Area
0 – 300m <sup>2</sup>	20%
301 – 400m <sup>2</sup>	25%
401 – 500m <sup>2</sup>	30%
500m <sup>2</sup> +	35%

The new draft policy also requires that the landscape area has a minimum dimension to function as intended.

Other new provisions proposed also include a minimum landscape area in the front setback, minimum tree sizes and minimum areas for deep soil zones, a minimum number of trees and incentives for retaining mature trees.

The planting of one street tree per 10 metres of lot frontage is a requirement of the City's existing policy and the consultants propose to retain it.

#### *Built form and scale*

Other key concerns raised by the community were the quality of built form and scale of new development and how it fits into the existing context, as well as the liveability of new development occurring. In response, the new draft policy includes a minimum floor area for dwellings, minimum dimensions for habitable rooms, minimum ceiling heights and a requirement for garages not to exceed a certain percentage of the lot frontage.

The Housing Typology controls will limit the height of all dwellings in the Suburban and Local Centre Place Types to the equivalent of two storeys. Some Housing Typologies may be able to go to three storeys in the more intense Urban Place Types, subject to conditions.

#### *Parking*

The community was also concerned about the adequacy of current parking requirements and the impact that formalised verge parking is currently having on established streetscapes.

The City's current *Residential Development Local Planning Policy* already requires more visitor parking than the R-Codes does.



The consultants propose to amend this current standard, still above the current R-Code requirements, and require a minimum of one visitor bay per development. The consultants also propose to move away from requiring applicants to construct formal visitor bays in the verge. The intent of the City's current *Street Verge Guidelines* to not allow additional hardstand areas (other than crossovers and footpaths) in the verge within infill areas will remain.

Instead, if applicants cannot comfortably fit all visitor parking on site without affecting the on-site landscape area required, then applicants will be able to informally locate a visitor bay on certain types of streets (not in the verge) – as this will not only slow down traffic but will also preserve verge areas for tree planting and other landscaping. Where visitor parking cannot or should not be accommodated on the street, the visitor parking will need to be accommodated on the development site.

The current policy requirements for resident parking align with the R-Codes and the consultants propose to leave these as they are, as they are appropriate. However, the consultants do propose an alternative way of measuring proximity to train and bus services. Currently, the R-Codes measure proximity in a straight line and to any part of a bus route. The consultant approach is more refined and proposes to measure along pedestrian routes and to bus stops, providing a more realistic proximity to a service.

### **Scheme amendment**

*Local Planning Scheme No. 3* provides the statutory framework to guide development throughout the City of Joondalup.

An amendment to the scheme must be undertaken in order to give statutory effect to the new planning framework prepared by the consultants. It is proposed to do this through establishing a 'Special Control Area' for the proposed Place Neighbourhoods.

Special Control Areas (SCAs) are a mechanism used in planning schemes to identify areas which are significant for a particular reason and where special provisions in the Scheme may need to apply. These provisions typically target a single issue or related set of issues and typically set out the objectives of SCAs, specific development requirements and any other matters to be taken into account in determining development proposals.

In summary, the scheme amendment will establish the Place Neighbourhoods SCA, through:

- identifying extent of SCA boundaries on the Scheme Map
- amending the density coding of existing dual density coded lots within the City's HOAs to a single density, reflecting the walkable catchment criteria applied by the consultant team
- incorporating a series of objectives that the SCA and its related development standards seek to achieve
- defining the Place Type principle
- incorporating key standards for development that are considered fundamental to achieving good built form outcomes within the Place Neighbourhoods.

### *What goes into the draft new local planning policy versus the scheme amendment*

As outlined above, it is proposed to include some key development standards in the scheme amendment (and therefore the scheme itself) that are already contained in the draft new local planning policy. These development standards are considered to be the most important in ensuring appropriate built form outcomes are achieved in the proposed Place Neighbourhoods.

By including these standards in the scheme, they will have greater statutory weight and will provide the City with a greater ability to enforce them. While discretion will still be able to be considered, having certain provisions embedded in the Scheme will also mean more regard will need to be given to them in the event they become the subject of an appeal before the State Administrative Tribunal.

It is not appropriate to put all policy standards into the scheme. In some instances, development standards are performance-based rather than a prescriptive standard and therefore it is not possible to mandate an outcome with a scheme provision. Placing all policy standards in the scheme would also remove flexibility and control from Council in policy decision-making. Currently, only certain policy matters require State Government consideration, via the WAPC. If an entire policy was to be incorporated into the Scheme, this would mean the entire policy (as opposed to just certain elements) would require WAPC consideration and would also mean that the policy would require approval from the Minister for Planning. This would also apply to any refinements or future modifications, irrespective of scale, effectively removing a level of control from Council in determining policy direction.

### **Other considerations**

#### *Dwelling targets*

The State Government has established strategic direction to provide 47% of growth within existing suburbs and, in doing so, has set minimum dwelling targets for each local government. The initial minimum infill target for the City was 12,700 additional dwellings (to 2031), but this target has now been revised by the State Government to 20,670 additional dwellings (to 2050). For local governments like the City of Joondalup, the majority of additional dwellings will come via infill development. Some limited dwelling growth will come from remaining greenfield areas of the City and development within activity centres, most notably, the Joondalup Activity Centre (JAC).

The *Joondalup Activity Centre Plan* includes dwelling targets specifically for the JAC to 2031 (5,371 dwellings) and to 2050 (8,962 dwellings). This is an overall dwelling target, rather than additional dwellings. In 2015, the JAC had approximately 2,036 dwellings. Accordingly, the targeted dwelling growth in the JAC is 3,335 additional dwellings to 2031 and 6,926 additional dwellings to 2050, being 26% and 33% of the State Government targets respectively.

While the JAC has the capacity for some of the future dwelling growth, it was never intended that it would accommodate the entire infill growth target set by the State Government, and it would not be appropriate to do so. While the JAC has the potential to provide a higher density housing and lifestyle, it is also important to provide choice and diversity in dwelling type and lifestyle throughout all of the City of Joondalup to allow existing residents to transition within their community and also provide opportunities for new residents to join a community.

Yield analysis has been undertaken by the consultants which demonstrates that the draft new planning framework has the ability to achieve the dwelling targets set by State Government (when also considering the dwelling potential within the JAC and the remaining greenfield development).

Notwithstanding the above, it is important to note that the draft new planning framework is fundamentally guided by place-based and design-led principles, as was the direction set by Council as part of its resolution at its meeting held on 21 November 2017 (CJ177-11/17 refers), rather than being structured to simply meet a minimum target.

The draft new planning framework identifies key nodes of activity and sets densities, consistent with State Government policies and based on actual walkability, to provide opportunities for population growth within close proximity and easily accessible to nodes of activity.

As a consequence, the draft new planning framework also provides an opportunity for the nodes of activity to remain sustainable and viable by potentially locating a greater immediate catchment to support them.

#### *Traffic and network capacity*

There is a need to test the potential impact of the draft new planning framework on the road network.

The yield analysis completed is being used to inform traffic modelling which is currently being undertaken.

Any changes to the draft new planning framework that effects the potential number of dwellings that can be developed on a lot (the yield potential), will also likely influence the potential impacts on the road network.

#### *Design WA and the City's Residential Development Local Planning Policy*

*State Planning Policy 7.3 Residential Design Codes Volume 2 – Apartments* (SPP7.3), which forms part of Stage One of Design WA will take effect from 24 May 2019. This policy will replace the current multiple dwelling requirements (Part 6) of the R-Codes.

Multiple dwellings in HOAs are currently assessed against the requirements of the R-Codes and the provisions of the City's *Residential Development Local Planning Policy* that replace R-Code provisions.

The visitor car parking requirements of the City's *Residential Development Local Planning Policy* (which require more visitor parking than the R-Codes) will automatically be replaced by the new requirements of SPP7.3, meaning:

- The City's *Residential Development Local Planning Policy* requirement for the provision of 0.5 bays per multiple dwelling (apartment) will be replaced with a requirement for one bay per four dwellings up to 12 dwellings and one bay per eight dwellings for the 13<sup>th</sup> dwelling and above.

Street setbacks, building height and fencing requirements of the City's *Residential Development Local Planning Policy* will not be automatically replaced. These will now be considered 'Acceptable Outcomes' for the purposes of SPP7.3; however, developments will still need to satisfy the objectives for each criterion.

In regard to the local housing objectives contained in the City's *Residential Development Local Planning Policy*, it is considered that the design-based focus and objectives for multiple dwellings under SPP7.3 will provide for more comprehensive guidance and control for these developments.

Any formal amendment to the City's *Residential Development Local Planning Policy* to retain the current visitor parking requirement would be subject to approval by the WAPC. Given the progression of the new planning framework for infill development and that this will ultimately replace the City's *Residential Development Local Planning Policy* to the extent it applies to these areas, it is proposed to not undertake any formal amendments to the *Residential Development Local Planning Policy* at this time.

However, a full review of this policy will be undertaken following the finalisation of the new planning framework to review development provisions that will apply to all residential development in the City.

## **ISSUES AND OPTIONS CONSIDERED**

In considering the draft new planning framework for infill development, Council has the following options:

- 1 proceed with the draft new planning framework for the purposes of advertising
- 2 request modifications to the draft new planning framework prior to proceeding to advertising  
or
- 3 not to proceed with the draft new planning framework.

### Option 1

If Council decides to proceed with the draft new planning framework for the purposes of advertising, the City will seek approval from the EPA and the WAPC to advertise the scheme amendment. Once EPA and WAPC approval is granted, the City will commence community consultation on the draft new planning framework as quickly as possible.

This option is the preferred option and will progress toward a more considered planning framework to better manage the impact of infill development in the quickest possible time.

### Option 2

If Council decides to request modifications to the draft new planning framework, prior to proceeding to advertising, this will delay the timing within which community consultation can be undertaken.

Any changes requested by Council at this stage, before community feedback has been received on the draft new planning framework, could potentially also undermine the impartial and objective approach taken by the consultant team - based on the outcomes of early community engagement and independent technical analysis.

Option 3

If Council decides not to proceed with advertising the draft new planning framework, it is likely that the current community concern about the impacts of infill development will remain as the current framework will continue to apply.

Further, in March 2018, the Minister for Planning wrote to the Mayor, urging the City to clarify its position in relation to infill development. If Council elects not to proceed at this stage, it is open to the Minister for Planning to take a more active role and direct certain changes be undertaken, as has been the case with other local government authorities. This will remove Council from the decision-making process.

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

*Planning and Development Act 2005.*  
*Planning and Development (Local Planning Schemes) Regulations 2015.*  
*State Planning Policy 3.1: Residential Design Codes.*  
*State Planning Policy 7.3: Residential Design Codes Volume 2 – Apartments.*  
*Local Planning Scheme No. 3.*

**Strategic Community Plan****Key theme**

Quality Urban Environment.

**Objective**

Quality built outcomes.

**Strategic initiative**

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

**Policy**

*Residential Development Local Planning Policy.*

*Scheme amendments*

Part 5 of the *Planning and Development Act 2005* along with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) enables a local government to prepare or amend a local planning scheme and sets out the process to be followed.

Under the Regulations, scheme amendments are classified as being basic, standard or complex amendments. In resolving to proceed with an amendment, Council needs to specify the amendment type and explain the reason for that classification. As the proposed scheme amendment is not consistent with the City's *Local Housing Strategy*, it is classed as a complex amendment under the Regulations. Complex amendments are required to be referred to the WAPC for advice as to whether any modifications to the documents are required prior to advertising.

Should Council resolve to proceed with the proposed amendment for the purposes of public advertising, the proposed amendment is required to be referred to the EPA to decide whether or not a formal review is necessary. Should the EPA decide that an environmental review is not required, and notifies the City accordingly, then it will be necessary to proceed to advertise the proposed scheme amendment for a minimum of 60 days, provided the WAPC has approved advertising, as outlined above.

Upon closure of the advertising period, Council is required to consider all submissions received and to either adopt the amendment, with or without modifications, or refuse to adopt the amendment. The decision is then forwarded to the WAPC, which makes a recommendation to the Minister for Planning. The Minister can either grant final approval to the amendment, with or without modifications, or refuse the amendment.

### *Local Planning Policies*

Part 2 of Schedule 2 of the Regulations enables a local government to prepare a local planning policy and sets out the process to be followed. In the case of residential development, *State Planning Policy 3.1: Residential Design Codes* and *State Planning Policy 7.3: Residential Design Codes Volume 2 – Apartments* provide specific guidance on what elements of each document can be modified by local governments and which cannot, and also clarify, of those elements which can be modified, which ones require approval of the WAPC.

The Department of Planning, Lands and Heritage has previously advised that it will consider local planning policies following consultation and Council's consideration so that they are considering the 'final' version adopted by the local government, rather than a version that may be subject to change following consultation.

The new draft local planning policy has been prepared within the scope of what is able to be modified via a local planning policy; however, will require the approval of the WAPC.

Accordingly, should Council resolve to proceed with the proposed local planning policy for the purposes of public advertising, then community consultation will be undertaken. As the draft policy and the draft scheme amendment are intrinsically linked, it is intended that the draft local planning policy will be advertised concurrently with the scheme amendment.

Upon closure of the advertising period, Council is required to consider all submissions received and to either proceed with the policy, with or without modifications, or not proceed with the policy. In this case, should Council elect to proceed, the local planning policy will then be forwarded to the WAPC to request approval. The WAPC may grant approval, with or without modifications or elect not to grant approval.

### **Risk management considerations**

Throughout the preparation of the draft new planning framework, there has been a range of initiatives employed to manage risk as much as possible.

### *Stakeholder engagement*

Extensive stakeholder engagement was undertaken to ensure that the draft new planning framework has been developed balancing input from all stakeholders. Regular engagement with the Department of Planning, Lands and Heritage has also been undertaken to familiarise the Department with the methodology behind the new approach, so as to reduce the risk that fundamental issues will arise at a later date.

### *Alignment with State Government framework*

The draft new planning framework has been prepared to align with the current State Government framework, while still incorporating matters of local context. In incorporating these local contextual elements, the new planning framework has ensured these elements are within the scope of what the State Government allows local governments to amend. This approach minimises the risk in time delays in progressing the new planning framework and also means that the framework is more likely to be accepted, and therefore approved, by the State Government.

### *Timeframes*

The consultant team has undertaken a significant amount of work in a short timeframe. A tight timeframe was set for the project to respond to community concern and to advance the new planning framework as quickly as possible to ensure as much redevelopment of the City's infill areas is guided by the new planning framework as possible.

As outlined above, there is a risk that if Council decides not to proceed with advertising the draft new planning framework, it is likely that the current community concern about the impacts of infill development will remain. Further, there is also a risk that Council may be removed from the decision-making process if the Minister for Planning decides to intervene in the event Council choose not to.

### **Financial / budget implications**

If Council agrees with the recommendations of this report, and the Environmental Protection Authority and Western Australian Planning Commission provide consent, the draft new planning framework will be advertised for public comment.

In addition to the cost of staff time, other costs will be incurred for this consultation process. Although the costs that will be incurred are yet to be determined, it is likely they will be in the region of \$50,000.

### **Regional significance**

The City's infill areas were established through its *Local Housing Strategy* in response to a State Government strategic direction of accommodating 47% of population growth within existing suburbs. This direction seeks to limit urban sprawl throughout broader metropolitan Perth which has the impact of locating people in areas with poor access to employment, services and also requires expensive infrastructure to service.

The State Government has set minimum dwelling targets for each local government. To demonstrate how the City was going to achieve its targets, it was required to prepare a Local Housing Strategy. The recommendations of the *Local Housing Strategy* resulted in the City's current infill areas (or Housing Opportunity Areas), and the planning framework that currently underpins these areas.

The draft new planning framework continues to respond to this overarching State Government strategic direction by providing increased densities, in appropriate locations, to support infill development.

## **Sustainability implications**

As outlined above, at a more regional level, the draft new planning framework continues to support the State Government strategic direction of minimising urban sprawl, which is generally considered to be an unsustainable form of growth for a city.

At a more site-specific level, the draft new planning framework includes a number of sustainability initiatives, include the following:

- A fundamental shift in focus toward a 'green ratio'. The draft new planning framework mandates that a certain amount of area on a site be set aside for landscaping and includes specific controls as to how this landscape area should function and be treated to place a greater emphasis on the provision of tree canopy cover.
- Development standards to allow visitor parking, in some instances, to occur informally on the street, or to be contained within the development site. This results in more verge area that can be dedicated to landscaping and greening the public realm.
- Built form provisions to make better use of access to sunlight and cross ventilation to reduce reliance on artificial heating and cooling of dwellings.

## **CONSULTATION**

As outlined in the Background section of this report, the consultant team engaged extensively during 2018, and the outcomes of this consultation have been used by the consultants to inform their preparation of the draft new planning framework, comprising a local planning policy and scheme amendment.

If Council agrees to proceed to advertise the draft local planning policy and scheme amendment, and once the Environmental Protection Authority and the Western Australian Planning Commission have consented to the advertising of the scheme amendment, the City will commence a second round of engagement and consultation with the community to:

- communicate and explain the proposed new approach to infill development
- seek feedback and determine the level of community support for the proposed new planning framework for infill development.

It is intended that consultation will be undertaken as follows:

- Letters and brochures will be sent to:
  - everyone who owns property or lives in one of the ten Place Neighbourhoods (HOA)
  - everyone who lives adjacent to a Place Neighbourhood (HOA)
  - resident and ratepayer groups
  - industry stakeholders
  - relevant State Government Departments
  - adjoining Local Government Authorities
  - local businesses in or adjacent to each Place Neighbourhood (HOA).

These letters will explain the project and advise people of the engagement and direct them to the 'Community Consultation' section of the City's website and to the HOA webpage.



- Emails will be sent to:
  - attendees at Listening Posts who provided email addresses
  - attendees at Community Design Workshops who provided email addresses
  - other people who registered for updates
  - people who made direct contact with the City regarding the project
  - community Engagement Network members
  - utility providers
  - Local Members of Parliament.

These emails will explain the project and advise people of the engagement and direct them to the 'Community Consultation' section of the City's website and to the HOA webpage.

- Detailed information (including videos) will be placed on the HOA webpage and via the City's website to:
  - explain the proposed new planning framework
  - answer frequently asked questions
  - outline the processes to be followed
  - link residents to an online survey.
- Notices will be placed in the *Joondalup Community newspaper*.
- Notices will be placed through the City's social media platforms.
- Continued use of a dedicated telephone line and email address.
- Briefing of local Members of Parliament.
- Three Community Information Sessions will be held at different times and locations. City staff and consultants will be available at these sessions to explain the proposed new framework and answer any questions.

## COMMENT

The consultant team has undertaken a significant amount of work in a short timeframe since appointment in July 2018, which has included extensive community and stakeholder engagement, as well as detailed analysis and testing of development standards.

The draft new planning framework proposes a comprehensive response to managing the impact of infill development in the proposed Place Neighbourhoods (formerly Housing Opportunity Areas). The draft new planning framework integrates outcomes of community and other stakeholder engagement with consideration against existing State Government policy.

The draft new planning framework achieves this through:

- maintaining the current infill boundaries and formalise them as 'Special Control Areas' under the City's *Local Planning Scheme No. 3*
- revising the term 'Housing Opportunity Area' to 'Place Neighbourhood'
- removing the dual density code and allocating density within the Place Neighbourhoods based on walkable catchments to nodes such as activity centres and train stations
- elevating the importance of design and built form standards in determining the number of dwellings per lot and development outcomes, as opposed to an underlying density code. As such, it is critical that the density code be considered in conjunction with the proposed scheme and policy standards

- moderating development potential of multiple dwellings in cul-de-sacs
- introducing the requirement for a 'green ratio' in development, being a minimum provision of landscape area and tree provision
- Recognising that each of the City's ten Place Neighbourhoods have their own unique characteristics.

In order to progress this draft framework and move toward a more considered approach to managing infill development, it is recommended that Council endorses the draft local planning policy and draft scheme amendment for the purposes of public advertising.

## VOTING REQUIREMENTS

Simply Majority.

**MOVED Cr Hollywood, SECONDED Cr Jones that Council:**

- 1** NOTES the *Planning Framework Consultation Report* prepared by Creating Communities has been made available on the City's website, and that the report has been used to inform the formulation of the draft new planning framework;
- 2** NOTES the *Background Review and Analysis – Key Findings and Recommendations Report* detailed as Attachment 1 to this Report;
- 3** Pursuant to regulation 35 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* RESOLVES that Scheme Amendment No. 3 is a complex amendment as the proposal is not consistent with the City of Joondalup *Local Housing Strategy*;
- 4** Pursuant to section 75 of the *Planning and Development Act 2005* and regulation 37 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, RESOLVES to proceed to advertise Scheme Amendment No. 3 to the *City of Joondalup Local Planning Scheme No. 3* to amend the Scheme Text and Map as set out in Attachment 3 to this Report, for the purposes of public advertising for a period of 60 days;
- 5** SUBMITS Scheme Amendment No. 3 to the Western Australian Planning Commission to advise if any modifications are required to the documents prior to advertising;
- 6** Pursuant to clauses 3 and 4 of schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, PREPARES and ADVERTISES the draft *Place Neighbourhoods Local Planning Policy*, as shown in Attachment 2 to this Report, for a period of 60 days;
- 7** NOTES that the draft *Place Neighbourhoods Local Planning Policy* and Scheme Amendment No. 3 collectively make up the draft new planning framework for infill development in the City of Joondalup and will, therefore, be advertised concurrently once approvals to advertise have been received from the Western Australian Planning Commission and the Environmental Protection Authority;

- 8** NOTES the implications of Design WA and the interim application of the City's Residential Development Local Planning Policy as outlined in this Report;
- 9** NOTES that any new planning framework will not come into effect until Scheme Amendment No. 3 is approved by the Minister for Planning.

**The Motion was Put and**

**CARRIED (5/0)**

**In favour of the Motion:** Cr Dwyer, Mayor Jacob, Crs Hollywood, Jones and Poliwka.

*Appendix 1 refers*

*To access this attachment on electronic document, click here:*

[Attachment 1](#)

[Attachment 2](#)

[Attachment 3](#)

[Attachment 4](#)

## **CLOSURE**

There being no further business, the Presiding Member declared the meeting closed at 6.44pm; the following Committee Members being present at that time:

Cr Sophie Dwyer  
Mayor Hon. Albert Jacob, JP  
Cr Kerry Hollywood  
Cr Nige Jones  
Cr Russell Poliwka