

minutes

Policy Committee

MEETING HELD ON

MONDAY 17 NOVEMBER 2025

Acknowledgement of Traditional Custodians

The City of Joondalup acknowledges the traditional custodians of the land, the Whadjuk people of the Noongar nation, and recognises the culture of the Noongar people and the unique contribution they make to the Joondalup region and Australia. The City of Joondalup pays its respects to their Elders past and present and extends that respect to all Aboriginal and Torres Strait Islander peoples.

This document is available in alternate formats upon request

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Note:

Clause 15.10 of the City's *Meeting Procedures Local Law 2013* states:

This local law applies generally to committee meetings except for clause 7.1 in respect of members seating and clause 7.8 in respect of limitation on members speaking.

CITY OF JOONDALUP

MINUTES OF THE POLICY COMMITTEE MEETING HELD IN CONFERENCE ROOM 1, JOONDALUP CIVIC CENTRE, BOAS AVENUE, JOONDALUP ON MONDAY 17 NOVEMBER 2025.

1 DECLARATION OF OPENING

1.1 DECLARATION OF OPENING AND ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.00pm.

ATTENDANCE

Committee Members:

Cr Lewis Hutton	<i>Presiding Member</i>	
Mayor Daniel Kingston		<i>from 6.49pm</i>
Cr Rebecca Pizzey	<i>Deputy Presiding Member</i>	
Cr Russ Fishwick, JP		
Cr John Chester		<i>absent from 6.29pm to 6.33pm</i>
		<i>absent from 7.25pm to 7.26pm</i>
Cr Phillip Vinciullo		<i>absent from 6.55pm to 7.01pm</i>
		<i>absent from 7.04pm to 8.30pm</i>
Cr Matthew Count	<i>Deputising for Cr Vinciullo</i>	<i>from 6.55pm to 7.01pm</i>
		<i>from 7.04pm to 8.30pm</i>

Observers:

Cr Matthew Count		<i>to 6.55pm</i>
		<i>from 7.01pm to 7.04pm</i>
		<i>from 8.30pm</i>
Cr Adrian Hill		
Cr John Raftis		<i>from 6.49pm</i>
		<i>absent from 6.56pm to 6.57pm</i>

Officers:

Mr James Pearson	Chief Executive Officer
Mr Jamie Parry	Director Governance and Strategy
	<i>absent from 6.44pm to 6.48pm</i>
Mr Mat Humfrey	Director Corporate Services
Mr Chris Leigh	Director Planning and Community Development
Mrs Cathrine Temple	Manager Planning Services
Mrs Kylie Bergmann	Manager Governance
Mrs Laura Napier	Senior Governance Officer
	<i>absent from 8.36pm to 8.37pm</i>

1.2 REQUESTS FOR ELECTRONIC ATTENDANCE

Nil.

2 DECLARATIONS OF FINANCIAL INTEREST / PROXIMITY INTEREST / INTEREST THAT MAY AFFECT IMPARTIALITY

Nil.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 LEAVE OF ABSENCE PREVIOUSLY APPROVED

Cr Denise Mercer	10 November to 21 November 2025 inclusive.
Cr John Raftis	14 November to 17 November 2025 inclusive.
Cr Nige Jones	29 November to 24 December 2025 inclusive.
Cr John Raftis	1 December to 5 December 2025 inclusive.
Cr Nige Jones	1 June to 29 June 2026 inclusive.

3.2 APOLOGIES

Nil.

4 CONFIRMATION OF MINUTES

4.1 MINUTES OF THE POLICY COMMITTEE HELD ON 28 JULY 2025

MOVED Cr Chester, SECONDED Cr Vinciullo that the Minutes of the Policy Committee held on 28 July 2025 be CONFIRMED as a true and correct record.

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Cr Hutton, Cr Chester, Cr Fishwick, Cr Pizzey and Cr Vinciullo.

Against the Motion: Nil.

5 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil.

6 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 is not open to the public.

7 PETITIONS AND DEPUTATIONS

Nil.

8 REPORTS

8.1 REVIEW OF THE TELECOMMUNICATIONS INFRASTRUCTURE LOCAL PLANNING POLICY (WARD - ALL)

WARD	All
RESPONSIBLE DIRECTOR	Mr Chris Leigh Director Planning and Community Development
FILE NUMBER	101289, 101515
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider a review of the operation of the *Telecommunications Infrastructure Local Planning Policy* and consider proposed amendments for the purpose of public advertising.

EXECUTIVE SUMMARY

The *Telecommunications Infrastructure Local Planning Policy* provides complementary guidance to *State Planning Policy 5.2 Telecommunications Infrastructure* on assessing telecommunications infrastructure. It sets out the considerations that will be taken into account by the City when determining applications for telecommunications infrastructure or making recommendations to the Western Australian Planning Commission (WAPC).

A review of the operation of the Policy has been undertaken to ensure it aligns with relevant legislation and current practices. Amendments to the Policy are proposed to update references to legislation and policy and to amend the City's position on advertising applications to align with Council and community feedback and expectations.

It is therefore recommended that Council supports the draft revised Telecommunications Infrastructure Local Planning Policy for the purposes of public advertising for a period of 21 days.

BACKGROUND

Local planning policies are prepared in accordance with the provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015* (LPS Regulations). While there is currently no requirement in the LPS Regulations for local planning policies to be reviewed, it is good practice to regularly review the operation of policies to ensure that the policy framework reflects changes in the planning legislation and current practices.

The *Telecommunications Infrastructure Local Planning Policy* (Attachment 1 refers) was adopted by Council at its meeting held on 17 December 2002 (CJ172-12/02 refers). It was last reviewed in March 2020 (CJ033-03/20 refers), and therefore it is considered appropriate that it be reviewed to ensure operational effectiveness and relevance.

DETAILS

The *Telecommunications Infrastructure Local Planning Policy* provides complementary guidance to State Planning Policy 5.2 Telecommunications Infrastructure (SPP 5.2) and sets out the considerations that will be taken into account when determining applications for telecommunications infrastructure or making recommendations to the WAPC.

The proposed amendments to the Policy are outlined below. A tracked changes version of the draft revised Policy is included as Attachment 2 to this Report and a clean version is included as Attachment 3 to this Report.

Updates to policy/legislation references

There are several erroneous or outdated references throughout the Policy, as well as a reference to a Council policy that has been revoked. These have been updated in the draft revised Policy. The Policy also makes reference to compliance with the *Telecommunications Code of Practice 1997*, which is a code of practice that sets out the obligations of telecommunications carriers. The code of practice is not relevant to either the City or to planning applications and reference to this code in the policy has therefore been removed.

Advertising of development applications

The *Telecommunications Infrastructure Local Planning Policy* currently states: "Upon receiving a development application for telecommunications infrastructure, which is not a low-impact facility, the proposal will be advertised for comment in accordance with the City's *Planning Consultation Local Planning Policy*."

When referring to the *Planning Consultation Local Planning Policy*, Clause 5.3 states the following:

5.3 *Development applications where the City is not the responsible authority or decision-maker*

Where the City is not the responsible authority or decision-maker for a development application:

- a. *The City will not undertake community consultation for the development application.*
- b. *In providing a recommendation to the responsible authority the City will provide advice on whether community consultation is appropriate, and if so, will outline the recommended consultation methods and relevant stakeholders having regard to the requirements of this policy.*

In accordance with the above, the City currently does not undertake community consultation on applications for telecommunications infrastructure that are referred to the City for comment by another determining authority, such as the WAPC. Such authorities may not undertake consultation with the broader community, with any consultation generally being limited to relevant State Government agencies and the relevant local government.

Modifications are proposed to the Policy to enable the City to undertake community consultation for applications for telecommunications infrastructure referred to the City for comment where the City is not the decision-maker, notwithstanding Clause 5.3 of the *Planning Consultation Local Planning Policy* above. This would enable the City to gather community feedback and responses regarding the application for inclusion in the City's submission to the decision-maker in the event that consultation with the community is not undertaken by the decision-making authority as has occurred in the past.

The *Planning Consultation Local Planning Policy* requires a development application for telecommunications infrastructure to be advertised for 28 days. However, a 28 day advertising period does not provide sufficient time for the City to meet referral timeframes imposed by the decision-making authority, which are typically 42 days. Therefore, it is proposed that a minimum consultation period of 14 days is provided in the draft revised Policy, with a 21 day consultation period preferred where referral timeframes allow. All other consultation methods are proposed to be consistent with the *Planning Consultation Local Planning Policy* as follows:

- Notification letters sent to stakeholders within 400 metres of the site.
- A notice and relevant documents published on the City's website.
- On-site signage providing notice of the application.

Issues and options considered

Council may choose to:

- advertise the draft revised *Telecommunications Infrastructure Local Planning Policy*, without modifications
- advertise the draft revised *Telecommunications Infrastructure Local Planning Policy* with modifications
or
- not advertise the revised *Telecommunications Infrastructure Local Planning Policy*.

Legislation / Strategic Community Plan / Policy implications

Legislation *City of Joondalup Local Planning Scheme No. 3. Planning and Development (Local Planning Schemes) Regulations 2015.*

10-Year Strategic Community Plan

Key theme 3. Place.

Outcome 3-3 Attractive and leafy - you have access to quality public open spaces and enjoy appealing streetscapes.

Policy *Telecommunications Infrastructure Local Planning Policy.*

Risk management considerations

Risk management considerations in reports to Council consider the relevant strategic risk(s).

This category of risk requires input from Council and is managed by the Chief Executive Officer and relevant Director(s).

Strategic risks are external or internal risks that affect the achievement of the City's long-term objectives.

Strategic Risk Relationship

Risk	DECISIONS	EXPECTATIONS	REPUTATION
Risk Description	Ineffective / improper decision making	Inability to understand community expectations	Loss of community trust
Risk Responsibility	Director Governance and Strategy		Chief Executive Officer
Residual Risk	High		
Control Effectiveness	Strong		
Risk Appetite	High risk requires close monitoring with assurance of the highest levels of controls – strong – including plans for improving effectiveness levels.		
Risk Control	The relevant control, to mitigate risk, is the provision of an updated Policy that also allows greater transparency when the City is not the responsible authority or decision-maker.		

Other risk information

If the policy review is not progressed, Council's position on telecommunications infrastructure will remain unchanged. The City will continue to not undertake community consultation for applications where it is not the decision-maker, in line with the *Planning Consultation Local Planning Policy*.

As a result, the community may not be notified of proposed telecommunications infrastructure in cases where another authority is responsible for the decision. This lack of notification may lead to community dissatisfaction, particularly if residents perceive the City as being responsible for consultation. Such perceptions could result in reputational risks, including criticism of the City's transparency and responsiveness, reduced public trust, and increased complaints or enquiries to elected members and staff.

Progressing the policy review provides an opportunity to enable greater community transparency and trust, as well as clarify the City's role and manage community expectations.

Financial / budget implications

The costs associated with any public advertising of the draft revised *Telecommunications Infrastructure Local Planning Policy* will be approximately \$180.

If the City advertises a development application for public comment where it is not the determining authority, there is no ability to recoup the cost from the applicant. Advertising costs may be in the order of \$1,000 - \$1,500 not including staff time spent preparing advertising, responding to enquiries and reviewing submissions.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The consultation requirements for proposed amendments to a local planning policy are stipulated in the LPS Regulations and the City's *Planning Consultation Local Planning Policy*.

The LPS Regulations require an amendment to a policy to be advertised for public comment for a period of not less than 21 days. The local government may make an amendment to a local planning policy without advertising if, in the opinion of the local government, the amendment is a minor amendment.

The *Planning Consultation Local Planning Policy* states minor amendments include correction of typographical or formatting errors, updates to legislation references and similar, but does not include an amendment to development provisions or standards. As some amendments are proposed to the development provisions of the Policy, consultation is considered appropriate in this instance.

The draft revised Policy is proposed to be advertised for 21 days as follows:

- A notice published in the local newspaper.
- Letter sent to registered resident and ratepayer groups.
- An email to the Community Engagement Network.
- A notice and documents placed on the City's website.
- A notice on the City's social media platforms.

If, in the opinion of the City, the Policy is inconsistent with a State planning policy, then notice of the proposed policy is to be given to the WAPC. The proposed Policy is not considered to be inconsistent with any State planning policy, particularly SPP 5.2.

COMMENT

While the *Telecommunications Infrastructure Local Planning Policy* has been working adequately since adoption, it is considered that minor amendments are needed to address outdated references and to update the City's position on community consultation on telecommunications infrastructure to align with community expectations.

It is recommended that Council supports the proposed amendments to the *Telecommunications Infrastructure Local Planning Policy* for the purposes of public consultation for a period of 21 days.

VOTING REQUIREMENTS

Simple Majority.

Cr Chester left the Room at 6.29pm and returned at 6.33pm.

OFFICER'S RECOMMENDATION MOVED Cr Pizzey, SECONDED Cr Vinciullo that Council, in accordance with Clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, ADVERTISES the draft revised *Telecommunications Infrastructure Local Planning Policy*, provided as Attachment 3 to this Report, for a period of 21 days.

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Cr Hutton, Cr Chester, Cr Fishwick, Cr Pizzey and Cr Vinciullo.

Against the Motion: Nil.

ATTACHMENTS

1. Telecommunications Infrastructure Local Planning Policy [8.1.1 - 3 pages]
2. Telecommunications Infrastructure Local Planning Policy - Tracked Changes [8.1.2 - 4 pages]
3. Telecommunications Infrastructure Local Planning Policy - Clean Version [8.1.3 - 3 pages]

8.2 REVIEW OF VARIOUS LOCAL PLANNING POLICIES (WARD - ALL)

WARD	All
RESPONSIBLE DIRECTOR	Mr Chris Leigh Director Planning and Community Development
FILE NUMBER	44588, 57155, 101515, 102788, 106888, 108939
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider a review of the operation of a number of existing local planning policies.

EXECUTIVE SUMMARY

The City has a suite of local planning policies that provide guidance on a range of planning matters, including specifying development standards and guiding the exercise of discretion.

Local planning policies are prepared in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations). While there is currently no requirement under the LPS Regulations for local planning policies to be reviewed regularly, it is good practice to ensure that the City's local planning policy framework remains appropriate and relevant to changes in planning legislation.

This report addresses the following local planning policies:

- *Closure of Pedestrian Access Ways Local Planning Policy.*
- *Consulting Rooms Local Planning Policy.*
- *Container Deposit Scheme Infrastructure Local Planning Policy.*
- *Non-Residential Development in the Residential Zone Local Planning Policy.*
- *Subdivision and Dwelling Development Adjoining Areas of Public Space Local Planning Policy.*

Following a review of the operation of the above policies, it is recommended that amendments are made to the policies, including updates to legislation and policy references, and improvements to policy operation, clarity and consistency, with the exception of the *Subdivision and Dwelling Development Adjoining Areas of Public Space Local Planning Policy* which is recommended to be revoked.

While the amendments proposed to the policies below are not significant, in accordance with the provisions of the City's *Planning Consultation Local Planning Policy* and the LPS Regulations, the proposed amendments are not considered to be defined as minor in nature, and therefore are required to be advertised for public comment:

- *Consulting Rooms Local Planning Policy.*
- *Closure of Pedestrian Access Ways Local Planning Policy.*
- *Non-Residential Development in the Residential Zone Local Planning Policy.*

The amendments proposed to the *Container Deposit Scheme Infrastructure Local Planning Policy* are considered to be defined as minor in nature and as such, consistent with the City's *Planning Consultation Local Planning Policy* and LPS Regulations, the proposed amendments to this policy are not required to be advertised for public comment.

It is recommended that the *Subdivision and Dwelling Development Adjoining Areas of Public Space Local Planning Policy* is revoked as the policy provisions are sufficiently addressed elsewhere in the State and local planning framework or are no longer relevant to development within the City. There is no requirement under the *Planning Consultation Local Planning Policy* or LPS Regulations for the revocation of local planning policies to be advertised for public comment.

It is therefore recommended that Council proceeds with the advertising, amendment and revocation of policies as relevant as outlined in this Report.

BACKGROUND

Local planning policies are prepared in accordance with the provisions of the LPS Regulations. While there is currently no requirement for local planning policies to be reviewed, it is good practice to ensure that the policy framework remains relevant to changes in the planning legislation and framework.

The subject local planning policies were adopted between 2001 and 2020 and last reviewed between 2012 and 2020, and it is therefore considered appropriate that they be reviewed to ensure operational effectiveness and relevance.

DETAILS

Closure of Pedestrian Access Ways Local Planning Policy

The *Closure of Pedestrian Access Ways Local Planning Policy*, initially adopted in 2001, sets out a process and criteria for the City to assess requests for the closure of pedestrian access ways, aiming to preserve the pedestrian movement network in suburban areas characterised by cul-de-sacs and loop roads. Although the City does not receive a large number of pedestrian access way closure applications, the policy is considered relevant and provides procedural guidance to the City as well as the community on how applications are to be considered. Therefore, the policy is recommended for retention with proposed modifications including the following:

- Clarification of the policy objectives.
- Removal of redundant definitions and updating the definition of pedestrian access way.
- General updates to policy wording and terminology to improve clarity with no change to policy provisions.
- Updated provision to guide how community consultation (known within the policy as 'Community Impact Assessment') will be undertaken to be more consistent with the Planning Consultation LPP, which does not apply to pedestrian access way closure requests.
- Removal of sections that are not relevant and go beyond the scope of the policy.
- Conversion of the policy from a local planning policy to a Council Policy.

The above modifications aim to improve the clarity and functionality of the policy. Noting that the matter of the closure of a pedestrian accessway is not a planning matter guided by the *Planning and Development Act 2005* or the *Planning and Development (Local Planning Schemes) Regulations 2015*, it is recommended that this local planning policy be changed to a Council Policy. The proposed amendments to the policy are outlined in Attachment 1.

Consulting Rooms Local Planning Policy

The *Consulting Rooms Local Planning Policy*, initially adopted in June 2013, sets out development standards for the 'consulting rooms' land use, including requirements for location, setbacks, building height and design, and car parking. Its objective is to ensure appropriate development and avoiding the clustering of consulting rooms in residential areas, which could negatively affect local amenity.

The policy remains relevant and is recommended for retention, with minor amendments proposed. These include updated legislative references and formatting, clarified terminology, and a modest increase to the maximum building height to align with the current Residential Design Codes (R-Codes) noting that at the time of adoption and during subsequent reviews, the policy's height provisions were intentionally consistent with the R-Codes. The proposed adjustment maintains that consistency following recent changes to the R-Codes. The proposed amendments are outlined in Attachment 2.

Container Deposit Scheme Infrastructure Local Planning Policy

The *Container Deposit Scheme Infrastructure Local Planning Policy* was initially adopted in August 2020 in response to the *Container Deposit Scheme Infrastructure Position Statement*, released by the Western Australian Planning Commission. The overarching objectives of the policy are to guide the development and siting of container deposit scheme infrastructure to prevent negative impacts on local amenity, and to ensure infrastructure is complementary to the character, functionality and amenity of urban localities.

The policy is still considered relevant and is recommended for retention, with minor amendments to formatting, updates outdated references to legislation and policy, and to remove reference to the 'Rural' zone, as there is no longer any land zoned 'Rural' within the City. The proposed amendments are outlined in Attachment 3.

Non-Residential Development in the Residential Zone Local Planning Policy

The *Non-Residential Development in the Residential Zone Local Planning Policy* was initially adopted by Council in 2018 to provide standards for non-residential development that were previously contained in the City's former scheme, District Planning Scheme No. 2.

At its October 2022 meeting, as part of its consideration and approval for a day respite centre in a residential area Council also requested the consideration of a planning framework that specifically considers such uses. Subsequent consultation with Elected Members was undertaken in December 2024, and it is recommended that the policy be updated to include guidance on the preferred location of non-residential uses within the 'Residential' zone and the requirement for an operational management plan to accompany development applications.

The operational management plan would outline measures to protect residential amenity, such as limits on the number of patrons and staff, operating hours, parking arrangements, and noise mitigation strategies. These changes have been incorporated into the draft updated policy.

Additional changes proposed to the policy include formatting updates and the removal of street setback provisions, with setbacks to instead be in accordance with the R-Codes. A modest increase in the maximum building height is also proposed to reflect recent updates to the R-Codes. At the time of adoption and throughout subsequent reviews, the policy's height provisions intentionally aligned with the R-Codes, and the proposed adjustment ensures that alignment continues.

These changes aim to further protect residential amenity whilst providing opportunities for compatible non-residential activities, where appropriate. The proposed amendments are outlined in Attachment 4.

Subdivision and Dwelling Development Adjoining Areas of Public Space Local Planning Policy

The *Subdivision and Dwelling Development Adjoining Areas of Public Space Local Planning Policy* (Attachment 5 refers) was initially adopted in 2000 and last reviewed in 2012. The policy intent was to provide guidelines for the design of subdivisions and dwelling developments adjoining areas of public space, with provisions related to fencing, surveillance and the layout of lots, pedestrian accessways and dwellings.

Significant changes to the State and local planning framework have occurred since the policy was last reviewed, which notably include implementation of the LPS Regulations, *Local Planning Scheme No. 3*, the Western Australian Planning Commission's *Operational Policy 2.2 – Residential Subdivision* (OP 2.2) and multiple amendments to the R-Codes (as augmented by the City's residential local planning policies).

The policy provisions related to subdivision layout are suitably addressed by *Liveable Neighbourhoods*, which is a State Government operational policy for the design and assessment of structure plans and subdivisions. The design and establishment of pedestrian accessways is also addressed by *Liveable Neighbourhoods* in conjunction with other supporting documents including *Safer Places by Design* and the *Reducing Crime and Anti-Social Behaviour in Pedestrian Access Ways Planning Guidelines*.

The policy includes provisions related to fencing along major reserves associated with major subdivisions. This element is also no longer relevant as planning for large greenfield development within the City is complete, and notwithstanding, is sufficiently addressed by *Liveable Neighbourhoods* and OP 2.2. It is noted that this section of the policy also references operational requirements, including the requirement for landscaping plans and uniform fencing plans, which do not need to be included in a policy.

The design of dwellings is regulated by the R-Codes, noting that single houses (and incidental additions/alterations) that are fully compliant with the R-Codes deemed to comply provisions are exempt from requiring planning approval in accordance with the LPS Regulations. The R-Codes designate requirements for surveillance of the primary street, visual privacy and the location and size of outdoor living areas. Although this does not specifically address the policy provisions related to surveillance of public space and pedestrian access ways, it is considered that these should be facilitated through subdivision and dwelling orientation where possible and are not necessary to retain as policy provisions. In addition, as complaint single houses are exempt from requiring development approval, the provisions cannot be enforced through a local planning policy.

The height and visual permeability of fencing within the primary street setback area of dwellings are also subject to provisions of the R-Codes. Dividing fencing located outside the primary street setback area (such as, side and rear fencing) is governed by the *Dividing Fences Act 1961* and is exempt from requiring planning approval in accordance with the LPS Regulations, therefore provisions related to dividing fencing cannot be enforced through a local planning policy.

Given that the policy provisions are suitably addressed elsewhere in the planning framework, are no longer required or are no longer able to be enforced, it is recommended that the policy be revoked.

Issues and options considered

Council may choose to:

- proceed with the review of the various policies as recommended
- proceed with the review of the various policies, with modifications or
- not proceed with the review of the various policies.

Legislation / Strategic Community Plan / Policy implications

Legislation *City of Joondalup Local Planning Scheme No. 3.*

10-Year Strategic Community Plan

Key theme 3. Place.

Outcome 3-2 Well-planned and adaptable - you enjoy well-designed, quality buildings and have access to diverse housing options in your neighbourhood.

Policy *Closure of Pedestrian Accessways Local Planning Policy.
Consulting Rooms Local Planning Policy.
Container Deposit Scheme Infrastructure Local Planning Policy.
Non-residential Development in the Residential Zone Local Planning Policy.
Subdivision and Dwelling Development Adjoining Areas of Public Space Local Planning Policy.*

Risk management considerations

Risk management considerations in reports to Council consider the relevant strategic risk(s).

This category of risk requires input from Council and is managed by the Chief Executive Officer and relevant Director(s).

Strategic risks are external or internal risks that affect the achievement of the City's long-term objectives.

Strategic Risk Relationship

Risk	DECISIONS
Risk Event Description	Ineffective / improper decision making
Risk Responsibility	Director Governance and Strategy
Residual Risk	High
Control Effectiveness	Strong
Risk Appetite	High risk requires close monitoring with assurance of the highest levels of controls – strong – including plans for improving effectiveness levels.
Risk Control	The relevant control to mitigate risk is the provision of a report that provides the outcome of various policy reviews to maintain alignment to current planning documents and processes.

Other risk information

If the review of the policies is not progressed there is a risk that outdated policies could lead to decisions that do not meet current expectations, requirements or processes. Policies may remain that are considered to be out of date or no longer fit for purpose. Not progressing with a review of these policies will also mean references to outdated planning documents and processes will be retained, with associated impacts to decision-making.

Financial / budget implications

The costs associated with public advertising of the proposed amendments to the policies will be approximately \$180.

There will be no cost associated with the notice of final adoption or revocation of the policies as they can be implemented by placing a notice on the City's website.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The consultation requirements for proposed amendments to, or revocation of, a local planning policy are stipulated in the LPS Regulations and the City's *Planning Consultation Local Planning Policy*.

The LPS Regulations require an amendment to a policy to be advertised for public comment for a period of not less than 21 days. The local government may make an amendment to a local planning policy without advertising if, in the opinion of the local government, the amendment is a minor amendment.

The *Planning Consultation Local Planning Policy* states minor amendments include correction of typographical or formatting errors, updates to legislation references and similar but does not include an amendment to development provisions or standards.

The proposed amendments to the *Container Deposit Scheme Infrastructure Local Planning Policy* do not include modifications to development provisions or standards, comprising updates to formatting and legislation references, therefore advertising is not required.

Regarding revocation of the *Subdivision and Dwelling Development Adjoining Areas of Public Space Local Planning Policy*, the LPS Regulations and *Planning Consultation Local Planning Policy* do not require revocation of a local planning policy to be advertised for public comment.

The amendments to the *Consulting Rooms Local Planning Policy*, *Closure of Pedestrian Access Ways Local Planning Policy* and *Non-Residential Development in the Residential Zone Local Planning Policy* contain amendments that go beyond those considered to be minor, therefore advertising is required.

If Council resolves to proceed to advertise the policies, advertising would be carried out in accordance with the *Planning Consultation Local Planning Policy* and the LPS Regulations by way of the following:

- A notice published in the local newspaper.
- Letter sent to registered resident and ratepayer groups.
- An email to the Community Engagement Network.
- A notice and documents placed on the City's website.

If, in the opinion of the City, a local planning policy is inconsistent with any State planning policy, then notice of the proposed policy is to be given to the Western Australian Planning Commission. The proposed amendments to the policies are not considered to be inconsistent with any State planning policy.

COMMENT

The policies reviewed in this report are recommended for amendment, with the exception of one proposed for revocation. The suggested changes include minor formatting and wording updates to align with the current legislative framework and enhance clarity and consistency, as well as revisions to improve policy functionality and ensure development standards align with the R-Codes where relevant.

It is recommended that the *Subdivision and Dwelling Development Adjoining Areas of Public Space Local Planning Policy* is revoked as this policy is no longer required given that the policy provisions are sufficiently addressed elsewhere in the planning framework or are generally no longer relevant to development within the City.

It is recommended that the *Consulting Rooms Local Planning Policy*, *Closure of Pedestrian Access Ways Local Planning Policy* and *Non-Residential Development in the Residential Zone Local Planning Policy* are advertised for public comment. The policies will then be re-presented to Council for consideration for final adoption.

The modified *Container Deposit Scheme Infrastructure Local Planning Policy* is recommended for adoption as the amendments are of a minor nature and do not require public advertising.

VOTING REQUIREMENTS

Simple Majority.

The Director Governance and Strategy left the Room at 6.44pm and returned at 6.48pm.

Mayor Kingston and Cr Raftis entered the Room at 6.49pm.

OFFICER'S RECOMMENDATION MOVED Cr Vinciullo, SECONDED Cr Pizzey that Council:

- 1** In accordance with Clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **PROCEEDS** with amendments to the *Container Deposit Scheme Infrastructure Local Planning Policy* in accordance with Attachment 3 and **NOTES** the policy will come into effect when published on the City's website;
- 2** In accordance with Clause 6 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **REVOKES** the *Subdivision and Dwelling Development Adjoining Areas of Public Space Local Planning Policy* and **NOTES** the revocation will come into effect when published on the City's website;
- 3** In accordance with Clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **ADVERTISES** the following draft policies for a period of 21 days:
 - 3.1** *Consulting Rooms Local Planning Policy*, with amendments detailed in Attachment 2;
 - 3.2** *Closure of Pedestrian Access Ways Local Planning Policy*, with amendments detailed in Attachment 1;
 - 3.3** *Non-Residential Development in the Residential Zone Local Planning Policy*, with amendments detailed in Attachment 4.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Cr Hutton, Mayor Kingston, Cr Chester, Cr Fishwick, Cr Pizzey and Cr Vinciullo.

Against the Motion: Nil.

ATTACHMENTS

1. Closure of Pedestrian Accessways Local Planning Policy - Tracked Changes [8.2.1 - 9 pages]
2. Consulting Rooms Local Planning Policy - Tracked Changes [8.2.2 - 4 pages]
3. Container Deposit Scheme Infrastructure Local Planning Policy - Tracked Changes [8.2.3 - 5 pages]
4. Non residential Development in the Residential Zone Local Planning Policy - Tracked Changes [8.2.4 - 7 pages]
5. Subdivision and Dwelling Development Adjoining Areas of Public Space Local Planning Policy [8.2.5 - 8 pages]

8.3 DRAFT NEW RESIDENTIAL DEVELOPMENT LOCAL PLANNING POLICY AND AMENDMENTS TO THE MEDIUM-DENSITY SINGLE HOUSE DEVELOPMENT STANDARDS LOCAL PLANNING POLICY (WARD - ALL)

WARD	All
RESPONSIBLE DIRECTOR	Mr Chris Leigh Director Planning and Community Development
FILE NUMBER	101515, 106380, 109496
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider the following:

- The draft new Residential Development Local Planning Policy following determination by the Western Australian Planning Commission.
- Amendments to the *Medium-density Single House Development Standards Local Planning Policy*.

EXECUTIVE SUMMARY

The State Government announced the release of the updated *Residential Design Codes Volume 1* (R-Codes) on 8 March 2024, with the R-Codes formally coming into effect on 10 April 2024. A special transition period of 24 months applies whereby local planning policies that have not been amended to align with the updated R-Codes will cease to have effect on 10 April 2026. To ensure the City's planning framework is updated to align with the new R-Codes, a review was undertaken of the City's two main local planning policies relating to residential development, the *Residential Development Local Planning Policy* (RDLPP) and the *Development in Housing Opportunity Areas Local Planning Policy* (HOALPP).

The RDLPP and HOALPP augment or replace some provisions of the R-Codes to provide development controls for residential development in the City. The revised R-Codes now include additional provisions which provide development control for medium density residential developments and have been restructured into key parts to accommodate this change.

To respond to the new provisions and amended structure of the updated R-Codes, a draft new Residential Development Local Planning Policy was prepared to replace the RDLPP and HOALPP. The draft new local planning policy will continue to include development provisions applicable to lower density development and development at the higher density code within Housing Opportunity Areas. The review identified existing development provisions within the RDLPP and HOALPP to be retained, removed or modified in the new local planning policy, giving consideration to their relevance and whether the provisions are now adequately addressed through the new and updated development provisions in the R-Codes.

Council at its meeting held on 19 November 2024 (CJ310-11/24 refers) considered the draft new Residential Development Local Planning Policy and resolved to advertise the policy for a period of 21 days, with a total of six submissions received.

Council at its meeting held on 27 May 2025 (CJ126-05/25 refers) resolved to support the draft policy with minor amendments following advertising. The draft policy (Attachment 1 refers) was subsequently referred to the Western Australian Planning Commission (WAPC) for consideration of the clauses which require WAPC approval.

The draft policy was considered at the WAPC's Statutory Planning Committee meeting held on 10 September 2025, where it was determined that modifications to the policy are required for greater alignment with the R-Codes and the City's *Local Planning Scheme No. 3* (LPS3). An updated draft policy incorporating the WAPC modifications is now presented to Council for final consideration.

As a consequence of the updated R-Codes and above local planning policy review, a separate review was undertaken of the City's *Medium-density Single House Development Standards Local Planning Policy*, which currently only applies to a small number of single house lots within the former MacNaughton Crescent Structure Plan area in Kinross. Amendments to the policy are proposed to remove the development provisions for R60 coded lots for alignment with the R-Codes, with the development provisions for R25, R30 and R40 lots to remain in effect.

It is therefore recommended that Council proceeds with the draft new Residential Development Local Planning Policy and draft revised Medium-density Single House Development Standards Local Planning Policy.

BACKGROUND

Current residential local planning policies

The existing [Residential Development Local Planning Policy](#) currently applies to all residential development outside a Housing Opportunity Area (HOA) or land developed at the lower density code (R20) within a HOA.

The [Development in Housing Opportunity Areas Local Planning Policy](#) applies to all residential development within a HOA which is being developed at the higher applicable density code in LPS3. For example, developing at the R60 density in areas with a density code of R20/60.

Amended Residential Design Codes Volume 1 2024

The current version of the [Residential Design Codes Volume 1](#) (R-Codes) came into effect on 10 April 2024.

The amended R-Codes are divided into five parts:

R-Codes volume and part	Title	Description
R-Codes Volume 1 – Part A	Operation of the code	Explanatory section establishing the operation of the R-Codes Volume 1.
R-Codes Volume 1 – Part B	Part B	Applies to: <ul style="list-style-type: none"> • Single houses R40 and below. • Grouped dwellings R25 and below. • Multiple dwellings R10 to R25.
R-Codes Volume 1 – Part C	Part C	Applies to: <ul style="list-style-type: none"> • Single houses R50 and above. • Grouped dwellings R30 and above. • Multiple dwellings R30 to R60.
R-Codes Volume 1 – Part D	Land	Applies to: <ul style="list-style-type: none"> • Single houses and grouped dwellings (all density codes). • Multiple dwellings R10-R60.
R-Codes Volume 2	Apartments	Applies to all multiple dwellings R80 and above.

With the introduction of the amended R-Codes Volume 1 2024, Part B (formerly 2021 R-Codes) and the R-Codes Volume 2 – Apartments are both generally unchanged, with only consequential amendments made following the introduction of the Part C provisions.

The Part C provisions introduce a new set of development criteria for medium density development that have been implemented to deliver higher quality built form outcomes and development with a greater emphasis on functional open space, landscaping and tree planting.

Most of the residential properties within the City of Joondalup are zoned 'Residential' and are coded R20 or lower (approximately 80%) and therefore will not be affected by the new Part C provisions. The remainder of the 'Residential' zone (approximately 20%) includes small areas of medium density and the HOA areas which are coded R20/R25, R20/R30, R20/R40 and R20/R60. Therefore, all HOAs, except HOA 3 which is coded R20/25, are affected by the implementation of the new Part C provisions. It is also noted that developments within HOAs for single houses on R20/R30 and R20/R40 dual coded lots which are developed at the lower density will still be subject to assessment against Part B of the R-Codes.

Implementation of the R-Codes Volume 1 2024

The R-Codes Volume 1 2024 came into effect on 10 April 2024 with a 24-month special transition period to allow local governments to review and update local planning policies to align with the amended R-Codes. Policies that have not been reviewed and updated will cease to have effect from 10 April 2026.

Ability to modify the R-Codes through the local planning framework

The R-Codes allow a local government to adopt a local planning policy that amends, replaces and/or augments a deemed to comply requirement of the R-Codes Volume 1, with some provisions able to be modified without approval from WAPC, and others requiring approval from the WAPC.

Draft new Residential Development Local Planning Policy

A draft new Residential Development Local Planning Policy has been prepared and includes Part B and Part C to align with the R-Codes. In addition, the new draft Policy also includes development provisions based on locational application similar to how the RDLPP and HOALPP are currently applied as outlined below:

- 'general residential' application which will apply to all lots outside of HOAs and lots within HOAs which are being developed at the lower density code (R20)
- 'higher dual density code' application which will apply to all lots within a HOA which are being developed at the higher density code.

Council at its meeting held on 19 November 2024 (CJ310-11/24 refers) resolved to advertise the draft policy for a period of 21 days, and six submissions were received (Attachment 2 refers). The submissions necessitated correction of minor drafting errors only, with Council at its meeting held on 27 May 2025 (CJ126-05/25 refers) resolving to support the draft policy.

WAPC final approval is required for policy provisions in the new Residential Development Local Planning Policy which augment or replace R-Code provisions for the following elements:

- Part B – Outdoor living areas.
- Part B – Landscaping.
- Part B – Solar access for adjoining sites.
- Part C – Access (sightlines).
- Part C – Private open space.
- Part C – Trees and landscaping.
- Part C – Parking.
- Part C – Building height.
- Part C – Solar access for adjoining sites.
- Part D – Site area.

The draft policy was forwarded to the WAPC for determination of the above clauses only. The draft policy was considered by the WAPC's Statutory Planning Committee meeting held on 10 September 2025, where it was determined that modifications to the policy are required prior to final Council approval. The extent of modifications required are detailed later in this Report.

DETAILS

The draft new Residential Development Local Planning Policy requires final consideration following determination of certain clauses of the draft policy by the WAPC. The draft revised *Medium-density Single House Development Standards Local Planning Policy* requires minor amendments to align with the updated template in *Planning Bulletin 112/2024 Single house development standards (R25 to R40) – Development Zones* and the R-Codes. Details on the proposed policies are provided below.

Issues and options considered

Draft new Residential Development Local Planning Policy

The draft policy provisions which require WAPC approval were considered at the WAPC's Statutory Planning Committee meeting held on 10 September 2025, with the determination on each proposed R-Codes clause/policy provision outlined in the table below (Attachment 3 also refers).

R-Codes clause/policy provision	WAPC determination
Part B – clause 5.3.1 outdoor living areas	Approved subject to modifications
Part B – clause 5.3.2 landscaping	Approved subject to modifications
Part C – clause 1.1 private open space	Approved subject to modifications
Part C – clause 1.2 trees and landscaping	Approved subject to modifications
Part C – clause 3.7 access	Approved subject to modifications
Part B – clause 5.4.2 solar access for adjoining sites	Refused
Part C – clause 2.3 parking	Refused
Part C – clause 3.2 building height	Refused
Part C – clause 3.9 solar access for adjoining sites	Refused
Part D – clause 1.1 site area	Refused

Policy provisions approved subject to modifications

The modifications required by the WAPC are listed in Attachment 4 to this Report.

The draft policy provisions regarding vehicle sightlines detailed in Part C – clause 3.7 access were submitted to the WAPC with equivalent wording included for Part B – clause 5.2.5 sightlines. The WAPC have requested modifications to clause 3.7 for alignment with the R-Codes wording, however were unable to recommend changes to clause 5.2.5 as this clause does not require WAPC approval. It is recommended that the wording in clause 5.2.5 be amended for consistency with clause 3.7, which has been updated in the draft policy.

The City supports the modifications required by the WAPC and notes they do not alter the desired outcome of each provision and are intended for clarity and alignment with the updated R-Codes.

Refused policy provisions

The WAPC did not support the proposed provisions relating to building height and parking (Part C) as it was not considered that a specific local variation was warranted. The impact of this decision is that the R-Codes Part C provisions will apply for building height and parking, resulting in the following changes from the City's current policy position:

Current policy position	WAPC decision
Building Height	
Development at R60 Maximum 2 storey building height	Development at R60 Maximum 3 storey building height
Car parking	
Location A – minimum parking space(s) Studio and 1 bedroom dwelling – 1 space 2 bedroom dwelling – 1 space	0 spaces 0 spaces
Location B – minimum parking space(s) 3+ bedroom dwelling – 2 spaces	1 space

Location A includes all land located within 800m walkable catchment of a train station on a high frequency rail route; 250m walkable catchment of a transit stop: on a high frequency transit route; or that has multiple transit routes, that when combined stop every 15 minutes during weekday peak periods (7am-9am and 5pm -7pm) or the defined boundaries of an activity centre. Location B includes all land that is not within Location A.

The provisions related to solar access (Part B and C) and site area (Part D) were refused by the WAPC on the basis that these provisions already exist within clause 26 of the City's *Local Planning Scheme No. 3* and therefore should not be duplicated. The WAPC has provided advice that these provisions may still be referenced in the policy, however the policy must clearly state that the provisions are included for completeness only and remain scheme provisions. Reference to these provisions in the draft policy have been updated accordingly, noting that this change is administrative and development proposals assessed by the City will still be subject to these requirements regardless.

In accordance with clause 3A of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations), Council is unable to override the decision of the WAPC and therefore the proposed policy cannot include provisions refused by the WAPC.

Policy consideration

The WAPC determination only relates to the clauses which required WAPC determination under the R-Codes, with the balance of policy provisions to remain in accordance with Council's previous decision to support the policy.

A revised draft policy incorporating the required modifications is provided as Attachment 5 to this Report.

Medium-density Single House Development Standards Local Planning Policy

The *Medium-density Single House Development Standards Local Planning Policy* was adopted in 2017 to support implementation of the *MacNaughton Crescent Structure Plan* in developing a four-hectare site in Kinross bounded by Grangemouth Turn, Lochnagar Way, MacNaughton Crescent and MacNaughton Park. The area has now been developed and the structure plan has been revoked, however the policy continues to apply to the lots highlighted in the aerial image below which are coded R25, R30 and R40.



The policy replaces deemed to comply provisions in the R-Codes for single house development coded R25, R30, R40 and R60, noting that none of the affected lots are coded R60. The policy follows the template outlined in the WAPC's *Planning Bulletin 112/2016 Medium-density single house development standards – Development Zones*, which was superseded in 2024 by *Planning Bulletin 112/2024 Single house development standards (R25 to R40) – Development Zones*.

The revised planning bulletin template aligns with the R-Codes by removing the R60 development provisions, which are now addressed by Part C (medium density) provisions of the R-Codes. The remaining provisions for R25, R30 and R40 single house development have been modified to remove references to the R60 provisions and update text for clarification where appropriate, however no changes are proposed to the assessment criteria within the development provisions. As there are no R60 coded lots currently subject to the policy, the changes proposed will not impact the overall operation of the policy.

A tracked changes and clean version of the draft revised policy are included as Attachments 6 and 7 to this Report respectively.

Options

Draft new Residential Development Local Planning Policy

The options available to Council in considering the proposed local planning policy are to:

- proceed with the draft new local planning policy as amended by the WAPC, without modification

This option is recommended as this aligns with Council's previous decision to support the draft new policy.

- proceed with the draft new local planning policy as amended by the WAPC, with modifications

This option is not recommended as modifying the draft policy may require the policy to be readvertised for public comment and/or referred to the WAPC for approval and then reconsidered by the Policy Committee and Council. This would likely mean that a new policy would not be adopted by the 10 April 2026 deadline and the existing policies would lapse, leaving the City unable to implement the variations to the R-Codes that are considered appropriate in the City of Joondalup context.

- not proceed with the draft new local planning policy.

This option is not recommended as not proceeding with the draft policy would mean that the existing policies will lapse on 10 April 2026 and all residential development would be assessed in accordance with the R-Codes.

If Council resolves to proceed with the draft new local planning policy, then the existing *Development in Housing Opportunity Areas Local Planning Policy* and *Residential Development Local Planning Policy* are required to be revoked to avoid duplication.

Medium-density Single House Development Standards Local Planning Policy

The options available to Council in considering the proposed local planning policy amendments are to:

- proceed with the draft revised local planning policy, without modification
- proceed with the draft revised local planning, with modifications
or
- not proceed with the draft revised local planning policy

The first option is recommended as this will bring the policy into alignment with the State planning framework. If these amendments are not progressed, then the policy will conflict with the R-Codes and create uncertainty for future residential development on lots subject to the policy.

Legislation / Strategic Community Plan / Policy implications

Legislation *Local Planning Scheme No. 3.*
Planning and Development (Local Planning Schemes) Regulations
2015.
Planning and Development Act 2005.

10-Year Strategic Community Plan

Key theme 3. Place.

Outcome 3-2 Well-planned and adaptable - you enjoy well-designed, quality buildings and have access to diverse housing options in your neighbourhood.

Policy *Development in Housing Opportunity Areas Local Planning Policy.*
Medium-density Single House Development Standards Local Planning Policy.
Residential Development Local Planning Policy.

Risk management considerations

Risk management considerations in reports to Council consider the relevant strategic risk(s).

This category of risk requires input from Council and is managed by the Chief Executive Officer and relevant Director(s).

Strategic risks are external or internal risks that affect the achievement of the City's long-term objectives.

Strategic Risk Relationship

Risk	DECISIONS	REPUTATION
Risk Event Description	Ineffective / improper decision making	Loss of community trust
Risk Responsibility	Director Governance and Strategy	Chief Executive Officer
Residual Risk	High	
Control Effectiveness	Strong	
Risk Appetite	High risk requires close monitoring with assurance of the highest levels of controls – strong – including plans for improving effectiveness levels.	
Risk Control	The relevant control, to mitigate risk, is the provision of an updated policy that complies with requirements prior to the expiry of current arrangements.	

Other risk information

The draft new *Residential Development Local Planning Policy* proposes to modify provisions of the R-Codes to reflect the local context and character of the City's residential areas. If the draft new policy is not adopted by Council, then once the City's HOALPP and RDLPP lapse on 10 April 2026, the policy provisions will cease to have effect and the R-Codes, in its entirety, will prevail. This may result in some of the specific provisions important to the City, Council and its community not being included in the assessment framework for residential development.

The proposed amendments to the *Medium-density Single House Development Standards Local Planning Policy* will bring the policy into alignment with the State planning framework. If these amendments are not progressed, then the policy will conflict with the R-Codes and create uncertainty for future residential development for lots subject to the policy.

Financial / budget implications

Not applicable.

Regional significance

The R-Codes Volume 1 2024 is a state planning code and as such the provisions impact residential development throughout Western Australia.

Sustainability implications

The new R-Codes Part C requirements include development standards that expand on sustainability initiatives. These include the following:

- An increase in deep soil areas and trees for medium density single house and grouped dwellings.
- Incentives regarding the retention of trees.
- Built form provisions to better access sunlight and natural ventilation to reduce reliance on artificial heating and cooling of dwellings.

Consultation

The consultation requirements for proposed amendments to, or revocation of, a local planning policy are stipulated in the LPS Regulations and the City's *Planning Consultation Local Planning Policy*.

The draft new Residential Development Local Planning Policy has previously been advertised and supported by Council. As the modifications directed by the WAPC relate to minor drafting amendments or deletion of development provisions only, re-advertising of the policy is not required.

In regard to the proposed amendments to the *Medium-density Single House Development Standards Local Planning Policy*, the LPS Regulations require an amendment to a policy to be advertised for public comments for a period of not less than 21 days. The local government may make an amendment to a local planning policy without advertising if, in the opinion of the local government, the amendment is a minor amendment. As the proposed modifications are required to align with the State planning framework, they do not require advertising.

COMMENT

The draft new Residential Development Local Planning Policy has been updated to amend and remove certain clauses as required by the WAPC's determination, noting that Council is unable to override the WAPC decision. The draft new policy will replace the existing HOALPP and RDLPP, which are required to be revoked.

The proposed amendments to the *Medium-density Single House Development Standards Local Planning Policy* do not result in any significant modifications to the policy operation and are required to bring the policy into alignment with the State planning framework.

It is therefore recommended that Council proceeds with the draft new Residential Development Local Planning Policy and draft revised *Medium-density Single House Development Standards Local Planning Policy*.

VOTING REQUIREMENTS

Simple Majority.

Cr Vinciullo left the Room at 6.55pm.

Cr Raftis left the Room at 6.56pm and returned at 6.57pm.

OFFICER'S RECOMMENDATION MOVED Mayor Kingston, SECONDED Cr Pizey that Council:

- 1** In accordance with Clauses 3, 4 and 6 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **REVOKES** the existing *Development in Housing Opportunity Areas Local Planning Policy* and *Residential Development Local Planning Policy* and **PROCEEDS** with the draft new Residential Development Local Planning Policy provided as Attachment 5 to this Report;
- 2** In accordance with Clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, **PROCEEDS** with the draft revised *Medium-density Single House Development Standards Local Planning Policy* provided as Attachment 7 to this Report;
- 3** **NOTES** that the new Residential Development Local Planning Policy and revised *Medium-density Single House Development Standards Local Planning Policy* will come into effect when published on the City's website.

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Cr Hutton, Mayor Kingston, Cr Chester, Cr Count, Cr Fishwick and Cr Pizey.

Against the Motion: Nil.

ATTACHMENTS

1. Council Adopted Version Submitted to WAPC - New Residential Development LPP [8.3.1 - 13 pages]
2. Schedule of Submissions Following Advertising Draft New Residential Development LPP [8.3.2 - 5 pages]
3. Outcome of WAPC Consideration of Residential Development LPP [8.3.3 - 2 pages]
4. WAPC List of Modifications to Provisions [8.3.4 - 2 pages]
5. Final Version for Consideration - Draft New Residential Development LPP [8.3.5 - 11 pages]
6. Draft Amendments to the Medium-density Single House Development Standards LPP - Tracked Changes [8.3.6 - 6 pages]
7. Draft Amendments to the Medium-density Single House Development Standards LPP - Clean Version [8.3.7 - 5 pages]

8.4 PROPOSED SHORT-TERM RENTAL ACCOMMODATION AMENDMENT TO LOCAL PLANNING SCHEME NO. 3 AND AMENDMENTS TO THE SHORT-TERM RENTAL ACCOMMODATION LOCAL PLANNING POLICY - CONSIDERATION FOLLOWING ADVERTISING (WARD - ALL)

WARD	All
RESPONSIBLE DIRECTOR	Mr Chris Leigh Director Planning and Community Development
FILE NUMBER	72584, 101515, 112060
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider following public advertising:

- A proposed amendment to *Local Planning Scheme No. 3* to align land use categories and permissibility for short-term rental accommodation in accordance with the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
- Proposed amendments to the *Short-term Accommodation Local Planning Policy*.

EXECUTIVE SUMMARY

On 18 September 2024, amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) came into effect that facilitate changes to the management of short-term rental accommodation (STRA).

The amended LPS Regulations introduced new land use categories for STRA are as follows:

- 'Hosted short-term rental accommodation' (hosted STRA), where the owner or property manager lives on site while the property is used for STRA. This land use, which replaces the existing 'bed and breakfast' land use, is exempt from the requirement to obtain planning approval.
- 'Unhosted short-term rental accommodation' (unhosted STRA), where a property is rented on a short-term basis with the landowner living offsite. This land use, which replaces the existing 'holiday house' land use, is exempt from the requirement to obtain planning approval if operating for 90 nights or less in a 12-month period, otherwise planning approval is required. Unhosted STRA permits a maximum of 12 guests per night.

The implementation of hosted and unhosted STRA land uses have been incorporated into the LPS Regulations as 'deemed' provisions, meaning that they automatically apply to all local planning schemes and are unable to be altered, varied or excluded by local governments. To reflect these changes, the Western Australian Planning Commission (WAPC) is requiring that all local planning schemes are amended by 1 January 2026 to align with the STRA amendments. The proposed scheme amendment to *Local Planning Scheme No. 3* (LPS3) is consistent with the deemed provisions of the LPS Regulations.

Development applications for STRA proposals are assessed in accordance with the City's *Short-term Accommodation Local Planning Policy* (the Policy). It is proposed to amend the Policy to reflect the changes to the LPS Regulations.

At its meeting held on 25 March 2025 (CJ062-03/25 refers), Council resolved to advertise the proposed scheme amendment and Policy modifications for public comment, with advertising subsequently conducted for 42 days.

A total of 13 submissions were received, comprising five submissions in support, seven submissions objecting and one neutral submission. In response to the submissions received, modifications to the Policy are proposed to introduce the potential to apply a 12-month time limited approval period for STRA proposals, modified minimum car parking requirements and to clarify how the overall maximum occupancy of a STRA is calculated. A minor administrative correction is also proposed to the scheme amendment, which does not alter the intent of the proposal.

It is therefore recommended that Council resolve to proceed with the proposed scheme amendment and modified Short-term Accommodation Local Planning Policy.

BACKGROUND

The limited regulation of STRA (such as Airbnb) outside of traditional hotel and resort style accommodation has been identified as a significant concern by the State Government, industry stakeholders and local communities. Consequently, several reforms have been implemented by State Government regarding the management of STRA including the following:

- Commencement of amendments to the LPS Regulations from 18 September 2024 introducing new STRA land uses and definitions. Exemptions from planning approval for all hosted STRA, and unhosted STRA operating for 90 nights or less in a 12-month period, have also been introduced.
- Implementation of a Short-Term Rental Accommodation Register, which requires all STRA operators to register their premises with Department of Energy, Mines, Industry Regulation and Safety (DEMIRS) from 1 January 2025.
- Publication of a Position Statement and associated Guidelines to assist local governments in long-term planning for tourism and STRA.

The WAPC requires all local governments to amend their local planning schemes to introduce the 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' land uses to replace the existing 'bed and breakfast' and 'holiday house' land uses respectively. STRA scheme amendments are required to be approved by the Minister for Planning by 1 January 2026, which necessitates local governments initiating the scheme amendments as early as possible.

The WAPC has recommended that local planning policies relevant to the regulation of STRA are amended concurrently with the required scheme amendment for consistency. The City's *Short-term Accommodation Local Planning Policy* has been in effect since 2011 (CJ159-09/11 refers) and has been updated several times since its inception, most recently in 2020 (CJ033-03/20 refers).

The requirement for STRA operators to register their property using the Short-Term Rental Accommodation Register in accordance with the *Short-term Rental Accommodation Act 2024* is managed by DEMIRS. Registration is separate to the requirement for planning approval under the LPS Regulations and LPS3, therefore there is no requirement for the City to amend LPS3 or the *Short-term Accommodation Local Planning Policy* to facilitate this process.

Consultation

At its meeting held on 25 March 2025 (CJ062-03/25 refers), Council resolved to advertise the proposed amendment to LPS3 and Policy modifications for 42 days.

DETAILS

The STRA amendments to the LPS Regulations require an amendment to LPS3, with concurrent amendments to the *Short-term Accommodation Local Planning Policy* proposed to ensure consistency between LPS3 and the *Short-term Accommodation Local Planning Policy*. Detail on the proposed amendments to LPS3 and the Policy is provided below.

Issues and options considered

Proposed amendment to *Local Planning Scheme No. 3*

Land use definitions

Short-term accommodation was the previous term used for temporary accommodation within the City, which has now been superseded by the terms 'short-term rental accommodation' and 'short-term rental arrangement' in the LPS Regulations. A comparison between the definitions has been provided in Table 1 of Attachment 1 to this Report.

The LPS Regulations have also introduced the new 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' land uses to replace the existing 'bed and breakfast' and 'holiday house' land uses respectively. A comparison between the land uses has been provided in Tables 2 and 3 of Attachment 1 to this Report.

The definitions of 'short-term rental accommodation', 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' are 'deemed' provisions within the LPS Regulations, which means they are automatically written into local planning schemes and supersede the existing short-term accommodation definition and 'bed and breakfast' and 'holiday house' land uses. As deemed provisions, they are not required to be inserted into LPS3 to replace the superseded land use definitions.

To align with the LPS Regulations, the following amendments to land use definitions in LPS3 are proposed (Attachment 2 refers):

- In clause 37, 'Terms Used' delete the definition for 'short-term accommodation'.
- In clause 38, 'Land Use Terms Used' delete the definitions for 'bed and breakfast' and 'holiday house'.

Land use permissibility

Land use permissibility throughout the City is regulated by the following zoning tables of LPS3:

- Table 3 Zoning Table.
- Table 3a Whitford Activity Centre Zoning Table.
- Table 3b Joondalup Activity Centre Zoning Table.

Additionally, deemed clause 61 of the LPS Regulations outlines exemptions from requiring planning approval for STRA land uses operating from a dwelling ('dwelling' applies to single dwellings, grouped dwellings and multiple dwellings), in the following circumstances:

- 'Hosted short-term rental accommodation' is in all cases exempt from requiring planning approval.
- 'Unhosted short-term rental accommodation' is exempt from requiring planning approval if operating for 90 nights or less in a 12-month period.

As the 'bed and breakfast' and 'holiday house' land uses have been superseded, these are proposed to be deleted from the zoning tables of LPS3. The 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' land uses are proposed to be inserted into each zoning table within LPS3 in accordance with Tables 4, 5 and 6 of Attachment 1 and Attachment 2 to this Report. Following advertising, a minor correction to the proposed scheme amendment in Attachment 2 is proposed for item 7, where the Joondalup Activity Centre Zoning Table is referenced as table 3a, not 3b, in LPS3. This has no impact on land use permissibility or the intent of the scheme amendment.

For each zoning table, it is a requirement that hosted STRA is a 'P' (permitted) use in any zone where a dwelling is permitted, as this will reflect the exemption from planning approval in the LPS Regulations. In zones where dwellings are an 'X' (not permitted) use, hosted STRA is also proposed to be an 'X' use.

For unhosted STRA, there is no requirement to incorporate the 90-night exemption from planning approval into LPS3. Instead, land use permissibility is required to be a 'D' (discretionary) or 'A' (discretionary with advertising) use in any zone where a dwelling is permitted. In zones where dwellings are an 'X' use, unhosted STRA is also proposed to be an 'X' use.

It is proposed to designate unhosted STRA as a 'D' use in zones where a dwelling is permitted. It is noted that the City's *Planning Consultation Local Planning Policy* requires advertising of new or intensified short-term accommodation in the 'Residential' zone, and the City has discretion to advertise 'D' uses in other zones where there may be an amenity impact on adjoining properties.

Model provisions of the LPS Regulations

In addition to the deemed provisions of the LPS Regulations, the published STRA amendments also included the following amendments to the 'model' provisions:

- An updated definition of 'cabin'.
- An updated definition of 'chalet'.
- A new land use for 'tourist and visitor accommodation'.

Unlike the deemed provisions of the LPS Regulations, model provisions are not automatically written into local planning schemes. It is a general requirement for local governments to align their local planning schemes with the model provisions of the LPS Regulations, and it is the future intent for LPS3 to be amended to align with the updated definitions for 'cabin' and 'chalet' and introduce the new 'tourist and visitor accommodation' land use, however the WAPC have not stated this as being mandatory by 1 January 2026.

The updated 'tourist and visitor accommodation', if adopted, would replace the existing 'holiday accommodation', 'motel', 'serviced apartment' and 'tourist development' land uses in LPS3. These existing land uses are varied and operate at different scales which do not currently have a uniform land use permissibility in LPS3, therefore consolidating these uses into one single land use is not recommended without further investigation into appropriate land use permissibility and development provisions. It is therefore considered appropriate for the currently proposed scheme amendment to only align with the amended deemed provisions of the LPS Regulations.

Short-term Accommodation Local Planning Policy

The proposed *Short-term Accommodation Local Planning Policy* amendments are intended to align the development requirements with the updated terminology and land uses incorporated into the proposed concurrent amendment to LPS3. Other minor modifications to the Policy are also proposed to improve its operation.

The advertised draft proposed to amend the Policy as follows:

- Rename the Policy to the 'Short-term Rental Accommodation Local Planning Policy' and update wording of 'short-term accommodation' to 'short-term rental accommodation'.
- Delete definitions for 'bed and breakfast', 'holiday house' and 'short term accommodation'.
- Add definitions for 'hosted short-term rental accommodation', 'short-term rental accommodation', 'short-term rental arrangement' and 'unhosted short-term rental accommodation'.
- Remove all development requirements for the 'bed and breakfast' and 'holiday house' land uses.
- Add development requirements for 'unhosted-short-term rental accommodation'.
- Minor modifications to wording and references within the development requirements for 'holiday accommodation' and 'serviced apartment' land uses.
- Reformat clause 5.1 relating to general development requirements for all short-term rental accommodation.
- Introduce a maximum occupancy for all STRA subject to this Policy of two persons per bedroom.

Following advertising, the following further Policy amendments are proposed:

- Clarify that the overall maximum STRA occupancy is calculated on a ratio of two persons per bedroom, rather than there being a two person limit in each bedroom.
- Include minimum car parking provisions based on the maximum capacity of the STRA.
- Include the ability to apply an initial 12-month time limited approval period to a STRA proposal when considered appropriate, and how continuation of the use at the end of this period will be considered.

An overview of the proposed amendments to the Policy is outlined below. The existing Policy is included as Attachment 3 to this Report, with the advertised draft Policy and modified draft Policy post advertising included as Attachments 4 and 5 respectively.

STRA terminology

The Policy is proposed to be renamed the 'Short-term Rental Accommodation Local Planning Policy' to align with the updated terminology for STRA within the LPS Regulations. References in the Policy to 'short-term accommodation' are also proposed to be replaced with 'short-term rental accommodation', except within the existing definitions of 'holiday accommodation' and 'serviced apartment', as these land uses will be reviewed separately in the future.

Policy definitions

The definitions for 'bed and breakfast', 'holiday house' and 'short term accommodation' are proposed to be deleted and replaced with the new equivalent definitions 'hosted short-term rental accommodation', 'unhosted short-term rental accommodation' 'short-term rental accommodation' and 'short-term rental arrangement'. This is proposed for consistency with the deemed provisions of the LPS Regulations and the proposed concurrent amendment to LPS3.

Specific development requirements

As the Policy will no longer apply to 'bed and breakfast' and the equivalent 'hosted short-term rental accommodation' is exempt from requiring planning approval, all specific development requirements for 'bed and breakfast' development applications are proposed to be deleted.

The existing 'holiday house' specific development requirements will apply to 'unhosted short-term rental accommodation' development applications, with minor modifications to the wording in the relevant clause to clarify the applicable development requirements.

It is proposed that the development requirements for 'holiday accommodation' and 'serviced apartment' will continue to apply as these land uses are being retained. Minor modifications are proposed to the wording in the relevant clauses to clarify the applicable development requirements, consistent with unhosted STRA above.

General development requirements and maximum guest occupancy

The general development requirements for all STRA land uses subject to the Policy have been reformatted and reworded in places to clarify some provisions and improve legibility of the document. The existing requirement for a management plan, inclusive of a complaints procedure and the owner/managing agent's (current) contact number being made available to neighbouring properties, will continue to apply to unhosted STRA that requires planning approval.

It is noted that the definition of unhosted STRA allows a maximum of 12 guests per dwelling, which may adversely impact on the amenity neighbouring properties. To reduce potential impacts such as noise and parking, it is proposed to limit guest numbers based on the number of bedrooms.

Further, the Policy regarding the calculation of the maximum occupancy of a STRA can be improved to clarify that the overall maximum occupancy is calculated on a ratio of two persons per bedroom, rather than there being a two person limit in each bedroom. This allows the ability to configure individual bedroom occupancy based on the guest party composition, for example, allowing bunk beds for family bookings.

To address some concerns raised in submissions, it is also considered appropriate that the minimum car parking rates be updated to be based on the maximum number of guests (rather than the current requirement for the provision of car parking bays to be in accordance with the *Residential Design Codes*) to provide clear minimum car parking requirements based on the capacity of the STRA, noting that all car parking bays are required to be provided on-site.

Approval period and impact of STRA on neighbouring amenity

Objections received during advertising highlighted significant concern regarding the potential detrimental amenity impact of STRA proposals on neighbouring properties, particularly within established residential areas. Concern was also raised regarding the implementation and compliance with management plans by STRA operators once planning approval is received.

All STRA proposals subject to the Policy are required to be accompanied by a management plan providing details on the management of car parking, anti-social behaviour, waste disposal and management of complaints, amongst other matters outlined in the Policy. The assessment of a management plan is completed on its merits in accordance with the Policy provisions when a development application for STRA is lodged, and modifications may be required to a management plan prior to an application being approved. Compliance with this management plan is applied as a condition of planning approval, with the City able to investigate allegations of non-compliance when received. The City is unable to prejudice a planning decision on the basis of potential future non-compliance.

Notwithstanding, to address concerns raised in submissions, it is proposed to modify the draft Policy to include the potential to apply a 12-month time limited approval period for STRA proposals. At the conclusion of the initial 12-month approval period, the STRA operator will be required to apply for the continuation of the STRA use and demonstrate that the ongoing operation of the STRA use will not be unreasonably detrimental to adjoining and surrounding landowners, which may require an updated management plan or identify that operation of the STRA is/is not appropriate. This does not prevent compliance action being undertaken by the City if complaints are received during the 12-month approval period.

Options

Scheme Amendment

The options available to Council in considering the proposed scheme amendment are to:

- support the amendment to the local planning scheme without modifications
- support the amendment to the local planning scheme with modifications
- not support the amendment to local planning scheme.

Short-term Accommodation Local Planning Policy

The options available to Council in considering the proposed policy amendments are to:

- proceed with the revised *Short-term Accommodation Local Planning Policy*, without modifications
- proceed with the revised *Short-term Accommodation Local Planning Policy*, with modifications
- not proceed with the revised *Short-term Accommodation Local Planning Policy*.

Legislation / Strategic Community Plan / Policy implications

Legislation *Local Planning Scheme No. 3.*
 Planning and Development (Local Planning Schemes) Regulations
 2015.
 Planning and Development Act 2005.

10-Year Strategic Community Plan

Key theme 3. Place.

Outcome 3-2 Well-planned and adaptable - you enjoy well-designed, quality buildings and have access to diverse housing options in your neighbourhood.

Policy *Short-term Accommodation Local Planning Policy.*

Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015

Part 5 of the *Planning and Development Act 2005*, in conjunction with the LPS Regulations, enables a local government to prepare or amend a local planning scheme and sets out the process to be followed.

Under the LPS 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. The proposed scheme amendment is considered to be a standard amendment as it is not a basic or complex amendment and does not result in any significant environmental, social, economic or governance impacts on land within the City. This classification as a standard amendment is consistent with advice provided by the WAPC and *Planning Bulletin 115/2024 Short-Term Rental Accommodation – Guidance for Local Government*.

At its meeting held on 25 March 2025 (CJ062-03/25 refers), Council resolved to advertise the proposed scheme amendment for 42 days. The amendment was referred to the Environmental Protection Authority, who advised that referral of the proposal was not required in accordance with clause 33(2)(d) of the *Environmental Protection Amendment Regulations 2024* and was therefore not assessed.

Upon closure of the advertising period, Council is required to consider all submissions received and decide whether to support the amendment, with or without modifications, or not support 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.

It is noted that the minor administrative error proposed to be corrected in the scheme amendment is not considered to change the classification of the amendment from being a standard amendment. Section 51 of the LPS Regulations allows a local government to determine whether to advertise proposed modifications to a standard amendment. As the proposed modification relates to correcting a minor administrative error, it is not necessary to advertise the proposed modification.

Short-term Accommodation Local Planning Policy

Clause 4, Schedule 2, Part 2 of the LPS Regulations enables a local government to prepare or amend a local planning policy and sets out the process to be followed. At its meeting held on 25 March 2025 (CJ062-03/25 refers), Council resolved to advertise the proposed policy amendments for 42 days. Modifications to the policy are proposed following advertising to address submissions received. In accordance with the *City's Planning Consultation Local Planning Policy*, the modifications are considered minor and are not required to be advertised. Council is now required to determine whether to proceed with the policy, with or without modifications, or not proceed.

Risk management considerations

Risk management considerations in reports to Council consider the relevant strategic risk(s).

This category of risk requires input from Council and is managed by the Chief Executive Officer and relevant Director(s).

Strategic risks are external or internal risks that affect the achievement of the City's long-term objectives.

Strategic Risk Relationship

Risk	DECISIONS	REPUTATION
Risk Event Description	Ineffective / improper decision making	Loss of community trust
Risk Responsibility	Director Governance and Strategy	Chief Executive Officer
Residual Risk	High	
Control Effectiveness	Strong	
Risk Appetite	High risk requires close monitoring with assurance of the highest levels of controls – strong – including plans for improving effectiveness levels.	
Risk Control	The relevant control, to mitigate risk, is the provision of updated policies that allow compliance with current requirements.	

Other risk information

The WAPC has required that all local planning schemes be amended to implement the new 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' land uses by 1 January 2026. If the proposed scheme amendment is not supported by Council, there will be insufficient time available for a new amendment to be prepared and approved by Council and the WAPC before 1 January 2026. Should this occur, Council may be directed to prepare an amendment by the Minister for Planning in accordance with Section 76 of the *Planning and Development Act 2005*.

The City's *Short-term Accommodation Local Planning Policy* requires amendments to reflect the new and superseded STRA land uses. If this policy is not amended concurrently with LPS3, there will be uncertainty for applicants and landowners regarding the applicable development provisions for different STRA land uses.

Financial / budget implications

The City, as the proponent, is required to cover the costs associated with the cost of publishing a notice in the local newspaper and the Government gazette should the amendment be approved by the Minister for Planning. The cost of publishing the amendment in the local newspaper is approximately \$130 and the cost of publishing within the Government Gazette is approximately \$160.

Regional significance

Changes to the regulation and management of short-term rental accommodation will impact all local governments in Western Australia.

Sustainability implications

Not applicable.

Consultation

The proposed scheme amendment and modifications to the *Short-term Accommodation Local Planning Policy* were advertised concurrently for a period of 42 days, from 5 June 2025 to 17 July 2025, by way of the following:

- A notice published in the local newspaper.
- Emails to registered resident and ratepayer groups.
- An email to the Community Engagement Network.
- A notice on the City's social media platforms.
- A notice and documents placed on the City's website.

A total of 13 submissions were received, comprising five submissions in support, seven submissions objecting and one neutral submission.

The main comments of support were as follows:

- The proposed scheme amendment is 'common sense' and removes ambiguity.
- Queried whether existing STRA approvals will require amendment in accordance with the proposed new requirements to continue operating.
- STRA requires greater regulation, with the Policy proposal to limit guests based on the number of bedrooms an important change.

The main issues of objection have been grouped into themes as follows:

Theme	Issues raised
Amenity	<ul style="list-style-type: none"> • STRA is a commercial land use with the potential to detrimentally impact the amenity of neighbouring properties through noise, parking and anti-social behaviour, particularly in residential areas. • STRA may erode the sense of belonging and neighbourliness of local communities. • The Policy measures are insufficient to protect the amenity of properties neighbouring or nearby to STRA.
Zoning and exemptions	<ul style="list-style-type: none"> • Unhosted STRA should either not be permitted, or significantly restricted, in the Residential zone. • The timeframe for unhosted STRA being exempt from requiring planning approval should be reduced.
Compliance	<ul style="list-style-type: none"> • The City should be more proactive in monitoring the impact of properties operating as STRA and identifying if these properties are compliant with the management plans forming part of their approval. • The Policy should list the penalties for breaching the requirements of a management plan. • A template for management plans would be beneficial for STRA operators and the community.
General	<ul style="list-style-type: none"> • STRA may result in loss of neighbouring property values. • STRA is contributing to the housing shortfall across Joondalup and Metropolitan Perth. • The proposed scheme and Policy amendments should be presented more clearly in simple plain English.

The neutral submission stated support for the scheme amendment and broad support for the Policy amendments, subject to the following policy modifications:

- Remove the Policy objective to establish a clear framework for the assessment and determination of STRA.
- Remove the requirement for any variations to be assessed against the Policy objectives.
- Remove any definitions duplicated in the LPS Regulations or LPS3.
- Remove the proposed limitation of two guests per bedroom and the requirement for details of guests to be made available to the City.

A schedule of submissions is provided which includes verbatim comments received and the City responses to the matters raised (Attachment 6 refers).

COMMENT

Amendments to LPS3 and the *Short-term Accommodation Local Planning Policy* are required to align the City's local planning framework with STRA amendments to the deemed provisions of the LPS Regulations which came into effect on 18 September 2024.

The scheme amendment will replace the superseded 'bed and breakfast' and 'holiday house' land use definitions and permissibility in LPS3 with 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' respectively.

Amendments to the *Short-term Accommodation Local Planning Policy* are proposed for consistency with the proposed concurrent scheme amendment and minor improvements to the operation of the Policy, including further modifications following public advertising in response to concerns regarding the potential detrimental amenity impact of STRA proposals on neighbouring properties, particularly within established residential areas.

It is therefore recommended that Council resolve to proceed with the proposed scheme amendment and modified *Short-term Accommodation Local Planning Policy*.

VOTING REQUIREMENTS

Simple Majority.

Cr Vinciullo entered the Room at 7.01pm and left at 7.04pm.

Cr Chester left the Room at 7.25pm.

OFFICER'S RECOMMENDATION MOVED Cr Pizzey, SECONDED Mayor Kingston that Council:

- 1 Pursuant to section 75 of the *Planning and Development Act 2005* and Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, SUPPORTS Scheme Amendment No. 20 to the City of Joondalup *Local Planning Scheme No. 3* as shown in Attachment 2;
- 2 AUTHORISES the Mayor and the Chief Executive Officer, in accordance with Section 9.49a of the *Local Government Act 1995*, to execute under Common Seal the amendment to the City of Joondalup *Local Planning Scheme No. 3*;
- 3 Pursuant to Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, FORWARDS Scheme Amendment No. 20 and Council's decision to the Western Australian Planning Commission for consideration;
- 4 In accordance with Clauses 3 and 4 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, PROCEEDS with the draft revised *Short-term Accommodation Local Planning Policy* provided as Attachment 5 to this Report and NOTES the policy will come into effect when published on the City's website.

The Motion was Put and

CARRIED (5/0)

In favour of the Motion: Cr Hutton, Mayor Kingston, Cr Count, Cr Fishwick and Cr Pizzey.

Against the Motion: Nil.

ATTACHMENTS

1. STRA Land Use Permissibility and Definition Comparison Tables [8.4.1 - 6 pages]
2. Proposed STRA Amendments to Local Planning Scheme No. 3 [8.4.2 - 1 page]
3. Existing Short-term Accommodation Local Planning Policy [8.4.3 - 5 pages]
4. Advertised Draft Amendments to Short-term Accommodation Local Planning Policy [8.4.4 - 6 pages]
5. Post Advertising Draft Amendments to Short-term Accommodation Local Planning Policy [8.4.5 - 6 pages]
6. Schedule of Submissions Following Advertising [8.4.6 - 12 pages]

8.5 PROPOSED AMENDMENT TO LOCAL PLANNING SCHEME NO. 3 - LOT 55 (15) DELAGE STREET, JOONDALUP - CONSIDERATION FOLLOWING ADVERTISING (WARD - NORTH)

WARD	North
RESPONSIBLE DIRECTOR	Mr Chris Leigh Director Planning and Community Development
FILE NUMBER	16996, 101515, 112192
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to consider a proposed amendment to *Local Planning Scheme No. 3* to permit the additional land uses 'Warehouse/Storage' and 'Bulky Goods Showroom' at Lot 55 (15) Delage Street, Joondalup, following public advertising.

EXECUTIVE SUMMARY

The City has received an application for an amendment to *Local Planning Scheme No. 3* (LPS3), on behalf of the owners of Lot 55 (15) Delage Street, Joondalup.

The site is zoned 'Centre' under LPS3 and is located within the City Centre Precinct of the *Joondalup Activity Centre Plan* (JACP). The City Centre Precinct functions as the core of the Joondalup Activity Centre with a key objective to encourage the highest intensity of mixed-use development and the greatest concentration of employment intensive land uses.

The amendment to LPS3 proposes to allow the land uses 'Warehouse/Storage' and 'Bulky Goods Showroom' on Lot 55 (15) Delage Street, Joondalup. These land uses are currently designated 'X' (not permitted) within the City Centre Precinct. It is also proposed that the minimum 13.5 metre building height (notionally four storeys) required under the JACP would not apply to development of the 'Warehouse/Storage' and 'Bulky Goods Showroom' land uses on the subject site.

The subject site is currently vacant and is located within the Winton Road business park portion of the City Centre Precinct, which is characterised currently by a range of light industry and service commercial land uses. The proposed permitting of 'Warehouse/Storage' and 'Bulky Goods Showroom' land uses on the subject site is consistent with this existing surrounding development.

At its meeting held on 27 May 2025 (CJ127-05/25 refers), Council resolved to initiate and advertise the proposed scheme amendment for public comment. The proposal was subsequently advertised for 42 days, closing on 18 September 2025.

A total of six submissions were received, comprising four submissions in support and two neutral responses. Three responses from external service agencies were also received which stated either no objection or provided comments relating to future development of the site. It is not considered that any comments received during advertising necessitate any modifications to the proposed scheme amendment.

It is therefore recommended that Council SUPPORTS the proposed amendment to LPS3 and forwards it to the Western Australian Planning Commission for consideration.

BACKGROUND

Suburb/Location	Lot 55 (15) Delage Street, Joondalup.
Applicant	Dynamic Planning and Developments.
Owner	Apache Investments Australia Pty Ltd.
Zoning	LPS Centre.
	MRS Urban.
Site area	3,768m ² .
Structure plan	Joondalup Activity Centre Plan.

Lot 55 (15) Delage Street, Joondalup, is bounded by Delage Street to the north and various light industry and service commercial land uses to the east, south and west (Attachment 1 refers). The land is vacant and although development approval was issued in 2013 for a two-storey showroom and warehouse, the site has never been developed.

The site is zoned 'Centre' under LPS3 and is subject to the JACP, which was adopted by Council at its meeting held on 27 June 2017 and approved by the WAPC on 23 October 2018. The JACP establishes the strategic direction for the Joondalup Activity Centre and provides development provisions for distinct precincts.

The site is located within the City Centre Precinct of the JACP, which is the core of the Joondalup Activity Centre and is intended to function as the key transport and employment hub with a focus on facilitating high-density, mixed-use development. The City Centre Precinct is separated by Joondalup Drive, with the subject site to the west of Joondalup Drive within the Winton Road business park.

The existing built form within the Winton Road business park consists predominantly of concrete tilt-up panel buildings accommodating land uses such as bulky goods showrooms, warehouses, motor vehicle repairs and trade displays. The long-term vision for the City Centre Precinct within the Winton Road business park is a transition to mixed-use development, with the existing land uses to only remain in the Joondalup West Precinct (Attachment 2 refers).

Land use permissibility

Land use permissibility within the JACP is regulated by Table 3b – Joondalup Activity Centre Zoning Table of LPS3. Within the City Centre Precinct, 'Warehouse/Storage' and 'Bulky Goods Showroom' are identified in Table 3b of LPS3 as 'X' land uses, meaning these uses are not permitted. Existing 'Warehouse/Storage' and 'Bulky Goods Showroom' businesses can continue to operate in accordance with the non-conforming use rights afforded under LPS3.

Consultation

At its meeting held on 27 May 2025 (CJ127-05/25 refers), Council resolved to proceed advertise the proposed scheme amendment to LPS3 for 42 days.

DETAILS

Proposed amendment to *Local Planning Scheme No. 3*

The proposed scheme amendment would allow the land uses 'Warehouse/Storage' and 'Bulky Goods Showroom' to occur on Lot 55 (15) Delage Street, Joondalup, subject to development approval being issued for the built form component. These land uses are currently 'X' (not permitted). The scheme amendment also proposes to remove the minimum 13.5 metre building height requirement for the built form development associated with these land uses.

'Warehouse/Storage' land uses generally comprise large indoor or outdoor storage facilities which may include display or sale by wholesale of goods. 'Bulky Goods Showroom' land uses are used to sell retail goods and accessories of a bulky nature, for example automotive parts, household appliances and camping supplies.

Applicant justification

The applicant has submitted justification to support the proposal (Attachment 3 refers) summarised as follows:

- The proposed additional uses are consistent with the existing surrounding light industry and service commercial businesses in the Winton Road business park and would be capable of approval on the north side of Delage Street (Joondalup West Precinct).
- The proposed additional uses, despite not comprising mixed-use development, would facilitate employment and activation at the vacant site in accordance with the only applicable objective of the City Centre Precinct.
- The future development would be capable of achieving the relevant development provisions of the JACP excluding the minimum 13.5 metre building height requirement, which is proposed to be waived as a condition of the additional uses being permitted.
- Examples of 'Warehouse/Storage' development have been provided at Lot 10 (88) Roberts Street, Osborne Park and Lot 11 (65) Edward Street, Osborne Park, which are located within a similar light industrial area. These examples were able to incorporate an incidental office component and provide an active and attractive streetscape.

Assessment of this justification has been incorporated into the issues and options considered below.

Issues and options considered

Land use considerations and development standards

City Centre Precinct objectives assessment

The primary objective of the JACP City Centre Precinct is as follows:

- a) *Encourage the highest intensity of mixed-use development and the greatest concentration of employment intensive land uses.*

The JACP zoning table identifies 'Warehouse/Storage' and 'Bulky Goods Showroom' as 'X' uses within the City Centre Precinct as these land uses typically comprise large floorspace buildings with a low number of employees. Due to the nature of goods sold, these land uses encourage a high car dependence and associated parking requirement.

The applicant has provided warehouse and office development examples in Osborne Park to demonstrate that a high-quality built form to the streetscape can be achieved. The City would have the opportunity to assess future development of the lot through a development application for works on-site, including referral to the City's Joondalup Design Review Panel if required. This would support the City in encouraging high-quality built form for the site, however this cannot be guaranteed, and no elements of the scheme amendment are proposed that ensure future built form is developed to a high standard.

Compatibility with the surrounding area

The proposed additional land uses of 'Warehouse/Storage' and 'Bulky Goods Showroom' on the subject site are consistent with the existing light industry and service commercial land uses within the Winton Road business park, which is yet to see any transition to high intensity mixed-use development contemplated by the JACP. Since adoption of the JACP, one mixed-use development within the City Centre Precinct of the Winton Road business park has been approved at Lot 45 (8) Elcar Lane, Joondalup, however development has not commenced at this point.

It is acknowledged that the subject site is currently the only vacant site in the area, and therefore it could be argued that allowing the additional land uses on the site will not set any precedent for similar requests from surrounding properties. However, it is also considered that support of additional use and built form controls over a single site may set a precedent and possibly lead to similar requests to entrench the 'Warehouse/Storage' and 'Bulky Goods Showroom' land uses and remove minimum building height requirements on individual sites. Council is required to balance these considerations in its decision whether to support the proposed amendment.

Development standards

There is no development proposed directly through the scheme amendment and the City has not received any recent development applications for the subject site. Future proposals would be subject to the requirements of LPS3 and the JACP (the general development standards and City Centre Precinct specific development standards). The table below provides a summary of the key development standards that would apply to future development.

Development standard	Comment
Building height: Minimum height* = 13.5 metres Maximum building height = 45 metres	A condition associated with the additional uses proposes that no minimum building height requirement would apply to development of 'Warehouse/Storage' and 'Bulky Goods Showroom' land uses. Development of all other land uses would be assessed against the 13.5 metre minimum building height requirement.
Street setback: Nil setback at ground level for 75% of the building frontage with a maximum 3 metre setback.	This is achievable, however there are minimal examples of this being achieved within the Winton Road business park and may be difficult to achieve without basement car parking.

Development standard	Comment
<p>Street interface (semi-active frontage):</p> <ul style="list-style-type: none"> • Continuous pedestrian shelter of 2.5 metres minimum width and a minimum 3 metres and maximum 4 metres height clearance above the footpath shall be provided to a minimum of 50% of street frontage. • Primary building entrances shall be visible from the public realm and provide pedestrian shelter and be accessed directly from the primary frontage. • Glazing shall be provided, be visible from the public realm and at ground floor to a minimum of 50% of the area of any street frontage. • There shall be no fencing to any public road or public space. • There shall be no on-site parking adjacent to any public road. 	<p>These standards are achievable, however there are minimal examples of this being achieved within the Winton Road business park.</p>
<p>Non-residential parking: 1 bay per 75 square metres of net lettable area.</p>	<p>This is achievable dependent on the future development proposed.</p>
<p>R-Coding: R-AC-0</p>	<p>No residential component is proposed based on the additional uses proposed, however multiple dwellings are a permitted use at the subject site.</p>

The applicant has noted in their supporting justification that the development standards of the JACP can all be achieved excluding the minimum building height requirement, which would likely result in future development being approximately two storeys consistent with existing development in the Winton Road business park.

Joondalup Activity Centre Plan review

The JACP is due to expire on 23 October 2028, with a review of the structure plan intended to be completed before this date. This review will identify if any modifications are required to the scope and development provisions of the JACP precincts to facilitate intended future development within the structure plan area. Land use permissibility and built form outcomes will also be considered through the overall review process for a consistent planning approach within the Joondalup Activity Centre.

Options

The options available to Council in considering the proposed scheme amendment are to:

- support the amendment to the local planning scheme without modification
- support the amendment to the local planning scheme with modifications
or
- not support the amendment to the local planning scheme.

Legislation / Strategic Community Plan / Policy implications

Legislation *Local Planning Scheme No. 3.*
 Planning and Development (Local Planning Schemes) Regulations 2015.
 Planning and Development Act 2005.

10-Year Strategic Community Plan

Key theme 3. Place.

Outcome 3-2 Well-planned and adaptable - you enjoy well-designed, quality buildings and have access to diverse housing options in your neighbourhood.

Policy Not applicable.

Planning and Development Act 2005 and Planning and Development (Local Planning Schemes) Regulations 2015

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

Under the LPS 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. The proposed amendment is considered to be a standard amendment as it is not a basic or complex amendment and would have minimal impact on land in the broader scheme area.

At its meeting held on 27 May 2025 (CJ127-05/25 refers), Council resolved to advertise the proposed scheme amendment for 42 days. The amendment was referred to the Environmental Protection Authority, who advised that referral of the proposal was not required in accordance with clause 33(2)(d) of the *Environmental Protection Amendment Regulations 2024* and therefore was not assessed.

Upon closure of the advertising period, Council is required to consider all submissions received and to either support the amendment, with or without modifications, or not support 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 Scheme No. 3 and Joondalup Activity Centre Plan

The JACP is the relevant planning instrument for regulating development within the Joondalup Activity Centre. The JACP is a 'due regard' document, meaning that decision makers for development within the activity centre plan area are not bound by the JACP, however are obliged to adhere to the JACP provisions and objectives in determining subdivision and development proposals unless there is a valid reason for these to be varied.

The JACP refers to land use permissibility within the Joondalup Activity Centre as being in accordance with LPS3 Table 3b – Joondalup Activity Centre Zoning Table. Unlike an activity centre plan, the provisions of LPS3 are not due regard and must be adhered to by decision makers in considering whether a land use is capable of approval, noting that the proposed additional uses are not permitted due to being specified as 'X' uses in Table 3b.

In considering whether to support the scheme amendment application, Council is required to have due regard to the overall vision of the JACP and the relevant objectives of the City Centre Precinct. However, it is open to Council to consider the merits of the proposal and depart from the JACP if there is considered good reason to do so and with consideration of submissions received during advertising.

Risk management considerations

Risk management considerations in reports to Council consider the relevant strategic risk(s).

This category of risk requires input from Council and is managed by the Chief Executive Officer and relevant Director(s).

Strategic risks are external or internal risks that affect the achievement of the City's long-term objectives.

Strategic Risk Relationship

Risk	DECISIONS	ATTRACTION	FINANCIAL
Risk Event Description	Ineffective / improper decision making	Lack of desirability as a place to visit live, work, invest and do business	Lack of financial sustainability
Risk Responsibility	Director Governance and Strategy	Director Planning and Community Development	Director Corporate Services
Residual Risk	High	Medium	
Control Effectiveness	Strong	Strong	
Risk Appetite	High risk requires close monitoring with assurance of the highest levels of controls – strong – including plans for improving effectiveness levels.	Medium risk is acceptable without variation to existing control activities.	
Risk Control	The relevant control, to mitigate risk, is the provision of a report outlining land use changes, the impact of changes to current City plans and the outcome of public comment on the proposed changes.		

Other risk information

If Council resolves to support the scheme amendment and it is ultimately approved by the Minister for Planning, there is a risk that a precedent may be set for future similar requests associated with the redevelopment of sites within the City Centre Precinct.

Financial / budget implications

The applicant has paid fees of \$6,549.24 (including GST) to cover the costs associated with the assessment of the scheme amendment. The applicant has also paid a separate fee of \$792 to cover the advertising signage cost associated with the proposal.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

The amendment was advertised for a period of 42 days, from 7 August 2025 to 18 September 2025, by way of the following:

- Letters to adjoining and nearby landowners.
- A sign on site.
- An email to the community engagement network.
- A notice published in the local newspaper.
- A notice on the City's social media platforms.
- A notice and documents placed on the City's website.

A total of six submissions were received, comprising four submissions in support and two neutral responses.

The main comments of support were as follows:

- The amendment would facilitate successful sale of the land.
- The proposal would allow for the construction of buildings which would positively contribute to Delage Street and the broader Winton Road business park.
- The amendment would encourage development consistent with existing surrounding land uses.

The main neutral comments were as follows:

- No objection to the proposal overall.
- Concern regarding the requirement for a scheme amendment to facilitate potential development of the site.

Three responses from external service agencies were also received which stated either no objection or provided comments relating to future development of the site.

A schedule of submissions and service agency responses is provided which includes verbatim comments received and City responses to the matters raised (Attachment 4 refers).

COMMENT

It is not considered that any comments received during advertising necessitate any modifications to the proposal and it is therefore recommended that Council proceeds with the proposed scheme amendment.

VOTING REQUIREMENTS

Simple Majority.

Cr Chester returned to the Room at 7.26pm.

OFFICER'S RECOMMENDATION MOVED Cr Pizzey, SECONDED Cr Hutton that Council:

- Pursuant to section 75 of the *Planning and Development Act 2005* and Part 5 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, SUPPORTS Scheme Amendment No. 21 to the City of Joondalup *Local Planning Scheme No. 3* to insert additional use No. 7 in Table 4a 'Specified additional uses for zoned land within Joondalup Activity Centre':**

No.	Description of land	Additional use	Condition
7	Lot 55 (15) Delage Street, Joondalup	Warehouse/Storage – 'P' Bulky Goods Showroom – 'P'	Development of the Warehouse/Storage and Bulky Goods Showroom land uses will not be subject to minimum building height requirements.

- AUTHORISES the Mayor and the Chief Executive Officer, in accordance with Section 9.49a of the *Local Government Act 1995*, to execute under Common Seal the amendment to the City of Joondalup *Local Planning Scheme No. 3*;**
- Pursuant to Part 5 of the *Planning and Development (Local Planning Schemes) Regulations*, FORWARDS Scheme Amendment No. 21 and Council's decision to the Western Australian Planning Commission for consideration.**

The Motion was Put and

CARRIED (4/2)

In favour of the Motion: Cr Hutton, Cr Chester, Cr Fishwick and Cr Pizzey.

Against the Motion: Mayor Kingston and Cr Count.

ATTACHMENTS

- Location Plan [8.5.1 - 1 page]
- Joondalup Activity Centre Plan - Precincts Plan Map [8.5.2 - 1 page]
- Applicant Scheme Amendment Justification Report [8.5.3 - 29 pages]
- Schedule of Submissions Following Advertising [8.5.4 - 1 page]

8.6 SETTING OF 2026 MEETING DATES - POLICY COMMITTEE (WARD - ALL)

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Director Governance and Strategy
FILE NUMBER	02153, 103963, 101515
AUTHORITY / DISCRETION	Executive - The substantial direction setting and oversight role of Council, such as adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

PURPOSE

For the Policy Committee to consider the setting of committee meeting dates for 2026.

EXECUTIVE SUMMARY

In order to assist with forward planning for all Elected Members, management and staff, a schedule of meeting dates has been prepared for the Policy Committee, ensuring synergy between meeting dates and the flow of information and decision-making.

The setting of the 2026 Council meeting dates is scheduled to be presented at the Council meeting to be held on 25 November 2025. This report will provide Elected Members with the proposed meeting dates for the Policy Committee meetings.

It is therefore recommended that the Policy Committee ADOPTS the following meeting dates and times for the Policy Committee of the City of Joondalup to be held at the Joondalup Civic Centre (Conference Room 1), Boas Avenue, Joondalup:

- 1 Monday 16 February 2026, commencing at 6.00pm;
- 2 Monday 18 May 2026, commencing at 6:00pm;
- 3 Monday 10 August 2026, commencing at 6:00pm;
- 4 Monday 19 October 2026, commencing at 6:00pm.

BACKGROUND

The Policy Committee was re-established at the Special Council Meeting held on 3 November 2025 (CJ303-11/25 refers) where it was resolved that the role of the Policy Committee be as follows:

- 1 make recommendations to Council on the development and review of the City's policies and overall policy framework;
- 2 make recommendations to Council on the development and review of the City's local laws;

- 3 oversee the strategic direction of the City's Art Award events, Visual Art Collection and Visual and Performing Arts Programs;
- 4 make recommendations to Council on strategic planning matters, including planning strategies, scheme amendments, structure plans, local development plans, and submissions on urban planning matters to government agencies requiring a Council decision.

DETAILS

The Policy Committee oversees the development and review of the City's policies and local laws, as well as oversee the strategic direction of the City's Art Award events, Visual Art Collection and Visual Art Programs. In addition, makes recommendations to Council on strategic planning matters.

The setting of the 2026 Council meeting dates is scheduled to be presented at the Council meeting to be held on 25 November 2025. This report will provide Elected Members with the proposed meeting dates for the Policy Committee meetings.

Issues and options considered

The Policy Committee can either:

- adopt the meeting dates as proposed in this Report
or
- amend the meeting dates.

Legislation / Strategic Community Plan / Policy implications

Legislation *City of Joondalup Meeting Procedures Local Law 2013.*
 Local Government (Administration) Regulations 1996.
 Local Government Act 1995.

10-Year Strategic Community Plan

Key theme 5. Leadership.

Outcome 5-1 Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.

Policy Not applicable.

Risk management considerations

Should forward planning of committee meetings not be identified, then there is a risk for meetings to be held on an ad-hoc basis, lacking coordination with other key meetings and corporate planning processes.

Financial / budget implications

Not applicable.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

The proposed dates have been prepared based on the expected demand and timeframes associated with policy reviews, specifically the community consultation process. Meetings have been scheduled on the same day and time to provide Elected Members with a consistent meeting schedule.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION MOVED Cr Hutton, SECONDED Cr Fishwick that the Policy Committee ADOPTS the following meeting dates and times for the Policy Committee of the City of Joondalup to be held at the Joondalup Civic Centre (Conference Room 1), Boas Avenue, Joondalup:

- 1 Monday 16 February 2026, commencing at 6.00pm;**
- 2 Monday 18 May 2026, commencing at 6:00pm;**
- 3 Monday 10 August 2026, commencing at 6:00pm;**
- 4 Monday 19 October 2026, commencing at 6:00pm.**

The Motion was Put and

CARRIED (6/0)

In favour of the Motion: Cr Hutton, Mayor Kingston, Cr Chester, Cr Count, Cr Fishwick and Cr Pizzey.

Against the Motion: Nil.

ATTACHMENTS

Nil.

8.7 ELECTED MEMBERS' ENTITLEMENTS COUNCIL POLICY - CONTINUING PROFESSIONAL DEVELOPMENT (WARD - ALL)

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Director Governance and Strategy
FILE NUMBER	101269, 101515
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For Council to review the *Elected Members' Entitlements Council Policy* with regard to continuing professional development, and to identify any amendments that may be required.

EXECUTIVE SUMMARY

As part of the *Local Government Legislation Amendment Act 2019* introduced in September 2019, section 5.128 was inserted into the *Local Government Act 1995* (the Act), requiring local governments to prepare a policy in relation to the continuing professional development of Elected Members and that the policy must be reviewed after each local government election.

The last local government election took place on 18 October 2025. The purpose of this Report is to review the *Elected Members' Entitlements Council Policy* with regard to continuing professional development, and to satisfy the requirements of section 5.128(5)(a) of the Act.

It is therefore recommended that Council:

- 1 *NOTES a review of the Elected Members' Entitlements Council Policy has been undertaken in accordance with section 5.128(5)(a) of the Local Government Act 1995, with regard to continuing professional development;*
- 2 *BY AN ABSOLUTE MAJORITY AGREES to retain the Elected Members' Entitlements Council Policy in its current form, as provided in Attachment 1 to this Report.*

BACKGROUND

The current *Elected Members' Entitlements Council Policy* (the policy) was last significantly reviewed in September 2013 (CJ185-09/13 refers), with a number of minor amendments subsequently made in March 2015 (CJ050-03/15 refers), April 2017 (CJ051-04/17 refers), May 2021 (CJ072-05/21), May 2022 (CJ077-05/22 refers) May 2023 (CJ067-05/23 refers) and March 2024 (CJ058-03/24 refers).

The policy details, amongst other things, payments and entitlements for Elected Members, including:

- the equipment issued to Elected Members
- the payment of statutory fees and allowances as determined by the Salaries and Allowances Tribunal
- provisions around the attendance at conferences and training events and associated requirements
- reimbursement of expense provisions and other entitlements.

On 16 September 2019 and as part of the *Local Government Legislation Amendment Act 2019*, a new section 5.128 was inserted into the Act as follows:

“5.128. Policy for continuing professional development

(1) *A local government must prepare and adopt* a policy in relation to the continuing professional development of council members.*

** Absolute majority required.*

(2) *A local government may amend* the policy.*

** Absolute majority required.*

(3) *When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.*

(4) *The CEO must publish an up-to-date version of the policy on the local government’s official website.*

(5) *A local government —*

(a) must review the policy after each ordinary election; and

(b) may review the policy at any other time.”

In addition, recent amendments to the *Local Government (Administration) Regulations 1996* require that Continuing Professional Development is either relevant to an Elected Member’s role as defined under the Act, or the Council’s role. The amendments also stipulate that payment shall not be made for training or continuing professional development that is scheduled to occur within the last three months of an Elected Member’s term of office or upon delivery of a notice of resignation to the CEO, specifying a later day from which the resignation will take effect. These regulations came into effect on 19 October 2023, and the Policy has already been updated to reflect these changes (CJ058-03/24 refers).

Conference and Training events

To enable elected members to develop and maintain their skills and knowledge relevant to their role as representatives of the City, the City’s policy provides that elected members are able to attend conferences and training events within Australia and overseas (subject to Council approval) and the associated arrangements around bookings; registration; and the reimbursement of associated expenses (see Part 6).

Conferences and training under the policy shall generally be limited to the following:

- West Australian Local Government Association and Australian Local Government Association conferences.
- Special 'one off' conferences called for or sponsored by the West Australian Local Government Association and / or Australian Local Government Association on important issues.
- Annual conferences of the major professions in local government and other institutions of relevance to local government activities
- Australian Sister Cities Conferences.
- West Australian Local Government Association Elected Member Training and Development.
- Training relating to the role of elected members.
- Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles / responsibilities of elected members, meeting procedures and the like.

As part of the City's annual budget, allocation is made for elected members to attend conference and training events in line with the amounts set within the policy (currently \$19,800 for the Mayor and \$9,000 for Councillors) which is adjusted annually by CPI (All Groups Perth).

The costs for the mandatory training that is required to be completed by an Elected Member following their election, is not charged to the Elected Member's respective allocation, and is directly paid for by the City.

DETAILS

There are no legislative requirements as to the form this policy is to take with regard to continuing professional development. I

It is considered the conference, training and event provisions detailed in the *Elected Members' Entitlements Council Policy* (parts 6 and 7) satisfies the intent of section 5.128 of the Act, and therefore no changes are suggested to the policy at this time with regard to continuing professional development.

Issues and options considered

Council may choose to:

- retain the current *Elected Members' Entitlements Council Policy*, with regard to continuing professional development
- make amendments to the *Elected Members' Entitlements Council Policy*, with regard to continuing professional development

or

- remove those references to training and development and conference attendance from the *Elected Members' Entitlements Council Policy* and create a separate policy on continuing professional development.

Option 1 is the preferred option for the reasons detailed in this report.

Legislation / Strategic Community Plan / Policy implications

Legislation *Local Government Act 1995.*
 Local

10-Year Strategic Community Plan

Key theme 5. Leadership.

Outcome 5-1 Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.
 5-2 Proactive and represented- you are confident that the City is advocating on your behalf for initiatives that benefit the community.

Policy *Elected Members' Entitlements Council Policy.*

Risk management considerations

Risk management considerations in reports to Council consider the relevant strategic risk(s).

This category of risk requires input from Council and is managed by the Chief Executive Officer and relevant Director(s).

Strategic risks are external or internal risks that affect the achievement of the City's long-term objectives.

Strategic Risk Relationship

Risk	DECISIONS	REPUTATION
Risk Event Description	Ineffective / improper decision making	Loss of community trust
Risk Responsibility	Director Governance and Strategy	Chief Executive Officer
Residual Risk	High	
Control Effectiveness	Strong	
Risk Appetite	High risk requires close monitoring with assurance of the highest levels of controls – strong – including plans for improving effectiveness levels.	
Risk Control	The relevant control, to mitigate risk, is the provision of a policy that allows compliance with legislative requirements.	

Other risk information

The *Elected Members' Entitlements Council Policy* has been reviewed and it is considered that the conference, training and event provisions detailed in the Policy (parts 6 and 7) satisfy the intent of section 5.128 of the Act.

Financial / budget implications

Sufficient budget provisions are made in the City's annual budget to cover the Elected Member allowances, expenses and entitlements that are detailed in the policy.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

An opportunity is provided to Elected Members through the Policy Committee to be held on 17 November 2025 with regard to this policy.

WALGA have provided a template 'Council Member Continuing Professional Development Policy' to assist Local Governments in adopting a policy as required by section 5.128 of the *Local Government Act 1995*, which is provided as Attachment 2 to this Report.

COMMENT

The *Elected Members' Entitlements Council Policy* provides a framework to support Elected Member's training and development needs as well as clarity around the entitlements, allowances and fees as stipulated in the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

VOTING REQUIREMENTS

Absolute Majority.

OFFICER'S RECOMMENDATION MOVED Mayor Kingston, SECONDED Cr Count that Council:

- 1 NOTES a review of the *Elected Members' Entitlements Council Policy* has been undertaken in accordance with section 5.128(5)(a) of the *Local Government Act 1995*, with regard to continuing professional development;
- 2 BY AN ABSOLUTE MAJORITY AGREES to retain the *Elected Members' Entitlements Council Policy* in its current form, as provided in Attachment 1 to this Report.

Cr Vinciullo entered the Room at 8.30pm.

The Senior Governance Officer left the Room at 8.36pm and returned at 8.37pm.

PROCEDURAL MOTION – THAT THE ITEM BE REFERRED BACK TO THE CHIEF EXECUTIVE OFFICER

MOVED Cr Hutton, SECONDED Mayor Kingston that Item 8.7 - Elected Members' Entitlements Council Policy - Continuing Professional Development, BE REFERRED BACK to the Chief Executive Officer, as per clause 10.1(c) of the *City of Joondalup Meeting Procedures Local Law 2013*, to consider further options for the approval process and criteria for conference and training attendance.

The Procedural Motion was Put and

CARRIED (4/2)

In favour of the Procedural Motion: Cr Hutton, Mayor Kingston, Cr Chester and Cr Fishwick.

Against the Procedural Motion: Cr Pizzey and Cr Vinciullo.

ATTACHMENTS

1. Elected Members Entitlements Council Policy [8.7.1 - 19 pages]
2. WALGA Template Continuing Professional Development Policy [8.7.2 - 13 pages]

8.8 ELECTED MEMBERS' ENTITLEMENTS COUNCIL POLICY - ELECTED MEMBER DINNERS (WARD - ALL)

WARD	All
RESPONSIBLE DIRECTOR	Mr Jamie Parry Director Governance and Strategy
FILE NUMBER	101269, 101515
AUTHORITY / DISCRETION	Legislative - includes the adoption of local laws, planning schemes and policies.

PURPOSE

For the Policy Committee to give consideration to the *Elected Members' Entitlements Council Policy* subsequent to a Notice of Motion submitted to the Council meeting held on 22 July 2025.

EXECUTIVE SUMMARY

At the Council meeting held on 22 July 2025 (CJ207-07/25 refers), consideration was given to a Notice of Motion related to the *Elected Members' Entitlements Council Policy* and proposed amendment to remove Elected Members Dinner provisions (Clause 11.1 of the Policy).

The Council resolved as follows:

That Item 16.1 – Cr Daniel Kingston – Elected Member Dinners and Elected Member Entitlements Council Policy – BE REFERRED to the Policy Committee for further consideration.

The item has been referred to the Policy Committee for its consideration.

BACKGROUND

At the Council meeting held on 22 June 2025 (CJ207-07/25 refers), consideration was given to a Notice of Motion related to the *Elected Members' Entitlements Council Policy* a proposed amendment to remove Elected Member Dinner provisions.

The Council resolved as follows:

That Item 16.1 – Cr Daniel Kingston – Elected Member Dinners and Elected Members' Entitlements Council Policy – BE REFERRED to the Policy Committee for further consideration.

The item has been referred to the Policy Committee for its consideration. It is therefore recommended to the Policy Committee that:

The Policy Committee gives consideration to the following Notice of Motion submitted to the Council meeting of 22 July 2025 (CJ207-07/25 refers):

That Council:

1 AMENDS the *Elected Members' Entitlements Council Policy*, as provided in Attachment 1 to this Report, subject to the following amendments:

1.1 *that clause 11.1 - Elected Member dinners - of the Policy be deleted.*

DETAILS

The *Elected Members' Entitlements Council Policy* was last reviewed by the Council at its meeting held on 26 March 2024 (CJ058-03/24 refers), The Policy is reviewed following each local government election and will be reviewed in 2025-26.

The following Officer's comment was provided to the Notice of Motion:

"The Elected Members' Entitlements Council Policy provides as follows in relation to Elected Member Dinners:

11. *Other entitlements:*

11.1. *Elected Member Dinners:*

- a. *To provide an avenue to facilitate networking possibilities and for Elected Members to undertake discussions with various representatives of the community, the Council has agreed to host Elected Member dinners.*
- b. *The Mayor is entitled to host six dinners per calendar year, and each Ward a total of 12 each year, based on six dinners per Ward Councillor.*
- c. *Each table will allow for the Elected Member as host, plus up to a maximum of nine guests. Except for the Elected Member's spouse or partner, all guests invited are to have a relationship with the City or be a stakeholder of the City. Prior to an Elected Member dinner, Elected Members are to advise the City the details of their invited guests and their relationship with the City. Details of invited guests that attend Elected Member dinners are to be reported to the Audit and Risk Committee on a quarterly basis.*

As has been published previously (refer Council resolution CJ053-03/25) the Elected Member Dinners Budget is approximately \$15,000 per annum (estimate based on previous attendance/ costs) exclusive of GST, with a budget per person of approximately \$100 comprising salaries; food and refreshments.

At the Council meeting held on 25 March 2025 (CJ053-03/25 refers) the matter of Elected Member Dinners was considered as part of the response to AGM motions, whereby it was resolved as follows:

In relation to Motion No. 21 carried at the Annual General Meeting of Electors:

21.1 *DOES NOT SUPPORT the request to publish the guest lists and expenditure for all Elected Member Dinners and all Formal City Dinners on the City's website, given the provisions of the Local Government Act 1995 and Freedom of Information Act 1992 and availability of expenditure information on request;*

21.2 *REQUESTS that the Policy Committee give consideration to the Elected Members' Entitlements Council Policy as it relates to Elected Member Dinners in its proposed 2025-26 review of the Policy.*

It is at the Council's discretion whether to amend the Policy in relation to the provision of Elected Member Dinners at this juncture or wait until after the 2025 local government election when the Policy is proposed to be reviewed, and in alignment with the Council direction.

It is also important to note that the Council has established a Policy Committee, the role of which includes to make recommendations to Council on the development and review of the City's policies and overall policy framework."

It is at the Council's discretion whether to amend the Policy in relation to Elected Member dinners.

Issues and options considered

The Policy Committee may recommend to Council that it:

- amend the *Elected Members' Entitlements Council Policy* and proposed amendment (as suggested in the Notice of Motion, or similar) to remove Elected Member dinner provision.
or
- retain the *Elected Members' Entitlements Council Policy* without amendment.

Legislation / Strategic Community Plan / Policy implications

Legislation *Local Government Act 1995.*

10-Year Strategic Community Plan

Key theme 5. Leadership.

Outcome 5-1 Capable and effective - you have an informed and capable Council backed by a highly-skilled workforce.

Policy *Elected Members' Entitlements Council Policy.*

Risk management considerations

Risk management considerations in reports to Council consider the relevant strategic risk(s).

This category of risk requires input from Council and is managed by the Chief Executive Officer and relevant Director(s).

Strategic risks are external or internal risks that affect the achievement of the City's long-term objectives.

Strategic Risk Relationship

Risk	DECISIONS	EXPECTATIONS	REPUTATION	HEALTH/SAFETY
Risk Description	Ineffective / improper decision making	Inability to understand community expectations	Loss of community trust	Failure to maintain safe and healthy workplace
Risk Responsibility	Director Strategy	Governance and	Chief Executive Officer	
Residual Risk	High			
Control Effectiveness	Strong			
Risk Appetite	High risk requires close monitoring with assurance of the highest levels of controls – strong – including plans for improving effectiveness levels.			
Risk Control	The relevant control, to mitigate risk, is the provision of information supporting updates to conduct and governance arrangements that aim to protect workplace safety.			

Financial / budget implications

The Elected Member Dinner budget is approximately \$15,000 per annum.

All amounts quoted in this report are exclusive of GST.

Regional significance

Not applicable.

Sustainability implications

Not applicable.

Consultation

Not applicable.

COMMENT

It is at the Council's discretion whether to amend the *Elected Members' Entitlements Council Policy* in relation to the removal of the provisions related to Elected member Dinners.

VOTING REQUIREMENTS

Simple Majority.

OFFICER'S RECOMMENDATION

That the Policy Committee gives consideration to the following Notice of Motion submitted to the Council meeting of 22 July 2025 (CJ207-07/25 refers):

That Council AMENDS the Elected Members' Entitlements Council Policy, as provided in Attachment 1 to this Report, subject to the following amendments:

1 *that clause 11.1 – Elected Member Dinners of the Policy be deleted.*

ALTERNATE RECOMMENDATION

MOVED Cr Hutton, SECONDED Mayor Kingston that Council **ADOPTS** the *Elected Members' Entitlements Council Policy* as provided in Attachment 1 to this Report, subject to the following amendment:

- 1 That clause 11.1 of the Policy – Elected Member Dinners – be deleted.

The Alternate Motion was Put and

LOST (2/4)

In favour of the Alternate Motion: Cr Hutton and Mayor Kingston.

Against the Alternate Motion: Cr Chester, Cr Fishwick, Cr Pizzey and Cr Vinciullo.

During debate Cr Chester foreshadowed an Alternate Recommendation.

ALTERNATE RECOMMENDATION

MOVED Cr Fishwick, SECONDED Cr Chester that Council:

- 1 NOTES a review of the *Elected Members' Entitlements Council Policy* has been undertaken with regard to Elected Member Dinners;
- 2 AGREES to retain the *Elected Members' Entitlements Council Policy* in its current form, as provided in Attachment 1 to this Report.

PROCEDURAL MOTION – THAT THE ITEM BE REFERRED BACK TO THE CHIEF EXECUTIVE OFFICER

MOVED Cr Pizzey, SECONDED Cr Chester that Item 8.8 - *Elected Members' Entitlements Council Policy* - Elected Member Dinners, **BE REFERRED BACK** to the Chief Executive Officer, as per clause 10.1(c) of the *City of Joondalup Meeting Procedures Local Law 2013*, to consider options for restricting the number of Elected Member Dinners and to consider alternative options for engaging with members of the community.

The Procedural Motion was Put and

CARRIED (5/1)

In favour of the Procedural Motion: Cr Hutton, Mayor Kingston, Cr Chester, Cr Pizzey and Cr Vinciullo.

Against the Procedural Motion: Cr Fishwick.

ATTACHMENTS

1. Elected Members Entitlements Council Policy [8.8.1 - 19 pages]

9 URGENT BUSINESS

Nil.

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

11 REQUESTS FOR REPORTS FOR FUTURE CONSIDERATION

Nil.

12 CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 9.13pm the following Committee Members being present at that time:

CR LEWIS HUTTON
MAYOR DANIEL KINGSTON
CR RECECCA PIZZEY
CR RUSS FISHWICK, JP
CR JOHN CHESTER
CR PHILLIP VINCIULLO

17 NOVEMBER 2025 - POLICY COMMITTEE ATTACHMENTS

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Telecommunications Infrastructure Local Planning Policy

Responsible directorate: Planning and Community Development

Objective: To outline the City's position on the installation of telecommunications infrastructure in the City of Joondalup.

1. Authority:

This Policy has been prepared in accordance with the deemed provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015*, which allows a local government to prepare local planning policies relating to planning or development within the Local Planning Scheme area.

2. Application:

This Policy applies throughout the City of Joondalup in respect to all above ground telecommunications infrastructure other than those facilities that are exempted under the *Commonwealth Telecommunications Act 1997* (including low-impact facilities).

3. Definitions:

"above ground telecommunications infrastructure" means any line, equipment, apparatus, tower, antenna or any other structure that is visible above ground level.

"low-impact facility" means a facility used for telecommunications as described in Section 3.1 - Facilities of the *Telecommunications (Low-impact Facilities) Determination Act 1997*.

Note: Under the *Telecommunications Act 1997* certain facilities cannot be low-impact facilities, namely designated overhead lines, a tower that is not attached to a building, a tower attached to a building and more than 5 metres high, an extension to a tower that has previously been extended, and/or an extension to a tower if the extension is more than 5 metres high.

"telecommunications carrier" means a telecommunications company that is licensed by the Australian Communications and Media Authority as a carrier.

"telecommunications infrastructure" as defined in State Planning Policy 5.2
Telecommunications Infrastructure means any part of the infrastructure of a telecommunications

network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use, in or in connection with a telecommunications network.

Note: Telecommunications infrastructure, under this Policy, does not include facilities covered by the City's Satellite Dishes, Aerials and Radio Equipment Policy.

4. Statement:

This Policy is complementary to State Planning Policy 5.2: *Telecommunications Infrastructure (SPP 5.2)*. In assessing development applications for telecommunications infrastructure (non low-impact) the City is required to have due regard to SPP 5.2, including visual impact considerations on a case by case basis.

However, SPP 5.2 makes it clear that telecommunications carrier licences incorporate standards set by the Australian Radiation Protection and Nuclear Safety Agency and those licences include substantial safety margins to address human health. It is therefore not within the scope of SPP 5.2, local planning schemes or local planning policy to address health and safety matters, or to outline setback or buffer distances for telecommunications infrastructure.

5. Details:

5.1. Installation of low-impact telecommunications facilities:

The City recognises that it is bound by Federal legislation relating to telecommunications infrastructure and that it has no jurisdiction over the location, installation, or upgrading of low-impact facilities. The City will, however, provide comment when notified of a carrier's intent to install low-impact facilities by way of encouraging background colour matching and the removal of obsolete infrastructure.

5.2. Installation of other telecommunications infrastructure:

The City recognises the right of landowners/applicants to submit development applications for telecommunication infrastructure deemed to be other than low-impact under the *Telecommunications Act 1997*. The City also acknowledges its obligation to make a recommendation to the Western Australian Planning Commission (WAPC) or determine the application in its own right.

Upon receiving a development application for telecommunications infrastructure, which is not a low-impact facility, the proposal will be advertised for comment in accordance with the City's Planning Consultation Local Planning Policy.

In making a recommendation to the WAPC or in determining the application, the Council will have due regard to:

- the provisions outlined in State Planning Policy 5.2: Telecommunications Infrastructure
- compliance with the Telecommunications Code of Practice 1997
- the topography of the site and surrounding area, the size, height and type of the proposed facility, the location and density of surrounding vegetation, and the general visibility of the proposal from surrounding development

- the merits of the particular proposal, including the need for services to be located to optimise coverage
- submissions received in response to public consultation, noting that submissions on health or safety grounds cannot be considered.

Creation date:	December 2002 (CJ172-12/02)
Formerly:	<ul style="list-style-type: none">• Telecommunications Facilities Policy• Installation of Telecommunications Facilities Policy
Amendments:	CJ166-08/12, CJ098-06/16, CJ033-03/20
Last reviewed:	March 2020 (CJ033-03/20)
Related documentation:	<ul style="list-style-type: none">• City of Joondalup Local Planning Scheme No. 3• Planning and Development Act 2005• Planning and Development (Local Planning Schemes) Regulations 2015• Planning Consultation Local Planning Policy• State Planning Policy No. 5.2: Telecommunications Infrastructure• Telecommunications Act 1997• Telecommunications Code of Practice 1997• Telecommunications (Low-impact Facilities) Determination Act 1997
File reference:	101289



Telecommunications Infrastructure Local Planning Policy

Responsible directorate: Planning and Community Development

Objective: To outline the City's position on the installation of telecommunications infrastructure in the City of Joondalup.

1. Authority:

This Policy has been prepared in accordance with the deemed provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015*, which allows a local government to prepare local planning policies relating to planning or development within the Local Planning Scheme area.

2. Application:

This Policy applies throughout the City of Joondalup in respect to all above ground telecommunications infrastructure other than those facilities that are exempted under the *Commonwealth Telecommunications Act 1997* (including low-impact facilities).

3. Definitions:

“above ground telecommunications infrastructure” means any line, equipment, apparatus, tower, antenna or any other structure that is visible above ground level.

“low-impact facility” means a facility used for telecommunications as described in Section 3.1 - Facilities of the *Telecommunications (Low-impact Facilities) Determination Act 1997/2018*.

Note: Under the [Commonwealth Telecommunications Act 1997](#) certain facilities cannot be low-impact facilities, namely designated overhead lines, a tower that is not attached to a building, a tower attached to a building and more than 5 metres high, an extension to a tower that has previously been extended, and/or an extension to a tower if the extension is more than 5 metres high.

“telecommunications carrier” means a telecommunications company that is licensed by the Australian Communications and Media Authority as a carrier.

“telecommunications infrastructure” as defined in State Planning Policy 5.2 *Telecommunications Infrastructure*, means any part of the infrastructure of a telecommunications

network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use, in or in connection with a telecommunications network.

“other telecommunications infrastructure” means telecommunications infrastructure that is deemed to be other than low-impact under the Commonwealth *Telecommunications Act 1997*.

~~**Note: Telecommunications infrastructure, under this Policy, does not include facilities covered by the City’s Satellite Dishes, Aerials and Radio Equipment Policy.**~~

4. **Statement:**

This Policy is complementary to State Planning Policy 5.2: *Telecommunications Infrastructure (SPP 5.2)*. In assessing development applications for telecommunications infrastructure (non low-impact) the City is required to have due regard to SPP 5.2, including visual impact considerations on a case by case basis.

However, SPP 5.2 makes it clear that telecommunications carrier licences incorporate standards set by the Australian Radiation Protection and Nuclear Safety Agency and those licences include substantial safety margins to address human health. It is therefore not within the scope of SPP 5.2, local planning schemes or local planning policy to address health and safety matters, or to outline setback or buffer distances for telecommunications infrastructure.

5. **Details:**

5.1. **Installation of low-impact telecommunications facilities:**

The City recognises that it is bound by Federal legislation relating to telecommunications infrastructure and that it has no jurisdiction over the location, installation, or upgrading of low-impact facilities. The City will, however, provide comment when notified of a carrier’s intent to install low-impact facilities by way of encouraging background colour matching and the removal of obsolete infrastructure.

5.2. **Installation of other telecommunications infrastructure:**

The City recognises the right of landowners/applicants to submit development applications for telecommunication infrastructure deemed to be other than low-impact under the Commonwealth *Telecommunications Act 1997*. The City also acknowledges its obligation to make a recommendation to the Western Australian Planning Commission (WAPC) or determine the application in its own right.

~~Upon receiving a development application for telecommunications infrastructure, which is not a low impact facility, the proposal will be advertised for comment in accordance with the City’s Planning Consultation Local Planning Policy.~~

In making a recommendation to the WAPC or in determining the application, the Council City will have due regard to:

- the provisions outlined in State Planning Policy 5.2: *Telecommunications Infrastructure*
- ~~compliance with the *Telecommunications Code of Practice 1997*~~

- the topography of the site and surrounding area, the size, height and type of the proposed facility, the location and density of surrounding vegetation, and the general visibility of the proposal from surrounding development
- the merits of the particular proposal, including the need for services to be located to optimise coverage
- submissions received in response to public consultation, noting that submissions on health or safety grounds cannot be considered.

5.3. Advertising of other telecommunications infrastructure where the City is the decision-maker:

For applications where the City is the decision-maker, community consultation will be undertaken in accordance with the City's Planning Consultation Local Planning Policy.

5.4. Advertising of other telecommunications infrastructure where the City is not the decision-maker:

For applications referred to the City for comment, where the City is not the decision-maker, the City may undertake community consultation notwithstanding Clause 5.3 of the Planning Consultation Local Planning Policy.

Where consultation is undertaken, it will be carried out as follows:

- Aa minimum consultation period of 14 days, with 21 days preferred where referral timeframes allow
- Notification letters sent to stakeholders within 400 metres of the site
- Aa notice and relevant documents published on the City's website
- On-site signage providing notice of the application.

Creation date:	December 2002 (CJ172-12/02)
Formerly:	<ul style="list-style-type: none">• Telecommunications Facilities Policy• Installation of Telecommunications Facilities Policy
Amendments:	CJ166-08/12, CJ098-06/16, CJ033-03/20
Last reviewed:	March 2020 (CJ033-03/20)
Related documentation:	<ul style="list-style-type: none">• City of Joondalup Local Planning Scheme No. 3• Planning and Development Act 2005• Planning and Development (Local Planning Schemes) Regulations 2015• Planning Consultation Local Planning Policy• State Planning Policy No. 5.2: Telecommunications Infrastructure

- [Commonwealth Telecommunications Act 1997](#)
- ~~Telecommunications Code of Practice 1997~~
- Telecommunications (Low-impact Facilities) Determination ~~Act~~
~~1997~~ [2018](#)

File reference: 101289



Telecommunications Infrastructure Local Planning Policy

Responsible directorate: Planning and Community Development

Objective: To outline the City's position on the installation of telecommunications infrastructure in the City of Joondalup.

1. Authority:

This Policy has been prepared in accordance with the deemed provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015*, which allows a local government to prepare local planning policies relating to planning or development within the Local Planning Scheme area.

2. Application:

This Policy applies throughout the City of Joondalup in respect to all above ground telecommunications infrastructure other than those facilities that are exempted under the *Commonwealth Telecommunications Act 1997* (including low-impact facilities).

3. Definitions:

“above ground telecommunications infrastructure” means any line, equipment, apparatus, tower, antenna or any other structure that is visible above ground level.

“low-impact facility” means a facility used for telecommunications as described in Section 3.1 - Facilities of the *Telecommunications (Low-impact Facilities) Determination 2018*.

Note: Under the *Commonwealth Telecommunications Act 1997* certain facilities cannot be low-impact facilities, namely designated overhead lines, a tower that is not attached to a building, a tower attached to a building and more than 5 metres high, an extension to a tower that has previously been extended, and/or an extension to a tower if the extension is more than 5 metres high.

“telecommunications carrier” means a telecommunications company that is licensed by the Australian Communications and Media Authority as a carrier.

“telecommunications infrastructure” as defined in State Planning Policy 5.2 *Telecommunications Infrastructure*, means any part of the infrastructure of a telecommunications

network and includes any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structure used, or for use, in or in connection with a telecommunications network.

“other telecommunications infrastructure” means telecommunications infrastructure that is deemed to be other than low-impact under the Commonwealth *Telecommunications Act 1997*.

4. Statement:

This Policy is complementary to State Planning Policy 5.2: *Telecommunications Infrastructure (SPP 5.2)*. In assessing development applications for telecommunications infrastructure (non low-impact) the City is required to have due regard to SPP 5.2, including visual impact considerations on a case by case basis.

However, SPP 5.2 makes it clear that telecommunications carrier licences incorporate standards set by the Australian Radiation Protection and Nuclear Safety Agency and those licences include substantial safety margins to address human health. It is therefore not within the scope of SPP 5.2, local planning schemes or local planning policy to address health and safety matters, or to outline setback or buffer distances for telecommunications infrastructure.

5. Details:

5.1. Installation of low-impact telecommunications facilities:

The City recognises that it is bound by Federal legislation relating to telecommunications infrastructure and that it has no jurisdiction over the location, installation, or upgrading of low-impact facilities. The City will, however, provide comment when notified of a carrier's intent to install low-impact facilities by way of encouraging background colour matching and the removal of obsolete infrastructure.

5.2. Installation of other telecommunications infrastructure:

The City recognises the right of landowners/applicants to submit development applications for telecommunication infrastructure deemed to be other than low-impact under the Commonwealth *Telecommunications Act 1997*. The City also acknowledges its obligation to make a recommendation to the Western Australian Planning Commission (WAPC) or determine the application in its own right.

In making a recommendation to the WAPC or in determining the application, the City will have due regard to:

- the provisions outlined in State Planning Policy 5.2: *Telecommunications Infrastructure*
- the topography of the site and surrounding area, the size, height and type of the proposed facility, the location and density of surrounding vegetation, and the general visibility of the proposal from surrounding development
- the merits of the particular proposal, including the need for services to be located to optimise coverage
- submissions received in response to public consultation, noting that submissions on health or safety grounds cannot be considered.

5.3. Advertising of other telecommunications infrastructure where the City is the decision-maker:

For applications where the City is the decision-maker, community consultation will be undertaken in accordance with the City's Planning Consultation Local Planning Policy.

5.4. Advertising of other telecommunications infrastructure where the City is not the decision-maker:

For applications referred to the City for comment, where the City is not the decision-maker, the City may undertake community consultation notwithstanding Clause 5.3 of the *Planning Consultation Local Planning Policy*.

Where consultation is undertaken, it will be carried out as follows:

- A minimum consultation period of 14 days, with 21 days preferred where referral timeframes allow
- Notification letters sent to stakeholders within 400 metres of the site
- A notice and relevant documents published on the City's website
- On-site signage providing notice of the application.

Creation date:	December 2002 (CJ172-12/02)
Formerly:	<ul style="list-style-type: none">• Telecommunications Facilities Policy• Installation of Telecommunications Facilities Policy
Amendments:	CJ166-08/12, CJ098-06/16, CJ033-03/20
Last reviewed:	March 2020 (CJ033-03/20)
Related documentation:	<ul style="list-style-type: none">• City of Joondalup Local Planning Scheme No. 3• Planning and Development Act 2005• Planning and Development (Local Planning Schemes) Regulations 2015• Planning Consultation Local Planning Policy• State Planning Policy No. 5.2: Telecommunications Infrastructure• Commonwealth Telecommunications Act 1997• Telecommunications (Low-impact Facilities) Determination 2018
File reference:	101289



Closure of Pedestrian Accessways ~~Local~~ ~~Planning Policy~~ Council Policy

Responsible directorate: Planning and Community Development

Objective:

- ~~• To state the City's position on the closure of pedestrian accessways.~~
- ~~• To establish a process to determine whether a request for closure of a pedestrian accessway should be supported.~~
- ~~• To provide guidance on the assessment criteria to be used for requests to close pedestrian accessways.~~

~~1. Authority:~~

~~This Policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area.~~

~~2.1. Application:~~

~~This policy applies to all requests for closure of pedestrian accessways within the City of Joondalup.~~

~~3.2. Definitions:~~

~~“major transit terminal” means a multi-nodal public transport terminal, such as a train and bus terminal.~~

~~“pedestrian accessway” means a path or link in the public domain that provides pedestrian and cyclist access around neighbourhoods, in particular between cul-de-sac and loop roads.~~

~~means any path in the public domain that is available for use by pedestrians, and vehicles that are not regulated by the *Road Traffic Act 1974* (eg: bicycles, skateboards, rollerblades). Does not include pedestrian paths provided within road reserves, or on land zoned Parks and Recreation under the *City of Joondalup District Planning Scheme No 2*.~~

~~“Perth Bicycle Network” means the network of cycling routes across the Perth Metropolitan Area identified by the Department of Transport, and comprised of local bicycle routes, principal shared paths and recreational shared paths.~~

4.3. Statement:

~~Pedestrian accessways play a vital role in ensuring convenient pedestrian and cyclist movement, particularly in suburban areas designed with cul-de-sacs. Pedestrian accessways are essential for enhancing neighbourhood connectivity and supporting access to facilities. As such, the closure of pedestrian accessways is not supported unless in exceptional circumstances. Notwithstanding, any formal request for closure will be assessed in accordance with the process outlined in this policy. This process includes an evaluation of urban design, nuisance impacts, and community usage to determine the appropriateness of closure in specific circumstances.~~

~~The provision and maintenance of pedestrian accessways is important in facilitating safe, convenient and legible pedestrian and cycle movement, particularly in suburban locations designed with cul-de-sacs. Closure shall not be supported, except in particular circumstances, as described in this policy.~~

5.4. Details:

~~In considering requests for the closure of pedestrian accessways, the following assessments will be undertaken. The City will undertake three assessments:~~

- ~~• Urban design assessment~~
- ~~• Nuisance impact assessment~~
- ~~• Community impact assessment~~

~~The above assessments include advertising the proposal to the community and consultation with relevant State agencies. Following the completion of each of the above assessments, the importance of the pedestrian accessway will be rated as either “low”, “medium” or “high” as set out in Table 1. This information will then be used to conduct a cross-analysis as set out in Table 2, which will determine the City’s initial position on the proposed closure.~~

~~Following advertising, the assessment of the closure request as outlined in this policy will be presented to Council for consideration.~~

5.1.4.1. Urban design assessment:

An urban design assessment will be undertaken to determine the significance of the pedestrian accessway in the pedestrian and cycle network through the locality.

In conducting the urban design assessment, the following factors will be considered.

5.1.4.1.1. Access to community facilities:

Where a pedestrian accessway is considered to provide an important access route to a community facility, closure shall generally not be supported. Examples of community facilities include but are not limited to:

- Schools
- Shops
- Public open spaces
- Bus stops
- Libraries
- Churches
- Rail stations

~~To determine whether a pedestrian accessway is considered to provide an important access route to a community facility as above, To illustrate the impact that a pedestrian accessway closure may have on access to community facilities,~~ a walkable catchment diagram ~~in the form of a ped shed~~ will be prepared. A 400- metre catchment applies to a pedestrian accessway close to community facilities; and 800 metres, where the pedestrian accessway is close to an Activity Centre identified in *State Planning Policy 4.2: Activity Centres for Perth and Peel* or a ~~major transit terminal/train station.~~

5.1.2.4.1.2. Availability of alternative access routes:

A safe, clear and direct alternative route must exist which provides access to community services and facilities.

5.1.3.4.1.3. Relationship to the pedestrian network:

Closure of a pedestrian accessway ~~which forms part of a key pedestrian network~~ will not be supported where it forms part of a continuous pedestrian and/or cycle network.:

- ~~• a continuous pedestrian network; or~~
- ~~• a Perth Bicycle Network or similar.~~

~~Following completion of the urban design assessment, the importance of the pedestrian accessway will be rated as either “low”, “medium” or “high” as set out in Table 1.~~

5.2.4.2. Nuisance impact assessment:

A nuisance impact assessment will be undertaken to substantiate claims of nuisance behaviour occurring within the pedestrian accessway.

The City will assess the following types of evidence:

- Evidence provided by the person(s) making the request for closure.
- Evidence provided by relevant agencies/organisations (eg: Western Australian Police).

- c. Evidence provided by the City's Community Safety officers, records (eg: Rangers, City Watch).

In conducting the nuisance impact assessment, the following factors will be considered in relation to nuisance behaviour:

- a. Frequency of occurrence
b. Number of offences
c. Nature of offences

Following completion of the nuisance impact assessment, the level of nuisance occurring on the pedestrian accessway will be rated as either "low", "medium" or "high" as set out in Table 1.

5.3.4.3. Community impact assessment:

A community impact assessment ~~will be undertaken of the use of the pedestrian accessway will be undertaken to gather information from surrounding residents in order to determine the level of use by the local community. This will be done by:~~

- ~~• sSending a letter to landowners and occupiers within a 400 metre radius of the pedestrian access-way seeking comment for a period of 30 days,~~
- ~~• pPlacing a sign at each end of the pedestrian access-way giving notice of the proposed closure and details on how to provide comment.~~

~~Comments will be sought for a period of 30 days and will consist of letters and questionnaires to all landowners within a 400 metre radius of the subject pedestrian accessway.~~

~~The following additional consultation may also be undertaken, if considered necessary by the local government:~~

- ~~• Insertion of notices in the local newspaper.~~
- ~~• Liaison with local community groups.~~
- ~~• On site assessment(s) to count pedestrian and cyclist movement through the subject pedestrian accessway.~~

Access for disabled persons and seniors will be given special consideration, as the impact of the pedestrian accessway closure on these groups is likely to be greater.

Following completion of the Community Impact Assessment, the pedestrian accessway's level of use will be rated as either "low", "medium" or "high" as set out in Table 1.

5.4.4.4. Referral to State Government and service agencies:

~~Comments will be sought from relevant public authorities and agencies such as:~~

- ~~• Service agencies (such as Water Corporation, Western Power, ATCO Gas), with regard to service relocation and/or easement requirements~~

- ~~Government agencies (such as Landgate, Department of Education, WA Police)~~

~~Requests for closure of pedestrian accessways will be referred to State Government and service agencies, including:~~

- ~~Landgate (who are also to provide a land purchase price to be met by abutting landowners)~~
- ~~Water Corporation~~
- ~~Western Power~~
- ~~Telstra~~
- ~~ATCO Gas~~

~~Comments received from State Government and service agencies will determine if essential services (ie: sewer mains) are located within the pedestrian accessway and whether or not these services need to be relocated and/or an easement put in place, should closure be supported. Comments can also be made for or against the proposal.~~

5.5.4.5. Final Overall assessment:

~~The results of each individual assessment as above will enable an initial determination on the City's position on the closure final determination to be made via cross-analysis, in accordance with Table 2. Scenarios where closure of a pedestrian accessway will be supported or not supported are provided in Table 2.~~

5.5.4.5.1. Referral to the Western Australian Planning Commission:

~~The results of the final overall assessment will be presented to Council for consideration. Where Council supports closure of a pedestrian accessway, a full copy of the closure report will be referred to the Western Australian Planning Commission for determination.~~

5.6. Reconsideration of decision:

~~Where Council has considered a request to close a pedestrian accessway and has determined that the pedestrian accessway should remain open, Council's decision is final and will only be reconsidered where it is clearly demonstrated that the assessment has not been in accordance with the provisions of this policy. In the absence of a reconsideration being heard by Council, a new request for closure may be submitted no less than 18 months from the date of Council's decision.~~

~~In circumstances where Council supports closure of a pedestrian accessway but, the Western Australian Planning Commission does not support closure, Council may request that the Commission reconsider its decision.~~

~~For a request for reconsideration to be initiated, all landowners abutting the pedestrian accessway are required to make a joint request, with the request being supported by "new information" that addresses the matters raised by the Commission in its decision. Council will then consider the request and forward the decision to the Western Australian Planning Commission for reconsideration.~~

~~Once the Western Australian Planning Commission has determined the request for reconsideration no further requests can be made. The City will consider a new request for closure no less than 18 months of the date of the Commission's decision on the reconsideration.~~

~~5.7. Alternatives to closure:~~

~~The results of each individual assessment will enable a final determination to be made via cross analysis. Scenarios where closure of a pedestrian accessway will be supported or not supported are provided in Table 2.~~

~~5.7.1. Request made on the grounds of nuisance behaviour:~~

~~Where a determination is made not to support a request for closure, which was submitted on the grounds of nuisance behaviour, Council may consider upgrading the subject pedestrian accessway. Such improvements may include:~~

- ~~• improvements to lighting;~~
- ~~• improvements to appearance; and/or~~
- ~~• increased security patrols.~~

~~5.7.2. Request made on the grounds of security:~~

~~Where a determination is made not to support a request for closure and a significant security problem is shown to exist for dwellings abutting the pedestrian accessway, Council will give consideration to alternatives or initiatives raised by landowners abutting the subject pedestrian accessway. Options raised shall only be considered where the proposal is:~~

- ~~• considered to significantly improve security;~~
- ~~• supported by abutting landowners;~~
- ~~• deemed to have no significant negative impact on the amenity of the surrounding area; and~~
- ~~• deemed to have no adverse impact on traffic management.~~

Creation date:	April 2001 (CJ318-09/01)
Formerly:	<ul style="list-style-type: none">• _____ Pedestrian Accessways Policy• Closure of Pedestrian Accessways Local Planning Policy
Amendments:	CJ085-04/04, CJ256-11/12, CJ118-08/20
Last reviewed:	August 2020 (CJ118-08/20)
Related documentation:	<ul style="list-style-type: none">• City of Joondalup Local Planning Scheme No 3• State Planning Policy 4.2 — Activity Centres for Perth and Peel• Read Traffic Act 1974
File reference:	57155

Table 1. Impact assessment

Importance	Urban design	Nuisance	Community Impact
High	<ul style="list-style-type: none"> • Pedestrian accessway provides a direct route to community facilities. • A safe alternative route does not exist. • Pedestrian accessway is part of a continuous pedestrian accessway link or a key pedestrian network. 	<ul style="list-style-type: none"> • There is a high and consistent frequency in the occurrence of criminal activity and/or nuisance behaviour, compared to elsewhere in the suburb. • The number of different types of occurrences is high and is directly related to the pedestrian accessway. • The severity of criminal activity and/or nuisance behaviour is considered higher than elsewhere in the suburb. • Occurrences of nuisance behaviour are substantiated by questionnaire respondents. 	<ul style="list-style-type: none"> • A significant portion of respondents are not in favour of closure (over 50%). • A high portion of households use the pedestrian accessway regularly. • A high portion of users will be inconvenienced by closure (over 50%).
Medium	<ul style="list-style-type: none"> • Pedestrian accessway provides a route to community facilities, but not directly. • An alternative route exists but is some inconvenience. • Pedestrian accessway is not of a continuous pedestrian accessway or a key pedestrian network. 	<ul style="list-style-type: none"> • There are frequent occurrences of criminal activity and nuisance behaviour, compared to elsewhere in the suburb. • There are several different types of occurrences of nuisance behaviour that are directly related to the pedestrian accessway. • The severity of criminal activity and/or nuisance behaviour is considered higher than elsewhere in the suburb. 	<ul style="list-style-type: none"> • A medium portion of respondents are not in favour of closure (over 30%). • A medium portion of households use the pedestrian accessway regularly. • A medium portion of users will be inconvenienced by closure (30–50%).
Low	<ul style="list-style-type: none"> • Pedestrian accessway is not linked to any community facility. • A safe, reasonable alternative walkway exists. • Pedestrian accessway is not part of a key pedestrian network. 	<ul style="list-style-type: none"> • Occurrence of criminal or nuisance behaviour is similar to elsewhere in the suburb. • Types of offences are limited to nuisance behaviour. • The severity of nuisance behaviour is similar to elsewhere in the suburb. 	<ul style="list-style-type: none"> • A high portion of residents are in favour of closure (over 70%). • A low portion of households use the pedestrian accessway regularly. • A low portion of users will be inconvenienced by closure (less than 30%).

Table 2. Cross-analysis of assessments

Urban design	Nuisance	Community impact	Supported/not supported
High	High, medium or low	High, medium or low	Not supported
Medium	Low	Low	Not supported
Medium	High or medium	Low	Supported
Medium	High	Medium	Supported
Medium	Low	Low	Not supported
Medium	Medium or low	Medium	Not supported
Low	High, medium or low	Low or medium	Supported
Low	High, medium or low	High	Not supported



Consulting Rooms Local Planning Policy

Responsible directorate: Planning and Community Development

Objectives:

- To provide development standards for consulting rooms that assist in facilitating appropriate development in close proximity to local users of the facility.
- To ensure the location, design and siting of consulting rooms does not have a negative impact on residential amenity by way of inappropriate built form, parking or traffic.
- To prevent the conglomeration of consulting rooms in residential areas.

1. Authority:

This policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area.

2. Application:

This policy applies to all consulting rooms in the 'Residential' zone and the 'Urban Development' zone where the applicable structure plan applies the 'Residential' zone.

3. Definitions:

"consulting rooms" as defined by Local Planning Scheme No. 3, means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care.

"health practitioner" as defined by Local Planning Scheme No. 3, means a medical doctor, dentist, physiotherapist, radiologist, podiatrist, chiropractor, acupuncturist, naturopath or any other health care staff generating their own independent patient load.

4. Statement:

The location of consulting rooms within a residential area provides the opportunity for services to be located close and accessible to the users of those facilities.

In considering applications for consulting rooms within residential areas, the location, siting and design of the consulting room will be taken into consideration to ensure the development does not have an adverse impact on the residential character and amenity of surrounding areas.

5. Details:

In assessing an application for development approval for consulting rooms, the following will be considered.

5.1. Location:

- a. In order to avoid the adverse cumulative impacts of non-residential development in a residential area, a consulting room that would contribute to the concentration of these uses along a street or located in close proximity to another consulting room in the Residential zone will generally not be supported.
- b. Battle-axe lots or sites located at the head of cul-de-sacs should be avoided as they limit the opportunity for the provision of car parking and can cause traffic issues due to the concentration of activity.

5.2. Building setbacks and fencing:

- a. Building setbacks and fencing are to be in accordance with the requirements Part B of the Residential Design Codes (R-Codes) (Volume 1) and the City's Residential Development Local Planning Policy (as relevant) or any relevant structure plan.

5.3. Building height:

- a. The maximum building height as measured from the natural ground level is to be in accordance with the following table:

Maximum building height		
Top of external wall	Top of external wall (concealed roof)	Top of pitched roof
<u>6-7</u> metres	<u>7-8</u> metres	<u>9-10</u> metres

5.4. Building design:

- a. Development is to be in accordance with the following requirements:

Design element	Development standard
a. Appearance	<ul style="list-style-type: none"> i. Although the use is a non-residential land use, the building must be of residential appearance, in keeping with the surrounding environment, and not detract from the amenity of adjoining properties. ii. The building and any additions must: <ul style="list-style-type: none"> • be consistent in style with any existing development on site; and/or

	<ul style="list-style-type: none"> maintain and enhance the character of the local area; and be compatible with the existing and/or desired streetscape character. <p>This can be by the way of:</p> <ul style="list-style-type: none"> scale material and colours roof design detailing window size.
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5.5. Parking and access:

5.5.1. Car parking standard:

a. Car parking bays are to be provided in accordance with the following table:

Use class	Number of on-site parking bays
Consulting rooms	5 bays per practitioner

5.5.2. Car parking location and design:

a. Car park access and design is to be in accordance with the following requirements:

Design element	Development requirement
a. Car park location	<ul style="list-style-type: none"> All car parking is to be provided on-site; verge parking is not permitted. Car parks should, where practicable, be located at the rear of the building and the location clearly sign-posted. Car parking in front of the consulting rooms should be minimised in order to maintain a residential streetscape.
b. Car park design	<ul style="list-style-type: none"> Car parks shall be designed in accordance with Australian Standards AS 2890.1 and/or AS 2890.2 as amended from time to time. Tandem car parking will be considered for employee parking only and must be clearly designated as such.
c. Vehicle access	<ul style="list-style-type: none"> Vehicles are required to enter and exit the site in forward gear. A maximum of two 3 metre wide crossovers or one 6 metre wide crossover is permitted.
d. Pedestrian access	<ul style="list-style-type: none"> A footpath must be provided from the carpark and the street to the building entrance.

5.5.3. Bicycle parking standards:

a. Bicycle parking is to be provided in accordance with the following table and relevant Australian standards.

Use class	Employee/visitor bicycle parking
Consulting rooms	2 spaces

5.6. Landscaping:

- a. Landscaping is to be in accordance with the following requirements:

Design element	Development requirement
a. % Landscaping	i. A minimum of 8% of the area of a lot shall be landscaped. ii. The landscaped area shall include a minimum strip of 1.5 metres wide adjacent to all street boundaries.
b. Size	i. Any landscaped area shall have a minimum width of 1.0 metre and distributed in areas of not less than 4.0 square metres.
c. Shade trees	i. Shade trees shall be provided and maintained in uncovered car parks at the rate of one tree for every four car parking bays.
d. Verge	i. The verge areas of all consulting rooms are required to be suitably landscaped, reticulated and maintained to discourage patrons from parking on the verge. The verge is not permitted to be paved or sealed as this would encourage its use for parking.

5.7. Hours of operation:

- a. The days and hours of operation are to be in accordance with the following:

Days	Operating hours
Monday to Friday	8.00 am to 6.00 pm
Saturday	9.00 am to 5.00 pm
Sunday	Not permitted

5.8. Public consultation:

- a. Refer to the City's Planning Consultation Local Planning Policy.

Creation date:	June 2013 (CJ113-06/13)
Formerly:	Consulting Rooms Policy
Amendments:	CJ113-06/13, CJ057-04/17, CJ184-10/18, CJ033-03/20
Last reviewed:	March 2020 (CJ033-03/20)
Related documentation:	<ul style="list-style-type: none"> • City of Joondalup Local Planning Scheme No. 3 • Planning Consultation Local Planning Policy
File reference:	102788



Container Deposit Scheme Infrastructure Local Planning Policy

Responsible directorate: Planning and Community Development

Objectives:

- To ensure the location, design and siting of container deposit scheme infrastructure is complementary to the character, functionality and amenity of urban localities.
- To prevent any negative impacts on local amenity from the operation of the container deposit scheme infrastructure.
- To enable the timely, cost-effective delivery of essential container deposit scheme infrastructure.
- To provide conveniently located infrastructure to ensure the container deposit schemes' effective reduction of litter, increased recycling and protection of the environment.

1. Authority:

This policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme Area.

2. Application:

This policy applies to infrastructure associated with the container deposit scheme within the City of Joondalup, as outlined in this policy.

3. Definitions:

“container collection cage” means a cage, or other structure, that is designed to store containers deposited at return points, and is incidental to the predominant land use.

“container deposit scheme infrastructure” means a reverse vending machine or a container collection cage.

“reverse vending machine” means a permanently-located unattended device that accepts empty beverage containers, and is incidental to the predominant land use.

“the Heritage Act” means the *Heritage of Western Australia Act 1990*.

“the Noise Regulations” means *Environmental Protection (Noise) Regulations 1997* (as amended) prepared under the *Environmental Protection Act 1986*.

“the Regulations” means the *Planning and Development (Local Planning Schemes) Regulations 2015* prepared under the *Planning and Development Act 2005*.

“total lot area” means the total land area of a freehold or survey strata lot.

“the Scheme” means the City of Joondalup Local Planning Scheme No. 3.

4. Statement:

The purpose of this policy is to provide an exemption in accordance with Clause 61(1)(i20) and (2)(e) of the *Planning and Development (Local Planning Schemes) Regulations 2015* from the requirement to obtain development approval for container deposit scheme infrastructure proposals which satisfy minimum development standards.

5. Details:

Development approval will not be required for container deposit scheme infrastructure proposals that comply with the provisions of this policy, in accordance with clause 61(1)(i20) and (2)(e) of the deemed provisions of the Scheme provided for by the Regulations, unless the development is proposed on land in a place that is:

- 1.a. entered in the Register of Heritage Places under the Heritage Act; or
- 2.b. the subject of an order under Part 6 of the Heritage Act; or
- 3.c. included on a heritage list prepared in accordance with the Scheme; or
- 4.d. within an area designated under the Scheme as a heritage area; or
- 5.e. the subject of a heritage agreement entered into under section 29 of the Heritage Act.

Container deposit scheme infrastructure proposed to be erected on a temporary basis of not more than 48 hours within a 12-month period are typically exempt from approval, as per the requirements of 61(1)(f17) and (2)(fd) of the deemed provisions provided in the Regulations and contained within the Scheme. As such, the policy provisions would not apply.

5.1. Specified exemptions:

- a. The development or operation of a large reverse vending machine is development for which development approval is not required where it complies with all the relevant development standards outlined below (unless otherwise agreed by the local government), and may take place in any zone, with the exception of the residential and urban development zones:
 - i. residential and urban development zones; and
 - ii. rural zone.

- b. The development of a container collection cage is development for which development approval is not required where it complies with all the relevant development standards outlined below (unless otherwise agreed by the local government), and may take place in any zone, including a residential or rural zone or public purpose reserve where the land is lawfully used for the purposes of:
 - i. Civic use; and/or
 - ii. Community purpose; and/or
 - iii. Educational establishment.

5.2. General:

Where the development of a reverse vending machine and/or container collection cage is proposed, the infrastructure must not result in any change to the approved land use in a way that would result in the use no longer complying with any relevant development standards and/or requirements of the Scheme.

5.2.1. Location:

- a. Container deposit scheme infrastructure must not be erected within 10 metres of an adjoining lot boundary that accommodates a residential use.
- b. Container deposit scheme infrastructure must not restrict any vehicular or pedestrian access to or from, or entry to any building on, the land on which the infrastructure is located.
- c. Container deposit scheme infrastructure must not obstruct the operation of, or access to, any utility services on the land on which the infrastructure is located or on adjacent land.
- d. To preserve pedestrian and vehicular sightlines, and servicing access, container deposit scheme infrastructure must not be erected within two metres of any road reserve or right-of-way intersection or crossover, and shall be located in such a way that it does not reduce existing car park sightlines, aisle widths and manoeuvring spaces.
- e. Where the development of a container collection cage is proposed, the collection cage must be located in a car park or service area to be visually unobtrusive, and must be secured, locked and immovable.

5.2.2. Visual amenity:

- a. Where the development of container deposit scheme infrastructure is proposed outdoors, placement of the infrastructure must not result in the removal of any vegetation, landscaping or street tree.
- b. Container deposit scheme infrastructure must be constructed and clad with low-reflective, graffiti-resistant materials, which provide protection from the elements and, where not consisting of promotional or branding material approved under the operation of the container deposit scheme, are consistent in colour and finish to that of nearby existing buildings.
- c. Where the development of container deposit scheme infrastructure is proposed outdoors, the infrastructure must not display any advertising signage other than

promotional or brand signage approved under the operation of the container deposit scheme.

- d. Where the development of container deposit scheme infrastructure is proposed outdoors, and the infrastructure exceeds a development footprint of 10 square metres, bins for the removal of waste or recyclable materials not accepted by the infrastructure are to be provided and serviced regularly to maintain the amenity of the area, at a rate of one (1) waste bin and 0.5 recycling bins (both 240L in volume) per 10 square metres of development footprint.

5.2.3. Operational amenity:

- a. Where the development of container deposit scheme infrastructure is proposed, the operation of the infrastructure must not prejudicially affect the amenity of the locality due to the emission of light, noise, vibration, electrical interference, smell or any other by-product.
- b. Where the development or operation of a large reverse vending machine is proposed adjacent to land that accommodates a residential use, the machine must operate only between the approved opening hours of the predominant land use, or in the absence of any other use:
 - i. between 7.00am and 7.00pm Monday to Saturday; and
 - ii. between 9.00am and 7.00pm on Sunday and public holidays.
- c. Where the development or operation of a large reverse vending machine is proposed, the reverse vending machine when in operation must not emit noise at a level which exceeds any requirement(s) under the Noise Regulations.
- d. Where the development or operation of container deposit scheme infrastructure is proposed, the infrastructure must be provided with lighting that complies with AS/NZS1158.3.1:~~2005-2020 Lighting for roads and public spaces, Part 3.1: Pedestrian area (Category P) lighting~~ - performance and design requirements (as amended).
- e. Where the development or operation of container deposit scheme infrastructure is proposed, the infrastructure must be accessible to any person with a disability.

5.2.4. Development footprint:

- a. Where the development of a container collection cage is proposed outdoors, the cage must not:
 - i. have a development footprint of more than eight (8) square metres; or
 - ii. be more than two (2) metres in height.
- b. Where the development of a large reverse vending machine is proposed outdoors, on land not used for car parking, the machine must not:
 - i. have a development footprint of more than 45 square metres, and
 - ii. be more than three (3) metres in height, or have dimensions greater than eight (8) metres by six (6) metres.

- c. Where the development of a large reverse vending machine is proposed within an existing car park comprising more than 40 car parking spaces, the area occupied by the reverse vending machine must not exceed the greater of the following areas:
- i. The area comprising four (4) car parking spaces; or
 - ii. 45 square metres, where the car park contains 200 car parking spaces or less; or
 - iii. 75 square metres, where the car park contains 200 or more car parking spaces.
- d. Where the development of container deposit scheme infrastructure is proposed outdoors, the infrastructure shall be installed at a rate no greater than:
- i. Container collections cage – one (1) per lot; or
 - ii. Large reverse vending machine proposed on land not used for car parking – one (1) per 15,000 square metres of total lot area; or
 - iii. Large reverse vending machine proposed in an existing car park comprising more than 40 car parking spaces – one (1) per 1000 car parking spaces.

Creation date: August 2020 (CJ120-08/20)

Formerly:

Amendments: CJXXX-XX/25

Last reviewed: Month 2025 (CJXXX-XX/25)

Related documentation:

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

File reference: 108939



Non-residential Development in the Residential Zone Local Planning Policy

Responsible directorate: Planning and Community Development

Objectives:

- To provide development standards for non-residential development in the Residential Zone.
- To ensure that non-residential development is compatible with and complements the character of the surrounding residential area.
- To ensure that non-residential development does not have a negative impact on the surrounding residential amenity.

1. Authority:

This policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area.

2. Application:

This policy applies to all non-residential development (not covered by other local planning policies) in the 'Residential' zone and the 'Urban Development' zone where the applicable structure plan applies the 'Residential' zone.

3. Definitions:

"non-residential development" means development to which the 'Residential Design Codes' (R-Codes) do not apply.

"external fixtures" means utilities, equipment, plant or other structures necessary for a building to achieve efficient, comfortable operating outcomes and may include rainwater storage tanks, air conditioning units, communication, power and water infrastructure, letterboxes or other fixtures necessary for the use of the building.

"height" when used in relation to a building, means the maximum vertical distance between natural ground level and the finished roof height directly above.

“**landscape, landscaping or landscaped**” means land developed with garden beds, shrubs and trees, or by the planting of lawns, and includes such features as rockeries or ornamental ponds.

“**small scale renewable energy system**” means a solar energy system of up to 100 kilowatts capacity or a small wind energy system of up to 10 kilowatts capacity.

“**solar energy system**” means a system which converts energy from the sun into useable electrical energy, heats water or produces hot air or a similar function through the use of solar panels.

“**wind energy system**” means equipment that converts and then stores or transfers energy from the wind into usable forms of energy. This equipment includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component used in the system.

4. Details:

4.1. Location:

It is preferred that non-residential uses be located as follows:

- a. Directly adjoining a non-residential use such as a shopping centre, medical centre or consulting room, school, park or community purpose building on at least one boundary
- b. Not be located on lots fronting local roads or cul de sac roads, or lots accessed by a right-of-way, common driveway or battle-axe leg
- c. Where a proposal does not meet the above criteria, the applicant is required to outline measures to ensure that the proposal will not have an undue impact on residential amenity in terms of noise, location of car parking, increased traffic and building scale.

4.1.4.2. Building setbacks:

Building setbacks are to be in accordance with Part B of the Residential Design Codes (R-Codes) (Volume 1) and the City’s Residential Development Local Planning Policy (as relevant) or any relevant structure plan.

- a. Building setbacks are to be in accordance with Part 5 of the R-Codes, with the exception of the following:

R-Code	Minimum primary street setback distance	Minimum secondary street setback distance
R5	12 metres	6 metres
R20 and R25	6 metres	1.5 metres
R30 and above	4 metres	1.5 metres

4.2.4.3. Building height:

- a. The maximum building height as measured from the natural ground level is to be in accordance with the following table:

Land use	Maximum building height		
	Top of external wall	Top of external wall (concealed roof)	Top of pitched roof
Residential Aged Care Facility on a lot of 5,000m ² or more coded R40 or lower	9 metres	10 metres	12 metres
Residential Aged Care Facility on a lot of 5,000m ² or more coded R50 or higher	12 metres	13 metres	15 metres
All other non-residential land uses	<u>6-7</u> metres	<u>7-8</u> metres	<u>9-10</u> metres

4.3.4.4. Building design:

- a. Development is to be in accordance with the following requirements:

Design Element	Development Standard
(a) Appearance	(i) The building must be of residential appearance, in keeping with the surrounding environment, and not detract from the amenity of adjoining properties.

4.4.4.5. Parking and access:

4.4.1.4.5.1. Car parking standard:

- a. Car parking bays are to be provided in accordance with the following table:

Use Class	Number of on-site parking bays
Caravan Park	1 bay per site/chalet plus 1 visitor bay per 10 sites
Civic Use	1 per 4 people accommodated
Home Store	1 per 25m ² NLA
Park Home Park	1 bay per park home plus 1 visitor bay per 10 park homes
Residential Aged Care Facility	1 per 5 beds plus 1 per staff member on duty

4.4.2.4.5.2. Car parking location and design:

- a. Car park access and design is to be in accordance with the following requirements:

Design Element	Development requirement
a. Car park location	i. All car parking is to be provided on-site; verge parking is not permitted.

	ii. Car parks should, where practicable, be located at the rear of the building and the location clearly sign-posted.
b. Car park design	i. Car parks shall be designed in accordance with Australian Standards AS 2890.1 and/or AS 2890.2 as amended from time to time. ii. Tandem car parking will be considered for employee parking only and must be clearly designated as such.
c. Vehicle access	i. The number of crossovers should be kept to the minimum to provide efficient ingress and egress. ii. Vehicles are required to enter and exit the site in forward gear.
d. Pedestrian access	i. A footpath must be provided from the car park and the street to the building entrance.

4.5.4.6. Landscaping:

a. Landscaping is to be in accordance with the following requirements:

Design Element	Development requirement
a. % landscaping	i. A minimum of 8% of the area of a lot shall be landscaped. ii. The landscaped area shall include a minimum strip of 1.5 metres wide adjacent to all street boundaries.
b. Size	i. Any landscaped area shall have a minimum width of 1.0 metre and distributed in areas of not less than 4.0 <u>m² square metres</u> .
c. Shade trees	i. Shade trees shall be provided and maintained in uncovered car parks at the rate of one tree for every <u>4four</u> car parking bays.

4.6.4.7. Fencing:

a. Any fence located in the street setback is to be in accordance with the requirements of the Residential Design Codes (R-Codes) and the City's Residential Development Local Planning Policy or any relevant structure plan or local development plan.

4.7.4.8. Servicing:

a. Services should be screened from view, and located at the rear of the building where practicable. Servicing is to be in accordance with the following requirements:

Provision	Development requirement
a. Bin storage areas	i. Bin storage areas must be screened from view by a wall not less than 1.8 metres in height, constructed of brick, masonry or other approved material. ii. Bin storage areas must be accessible to waste collection vehicles and not adversely affect car parking and vehicular or pedestrian access.

b. External fixtures	i. External fixtures must be screened from view from the street through building design and located on the roof, basement or at the rear of the building.
c. Lighting	ii. To minimise the negative impacts of lighting, lighting is to be installed in accordance with Australian Standard AS 4282.

4.9. Operations management plan:

Development applications for non-residential uses that are being contemplated in the 'Residential' zone are to be accompanied by an operations management plan that addresses the following, as relevant:

- a. Detailed description of the proposal
- b. Outline measures to ensure that activity will not have undue impact on residential amenity e.g. in relation to noise, car parking, traffic, and building scale, including provision of a noise impact assessment or traffic assessment completed by a suitably qualified professional if required by the City
- c. Maximum number of staff and customers/visitors proposed on any given day
- d. Operating hours
- e. Parking arrangements for staff and customers/visitors
- f. Waste management arrangements
- g. Timing and frequency of additional services/activities associated with the use (e.g. cleaning, gardening, deliveries etc)
- h. Any other relevant matters.

If approved, compliance with the management plan will be an ongoing condition of development approval.

4.8.4.10. Sea containers on private land:

The location and use of sea containers associated with non-residential uses on 'Residential' zoned land should not detract from the amenity, character and streetscape of an area.

- a. The permanent use of a sea container is to be in accordance with the following requirements, demonstrated through an application for development approval:

Provision	Development requirement
(a) Visibility	<ul style="list-style-type: none"> i. The sea container must not be visible from any street. ii. The sea container must be clad with materials and is a colour that matches, or is complementary to, the materials and colour of the existing buildings on the property.

- b. The temporary use of a sea container can be considered in accordance with the following requirements:
- i. The sea container is only used in conjunction with building construction or subdivision work that is occurring or approved to occur on the subject site, up to a maximum of 12 months; or
 - ii. The sea container is only used for the loading or unloading of goods that is occurring on the subject site up to a maximum of 7 days; and
 - iii. The sea container is positioned so as not to obscure vehicle sightlines.
 - iv. A formal request is received and a letter is issued from the City approving the temporary nature of the sea container, and its period of use, in accordance with the provisions of subclause 61(1)(17f) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
 - v. Clause iv. above does not apply if the sea container is in place for less than 48 hours.

4.9.4.11. Small scale renewable energy systems:

a. The development of small scale renewable energy systems is encouraged in order to reduce the production of greenhouse gas emissions. Small scale renewable energy systems are to be in accordance with the following requirements:

Provision	Development requirement
(a) Solar energy system	(i) Solar energy systems must be integrated into the overall design of the building and located on rooftops so as not to detract from the building itself or impose on the existing streetscape.
(b) Wind energy system	<ol style="list-style-type: none"> i. The system must be well setback from any overhead power lines. ii. The turbine system must be fitted with an automatic and manual braking system or an over-speed protection device. iii. Unless colour-matched to the supporting roof, the wind energy system and any tower structure must remain painted or finished in the colour or finish applied by the manufacturer. iv. No signage, other than the manufacturer's or installer's identification, shall be attached to the system. v. Any electrical components and wires associated with a small wind energy system must not be visible from the street. vi. The system must not be located on a property/building on the City's Heritage List. vii. A maximum of 1 turbine per lot is permitted. viii. Turbines are not permitted on lots less than 350m². ix. The maximum height of a pole mounted system is 5m metres above natural ground level. x. The minimum clearance of a pole mounted system is 3m metres from natural ground level. xi. The maximum height of a roof mounted system is 3m metres above the roofline. xii. The maximum blade diameter is 2m metres. xiii. Not permitted between the building and street.

	<p>xiv. A pole mounted system must be setback from side and rear boundaries not less than the total height of the wind energy system.</p> <p>xv. A roof mounted system must be setback a minimum of 7.5 metres from a major opening of an adjoining building.</p>
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4.10.4.12. Public consultation:

- a. Refer to the City's Planning Consultation Local Planning Policy.

Creation date: October 2018 (CJ183-10/18)

Formerly:

Amendments: CJ033-03/20

Last reviewed: March 2020 (CJ033-03/20)

Related documentation:

- City of Joondalup Local Planning Scheme No. 3
- Planning Consultation Local Planning Policy

File reference: 106888



Subdivision and Dwelling Development Adjoining Areas of Public Space Local Planning Policy

Responsible directorate: Planning and Community Development

Objective: To provide guidelines for the design of subdivisions and dwelling developments adjoining areas of public space to maximise the outlook onto and casual surveillance of these areas from adjoining properties and streets.

1. Authority:

This Policy has been prepared in accordance with Clause 8.11 of the City of Joondalup District Planning Scheme No. 2 which allows Council to prepare planning policies relating to planning and development within the Scheme area.

2. Application:

This Policy applies to all subdivisions and other dwelling developments adjoining areas of public space.

This Policy is to be implemented in conjunction with the provisions of the City of Joondalup's Private Property Local Law 1998.

3. Definitions:

“active habitable space” means any habitable room with a floor area greater than 10 square metres and any balcony, verandah terrace or other outdoor living area raised more than 0.5 metres above natural ground level and greater than 1 metre in dimension and 3 square metres in area, as defined within the Residential Design Codes of Western Australia.

“amenity” means all those factors which combine to form the character of the area to residents and passers-by and shall include the present and likely future amenity, as defined within the City of Joondalup District Planning Scheme No. 2.

“habitable room” means a room used for normal domestic activities that includes:

- a bedroom, living room, lounge room, music room, sitting room, television room, kitchen, dining room, sewing room, study, playroom, sunroom, gymnasium, fully-enclosed swimming pool or patio;

but excludes:

- a bathroom, laundry, water closet, food storage pantry, walk-in wardrobe, corridor, hallway, lobby, photographic darkroom, clothes-drying room, verandah and unenclosed swimming pool or patio and other spaces of a specialised nature, occupied neither frequently nor for extended periods;

as defined within the Residential Design Codes of Western Australia.

“height” means the vertical distance from the natural ground level to the upper most part of the structure.

“major opening” means a window, door or other opening in the exterior wall of a habitable room that provides external means of light or view for the room or space, but does not include an opening or openings that:

- in aggregate, do not exceed 1 square metre in any such wall, (provided that adjoining or contiguous windows at the junction of two walls forming an internal angle of 90 degrees or less shall be aggregated); or
- are glazed in an obscure material and are not able to be opened; or have a sill height not less than 1.6 metres above floor level;

as defined within the Residential Design Codes of Western Australia.

“natural ground level” means the levels on a site which precede the proposed development, excluding any site works, unless approved by the Council or established as part of subdivision of the land preceding development, as defined within the Residential Design Codes of Western Australia.

“outdoor living areas” means the area external to a single house, grouped or multiple dwelling, to be used in conjunction with that dwelling, such that it is capable of active or passive use, but excludes any area with a dimension of less than 1 metre minimum dimension or which, by reason of its development or topography, is not readily accessible from the dwelling, as defined within the Residential Design Codes of Western Australia.

“pedestrian accessway” means any path in the public domain that is available for use by pedestrians, and vehicles that are not regulated by the *Road Traffic Act 1974* (e.g.: bicycles, skateboards, rollerblades). Does not include pedestrian paths provided within road reserves, or on land zoned Parks and Recreation under the City of Joondalup District Planning Scheme No. 2.

“primary street” means, unless otherwise designated by the local government, the sole or principal public road that provides access to the major entry (front door) to the dwelling, as defined within the Residential Design Codes of Western Australia.

“**public space**” means any place to which the public has access. This includes public open space, underpasses and any other such areas determined by Council. Public space also includes areas in private ownership that are accessible to the general public on a regular basis.

“**uniform fencing**” means a fence of uniform style erected upon the external boundary of a subdivision of land and/or on boundaries abutting public space.

“**visually permeable**” means, in reference to a wall, gate, door or fence, that the vertical surface has:

- continuous vertical or horizontal gaps of at least 50 millimetres width occupying not less than one third of its face in aggregate of the entire surface or, where narrower than 50 millimetres, occupying at least one half of the face in aggregate, as viewed directly from the street; or
- a surface offering equal or lesser obstruction to view;

as defined within the Residential Design Codes of Western Australia.

4. **Statement:**

The City of Joondalup has developed design criteria for subdivisions and other developments adjoining areas of public space which aim to maximise the outlook onto and casual surveillance of areas of public space from adjoining properties and streets whilst maintaining an appropriate level of privacy for those living on adjoining properties.

5. **Details:**

5.1. **Subdivisions adjoining areas of public space:**

5.1.1. **Subdivision layout:**

The following design criteria will apply to all subdivisions adjoining areas of public space:

- a. Subdivisions should be designed so that areas of public space are bound by streets. Lots should be orientated to front the street and overlook the public space to maximise casual surveillance as demonstrated in Figure 1.

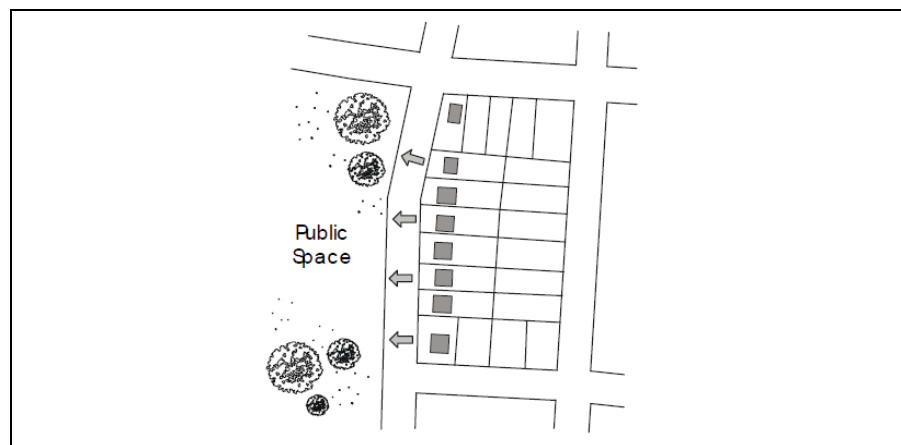


Figure 1. Lots fronting public space across a street

- b. Whilst not generally supported, in some instances it may be deemed acceptable by the City for lots to abut public space where it can be demonstrated that fencing and buildings along the common boundary are designed to promote visual surveillance.
- c. For those lots abutting public space, retaining to a maximum height of 500 millimetres from natural ground level is encouraged. This provides a distinction between public and private property and assists in providing privacy for adjoining lots whilst maintaining visual surveillance as demonstrated in Figure 2.

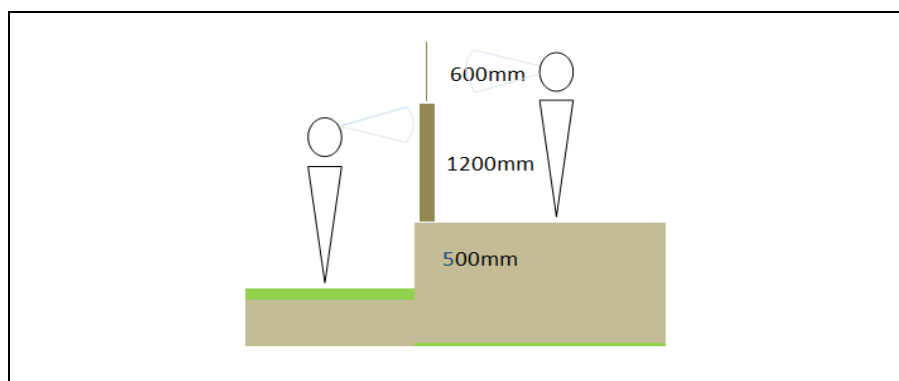


Figure 2: Retaining adjoining public space

5.1.2. Establishment of pedestrian accessways:

The establishment of new pedestrian accessways between property boundaries is generally not supported due to the resultant anti-social behaviour and loss of privacy. However, the City acknowledges that there may be instances where the establishment of pedestrian accessways is warranted or is the only remaining design solution that will provide a convenient and legible pedestrian network. In these instances, the following requirements will apply:

- a. The applicant must provide written justification for the inclusion of the pedestrian accessway and illustrate how the design will minimise opportunities for anti-social behaviour. Regard shall be given to the Western Australian Planning Commission's Designing out Crime and the Reducing Crime and Anti-Social Behaviour in Pedestrian Accessway Planning Guidelines.
- b. The length of a pedestrian accessway must not exceed 70 metres.
- c. The pedestrian accessway must have a minimum width of 8 metres.
- d. Where the pedestrian accessway is located at a cul-de-sac head that almost abuts a major road, parkland, neighbouring development, or area with future development potential, the pedestrian accessway must be equal to the road reserve width of an accessway under the Western Australian Planning Commission's State Planning Policy 2.6 Residential Road Planning (11.5 metres to 15 metres).
- e. Consideration must be given to the gradient of the pedestrian accessway, particularly its impact on use, safety and security.

- f. To increase security for those lots abutting the pedestrian accessway and the safety of pedestrians using the pedestrian accessway, uninterrupted sight lines must be provided for the entire length of the pedestrian accessway.
- g. The pedestrian accessway must be designed and constructed, at the applicant's expense, in a manner which makes the pedestrian accessway safe, attractive and convenient and shall include the following:
 - i. Landscaping and lighting must have regard to the Reducing Crime and Anti-Social Behaviour in Pedestrian Accessway Planning Guidelines. Lighting and landscaping plans will be required to be submitted to the City for approval.
 - ii. The pedestrian accessway must be designed to generally prevent use by vehicular traffic (emergency access should be considered), and designed to limit the speed of cyclists and other users to ensure a safe but convenient link. Barriers which force users to dismount their bicycles are discouraged.
 - iii. The pedestrian accessway should be integrated with the local pedestrian and cycle movement network (including on street and footpaths) and, wherever possible, orientated to reinforce the visual link between local landmarks and local attractions.

5.1.3. Fencing along major road reserves:

Fencing along major road reserves should be minimised to contribute to an open streetscape and provide passive surveillance. The following will apply to subdivisions and structure plans:

- a. The need for uniform fencing should be eliminated by incorporating alternative design measures, such as cul-de-sac head extensions to major roads, controlled access places and Boulevard treatments where direct lot access to internal subdivisional roads is not permitted under Western Australian Planning Commission policy.
- b. A barrier is required along the common boundaries where cul-de-sac heads and service roads are located immediately adjacent to major roads. Such barriers must consist of bollards, posts and rails or other low, open designs as approved by the City.
- c. Any solid wall infill is prohibited, where open sections of cul-de-sac heads abut major roads to minimise the creation of "walled estates".

Where the Western Australian Planning Commission has imposed conditions for uniform fencing and landscaping on a subdivision approval, the developer must submit a Landscaping Plan, together with Uniform Fencing Plans. The Landscaping Plan will include details of any financial contribution to the City, or a written undertaking of the developer's preparedness to meet future costs for ongoing maintenance of the landscaping for a negotiated period (desired minimum of two years).

Subdivision conditions requiring the construction of uniform fencing shall be constructed prior to seeking subdivision clearance from the City.

5.2. Dwellings adjoining areas of public space:

Except where provided for in an agreed Structure Plan, the following design criteria shall apply to all dwelling developments which adjoin areas of public space.

5.2.1 Dwelling layout:

- a. Dwellings should be designed so that areas of public space are overlooked by major openings. Large expanses of blank walls should be avoided.
- b. For lots abutting public open space, outdoor living areas should be located to ensure that views of the public open space are maximised.
- c. Dwellings adjoining pedestrian accessways which are greater than one storey should provide a minimum of one major opening or unenclosed active habitable space on an upper storey to provide surveillance to the pedestrian accessway.

Regard shall be given to the privacy setback requirements of the Residential Design Codes of Western Australia.

5.2.2. Fencing:

In order to promote casual surveillance, whilst also providing a degree of privacy for private properties, the following should apply:

- a. Fencing between public space and private property should:
 - be a maximum height of 1.8 metres;
 - be visually permeable above 1.2 metres, as measured from natural ground level for a minimum of 50 per cent of the boundary length; and
 - allow surveillance from an outdoor living area and/or major opening as demonstrated in Figure 3.

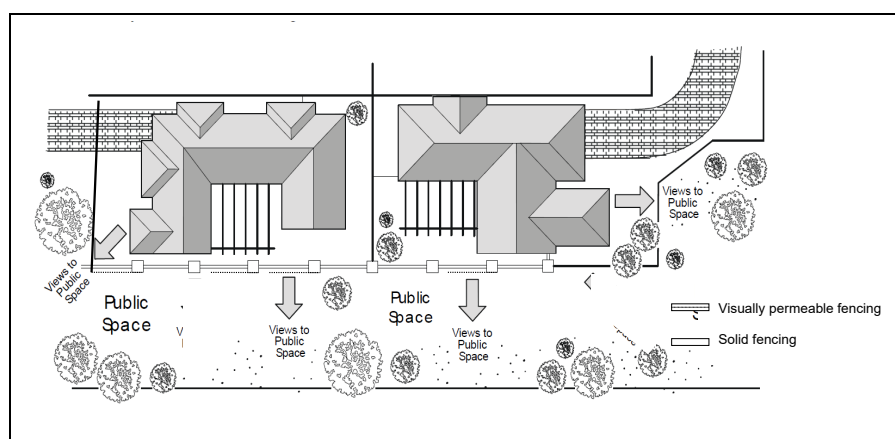


Figure 3. Surveillance of public space

- b. Fencing along common boundaries with pedestrian accessways should be:
- a maximum height of 1.8 metres; and
 - visually permeable above 1.2 metres, as measured from natural ground level, the greater of the street setback area (as stipulated in the *Residential Design Codes of Western Australia*) in accordance with Figure 4, or the setback of the front of the dwelling closest to the common boundary in accordance with Figure 5.

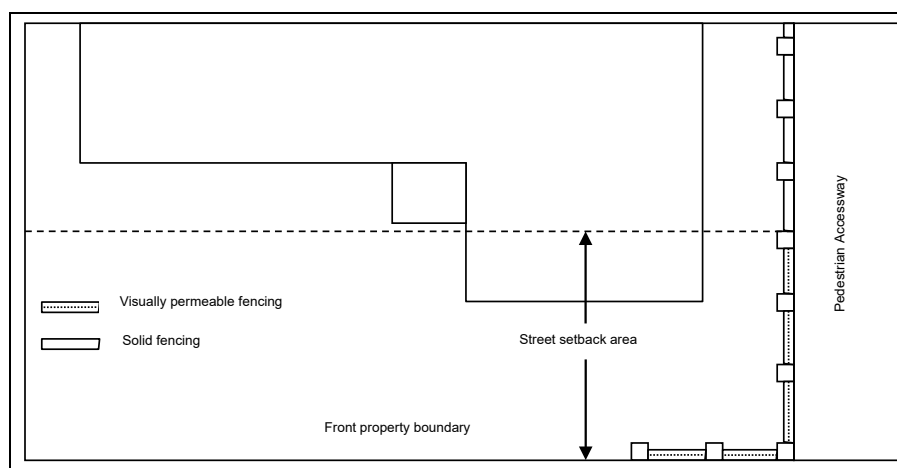


Figure 4. Fencing adjacent pedestrian accessway

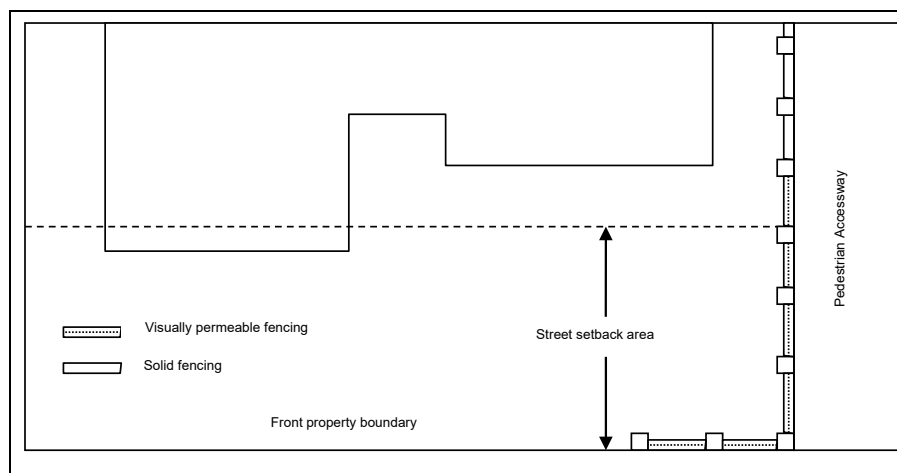


Figure 5. Fencing adjacent pedestrian accessway

- c. Uniform fencing along road reserves, with the exception of a primary street, should be:
- impermeable (solid);
 - constructed to a maximum height of 1.8 metres above natural ground level;
 - constructed of materials or finished treatments to give a long-lasting, aesthetically pleasing appearance;
 - of low-maintenance; and
 - complemented, where appropriate, with landscaping native to the locality.

Additionally, the following applies with regard to construction:

- Uniform fencing construction materials may include brick, masonry, or other materials as approved by the City.
- Brick or masonry piers shall project a maximum of 300 millimetres above the fence line and be provided at intervals of not more than 7.5 metres for brick or masonry and 6 metres for all other fences.
- Where extensive lengths of uniform fencing are proposed, these shall be articulated in the form of planting recesses, a combination of materials, colours, textures and/or other similar detailing to reduce the vertical mass and provide visual interest.

Creation date: October 2009

Formerly:

Amendments: CJ256-11/12

Last reviewed: November 2012 (CJ256-11/12)

Related documentation:

- City of Joondalup District Planning Scheme No. 2
- Private Property Local Law 1998
- Reducing Crime and Anti-Social Behaviour in Pedestrian Accessway Planning Guidelines
- Residential Design Codes of Western Australia
- Road Traffic Act 1974

File reference: 44588



Residential Development Local Planning Policy

Responsible directorate: Planning and Community Development

Objectives:

- To provide a planning framework which is complementary to the Residential Design Codes Volume 1 to support a high standard of urban design and amenity for residential developments in the City of Joondalup.
- To ensure that residential development outcomes in the City of Joondalup are reflective of the current and future desired character of the area.
- To ensure that development occurring at the higher dual density code within Housing Opportunity Areas is of a scale that provides an appropriate transition to adjoining land uses.
- To ensure that adequate parking facilities are provided for new developments.
- To contribute to improvement of the City's urban tree canopy and protect and enhance amenity of residents through attractive landscaped streetscapes and increased greening of verges.

1. Authority:

This Policy has been prepared in accordance with Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area, and in accordance with Clause 3.1 of the Residential Design Codes Volume 1 which allows a local planning policy to amend, replace and/or augment provisions of the Residential Design Codes Volume 1.

2. Application:

This policy applies to residential development in the City of Joondalup.

Appendix 1 of this policy applies to Part B of the R-Codes including the following:

- Single houses: R40 and below
- Grouped dwellings: R25 and below

- Multiple dwellings: R10–R25

Appendix 2 of this policy applies to Part C of the R-Codes including the following:

- Single houses: R50 and above
- Grouped dwellings: R30 and above
- Multiple dwellings: R30–R60

Appendix 3 of this policy applies to Part D of the R-Codes including the following:

- Single houses and grouped (all density codes)
- Multiple dwellings: R10–R60

Locational application of requirements:

General residential:	General residential locations refer to all lots outside of Housing Opportunity Areas and lots within Housing Opportunity Areas which are being developed at the lower (R20) code.
Higher dual density code:	Higher dual density code locations refer to all lots within a Housing Opportunity Area which are being developed at the higher applicable dual density code.

Where this policy does not contain specific requirements for development matters that are otherwise contained in the Residential Design Codes Volume 1, or any approved structure plan or local development plan, then that document's controls shall prevail in that instance only.

3. Definitions:

“Housing Opportunity Area” means an area with a dual density code applied to it in the City's Local Planning Scheme No 3.

“verge” means the portion of land between the road and boundary of the adjacent lot.

4. Statement:

The City of Joondalup supports residential development that provides a diversity of housing typologies, which vary from low-density single houses and grouped dwellings, to medium-density grouped and multiple dwellings and ancillary accommodation. Medium and high-density development should be strategically located to support a more compact sustainable urban form around centres, train stations and public open space.

The City recognises that infill development outcomes for lots developed to the higher dual density code will result in a new scale of development in those areas that may be greater than the existing built form. As such there is a need to moderate the scale of development to provide a considered change from present character to future character. This will ensure a sustainable level of amenity is provided for residents and neighbours, now and into the future.

This policy provides development provisions for residential development that aims to create high-quality built form outcomes which appropriately manage the amenity impacts of infill

development, while ensuring consistency with the Residential Design Codes Volume 1, where appropriate.

5. Details:

This policy provides replacement or additional Residential Design Codes 'deemed-to-comply' requirements for residential development and is structured in accordance with the Residential Design Codes Volume 1. This policy should be used by first identifying the applicable Appendix and associated part (B or C) followed by the locational application as either 'General residential' or 'Higher dual density code' to identify the applicable replacement or additional deemed-to-comply requirements.

This policy is to be read in conjunction with the Local Planning Scheme No. 3, Residential Design Codes Volume 1, relevant structure plans, and/or local development plans.

The deemed-to-comply requirements of the following clauses of the Residential Design Codes Volume 1 are modified by the provisions set out in Appendices 1–3 of this policy:

- Sightlines/Access — Part B, clause 5.2.5, Part C, clause 3.7
- Site works/Site works and retaining walls — Part B, clause 5.3.7, Part C, clause 3.5
- Setback of garages and carports/Street setbacks — Part B, clause 5.2.1, Part C, clause 3.3
- Outdoor living areas/Private open space — Part B, clause 5.3.1, Part C, clause 1.1
- Landscaping/Trees and landscaping — Part B, clause 5.3.2, Part C, clause 1.2
- Solar access for adjoining sites — Part B, clause 5.4.2, Part C, clause 3.9
- Lot boundary setbacks — Part C, clause 3.4
- Parking — Part C, clause 2.3
- Building Height — Part C, clause 3.2
- Site Area — Part D, clause 1.1

Residential development will be assessed against the applicable replacement or additional deemed to comply requirements of that clause, in addition to any other applicable deemed-to-comply requirements or 'design principles' of the Residential Design Codes Volume 1.

Creation date:	<mmmm yyyy> (<report ref>)
Formerly:	NA
Amendments:	NA
Last reviewed:	NA
Related documentation:	<ul style="list-style-type: none">• City of Joondalup Local Planning Scheme No 3

- Residential Design Codes Volume 1 2024

File reference: 104919

APPENDIX 1

PART B – Residential Design Codes Volume 1	
Replacement and additional deemed-to-comply requirements:	
Deemed-to-comply requirements that replace or add to the ‘deemed-to comply’ requirements of the Residential Design Codes Volume 1 applicable to:	
<ul style="list-style-type: none"> • Single houses: R40 and below • Grouped dwellings: R25 and below • Multiple dwellings: R10–R25 	
Application: General residential	
5.2 Streetscape	
Clause 5.2.5 Sightlines	
Clause 5.2.5, C5 is replaced with the following:	
C5	A pillar to a height of 1.8 m with a maximum dimension of 350 mm x 350 mm may be permitted within 1.5 m of where the vehicle access point meets the front property boundary provided the remainder of the wall within this area is visually permeable above 750 mm.
5.3 Site planning and design	
Clause 5.3.7 Site works	
Clause 5.3.7, C7.1 is replaced with the following:	
C7.1	Excavation or filling between the street and building, or within the front setback area, whichever distance is lesser, shall not exceed 1 m from natural ground level, except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for a dwelling.
Application: Higher dual density code	
5.2 Streetscape	
Clause 5.2.1 Setbacks of garages and carports	
Clause 5.2.1 is amended to include the following additional ‘deemed to comply’ requirements as C1.5 and C1.6:	
C1.5	Garages and carports setback 4.5 m to the secondary street where an existing or planned footpath is located in the adjacent verge area.
C1.6	Garages and carports abutting a right of way which acts as the primary street for the lot, setback 5 m from the street boundary.
Clause 5.2.5 Sightlines	
Clause 5.2.5, C5 is replaced with the following:	
C5	A pillar to a height of 1.8 m with a maximum dimension of 350 mm x 350 mm may be permitted within 1.5 m of where the vehicle access point meets the front property boundary provided the remainder of the wall within this area is visually permeable above 750 mm.

Application: Higher dual density code	
5.3 Site planning and design	
Clause 5.3.1 Outdoor living areas	
Clause 5.3.1 is amended to include the following additional 'deemed-to-comply' requirement as C1.3:	
C1.3	Outdoor living areas may be located in the front setback area where street walls or fences within the primary street setback area are visually permeable above 1.2 m from natural ground level.
Clause 5.3.2 Landscaping	
Clause 5.3.2 is amended to include the following additional 'deemed-to-comply' requirement as C2.3:	
C2.3	The verge(s) adjacent to the lot(s) shall be landscaped to the specification of the City and shall include one street tree for every 9 m of lot frontage width.
Clause 5.3.7 Site works	
Clause 5.3.7, C7.1 is replaced with the following:	
C7.1	Excavation or filling between the street and building, or within the front setback area, whichever distance is lesser, shall not exceed 1 m from natural ground level, except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for a dwelling.
5.4 Building design	
Clause 5.4.2 Solar access for adjoining sites	
As per Clause 26(6) of Local Planning Scheme No. 3:	
Clause 5.4.2, C2.1 and C2.2 are replaced with the following:	
C2.1	For residential areas with a dual code and the higher code is applied, 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 style="list-style-type: none"> i. On adjoining sites coded R60 or greater — 40% of the site area. ii. On adjoining sites coded R30 to R40 inclusive — 35% of the site area. iii. On adjoining sites coded R25 and lower — 25% of the site area. iv. Where an adjoining site is subject to a dual density code and the site is yet to be developed to the higher code, the base density code applied for the purposes of determining the maximum amount of shadow cast permitted. v. Buildings are oriented to maintain 4 hours per day solar access on 21 June for existing solar collectors on neighbouring sites. vi. Where a development site shares its southern boundary with a lot, and that lot is bound to the north by another lots(s), the limit of shading for the development site set out in clause 26(6) i–iii shall be reduced proportionate to the percentage of the affected property's northern boundary that the development site abuts.

APPENDIX 2

PART C – Residential Design Codes Volume 1				
Replacement and additional deemed-to-comply requirements:				
Deemed-to-comply requirements that replace or add to the ‘deemed-to-comply’ requirements of the Residential Design Codes Volume 1 applicable to:				
<ul style="list-style-type: none"> • Single houses: R50 and above • Grouped dwellings: R30 and above • Multiple dwellings: R30–R60 				
Application: General residential				
3.0 Neighbourliness				
Clause 3.4 Lot boundary setbacks				
Clause 3.4, C3.4.4 is replaced with the following:				
C3.4.4 Boundary walls may be built in accordance with the following: <ol style="list-style-type: none"> boundary walls are located behind the street setback; overshadowing does not exceed the limits set out in Local Planning Scheme No 3; and they are finished to an equivalent standard to the rest of the development, to the satisfaction of the decision maker. 				
R-Coding		Maximum boundary wall height	Maximum boundary wall length	Related figure
R30 – R35		3.5 m	Maximum two-thirds the length of the lot boundary the wall abuts, measured from behind the street setback line. Applicable up to two lot boundaries.	Figure 3.4f
R40		3.5 m	Maximum two-thirds the length of the lot boundary the wall abuts, measured from behind the street setback line. Applicable to all lot boundaries.	Figure 3.4g
R50 – R80	Where frontage is 8.5 m or less	3.5 m	Maximum 14 m length, at which point the wall is to be set back a minimum of 3 m measured from the lot boundary for a minimum length of 3 m. Applicable to all lot boundaries.	Figure 3.4h
	Where frontage is greater than 8.5m	3.5 m	Maximum 14 m length, at which point the wall is to be set back a minimum of 3 m measured from the lot boundary for a minimum length of 3 m, with a cumulative maximum of two-thirds the length of the lot boundary the wall abuts measured from behind the street setback line. Applicable to all lot boundaries.	Figure 3.4g and 3.4h
<p><i>R80 Code standards apply to single houses and grouped dwellings in areas coded R100, R160 and R-AC. Where the subject site is adjacent to a site with a lower density code, the maximum wall length and height of the boundary wall between them is determined by the lower density code.</i></p> <p><i>Where a boundary wall incorporates a retaining wall directly beneath the boundary wall, the retaining wall does not require assessment under clause C3.5.2 and is to be included in the wall height for the purpose of clause C3.4.4 (refer Figure 3.4i).</i></p>				

Application: General residential
Clause 3.5 Site works and retaining walls
Clause 3.5, C3.5.1 is replaced with the following:
C3.5.1 Excavation or filling between the street and building, or within the front setback area, whichever distance is lesser, shall not exceed 1 m from natural ground level, except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for a dwelling.
Clause 3.7 Access
Clause 3.7, C3.7.7 is replaced with the following:
C3.7.7 A pillar to a height of 1.8 m with a maximum dimension of 350 mm x 350 mm may be permitted within 1.5 m of where the vehicle access point meets the front property boundary provided the remainder of the wall within this area is visually permeable above 750 mm.
Application: Higher dual density code
1.0 The garden
Clause 1.1 Private open space
Clause 1.1 is amended to include the following additional 'deemed-to-comply' requirement as C1.1.5:
C1.1.5 For single houses and grouped dwellings, primary garden area may be located in the front setback area where any street walls or fences within the primary street setback area are visually permeable above 1.2 m from natural ground level.
Clause 1.2 Trees and landscaping
Clause 1.2 is amended to include the following additional 'deemed-to-comply' requirement as C1.2.9:
C1.2.9 The verge(s) adjacent to the lot(s) shall be landscaped to the specifications and satisfaction of the City and shall include one street tree for every 9 m of lot frontage width.

Application: Higher dual density code					
2.0 The building					
Clause 2.3 Parking					
Clause 2.3, C2.3.1 is replaced with the following:					
C2.3.1 Occupant car parking is provided on site and in accordance with the following:					
Occupant car parking	Location A		Minimum parking space(s) (per dwelling)	Maximum garage and carport parking (per dwelling)	
	Ancillary dwelling		0	1	
	Studio and 1 bedroom dwelling		1	1	
	2 bedroom dwelling		1	2	
	3+ bedroom dwelling		1	2	
	Location B		Minimum parking space(s) (per dwelling)	Maximum garage and carport parking (per dwelling)	
	Ancillary dwelling		0	1	
	Studio and 1 bedroom dwelling		1	1	
	2 bedroom dwelling		1	2	
	3+ bedroom dwelling		2	2	
3.0 Neighbourliness					
Clause 3.2 Building height					
Clause 3.2, C3.2.1 is replaced with the following:					
C3.2.1 Maximum building heights are in accordance with the following:					
R-Coding	Max number of storeys	Concealed or skillion roof	Pitched, hipped or gabled roof		
		Maximum building height	Maximum height of wall	Maximum total building height	
R30 and above	2	8 m	7 m	10 m	
<p>Refer figure 3.2a (Residential Design Codes Volume 1) for building height and natural ground level measurement guidance.</p> <p>Refer figure 3.2b (Residential Design Codes Volume 1) for wall height and total building height guidance.</p> <p>This table provides a maximum building height only and development will need to consider other elements such as 3.9 Solar access for adjoining sites.</p> <p>Where roof top terraces are proposed, the concealed or skillion roof controls apply.</p>					

Application: Higher dual density code											
Clause 3.3 Street setbacks											
Setback of garages and carports											
Clause 3.3, C3.3.4 and C3.3.6 are replaced by the following:											
C3.3.4 Garages are setback from the primary street boundary in accordance with the following:											
<table border="1"> <thead> <tr> <th>R-Coding</th> <th>Primary street setback</th> </tr> </thead> <tbody> <tr> <td>R30 and above</td> <td>4.5 m</td> </tr> </tbody> </table>		R-Coding	Primary street setback	R30 and above	4.5 m						
R-Coding	Primary street setback										
R30 and above	4.5 m										
C3.3.6 Garages and carports setback from a secondary street, right of way and communal street in accordance with the following:											
<table border="1"> <thead> <tr> <th>R-Coding</th> <th>Secondary street setback</th> <th>Right of way setback</th> <th>Communal street</th> </tr> </thead> <tbody> <tr> <td>R30 and above</td> <td>Garages and carports setback in accordance with table 3.3a of the Residential Design Codes Volume 1, except: i. Setback 4.5 m from the street boundary where an existing or planned footpath is located in the verge area immediately adjacent.</td> <td>Garages and carports setback in accordance with Table 3.3a of the Residential Design Codes Volume 1, except: i. Setback 5 m from the street boundary where abutting a right of way which acts as the primary street for the lot.</td> <td>Garages and carports are setback from a communal street in accordance with Table 3.3a of the Residential Design Codes Volume 1.</td> </tr> </tbody> </table>				R-Coding	Secondary street setback	Right of way setback	Communal street	R30 and above	Garages and carports setback in accordance with table 3.3a of the Residential Design Codes Volume 1, except: i. Setback 4.5 m from the street boundary where an existing or planned footpath is located in the verge area immediately adjacent.	Garages and carports setback in accordance with Table 3.3a of the Residential Design Codes Volume 1, except: i. Setback 5 m from the street boundary where abutting a right of way which acts as the primary street for the lot.	Garages and carports are setback from a communal street in accordance with Table 3.3a of the Residential Design Codes Volume 1.
R-Coding	Secondary street setback	Right of way setback	Communal street								
R30 and above	Garages and carports setback in accordance with table 3.3a of the Residential Design Codes Volume 1, except: i. Setback 4.5 m from the street boundary where an existing or planned footpath is located in the verge area immediately adjacent.	Garages and carports setback in accordance with Table 3.3a of the Residential Design Codes Volume 1, except: i. Setback 5 m from the street boundary where abutting a right of way which acts as the primary street for the lot.	Garages and carports are setback from a communal street in accordance with Table 3.3a of the Residential Design Codes Volume 1.								

Application: Higher dual density code			
Clause 3.4 Lot boundary setbacks			
Clause 3.4, C3.4.4 is replaced by the following:			
C3.4.4 Boundary walls may be built in accordance with the following: <ul style="list-style-type: none"> i. boundary walls are located behind the street setback; ii. overshadowing does not exceed the limits set out in Local Planning Scheme No 3; and iii. they are finished to an equivalent standard to the rest of the development, to the satisfaction of the decision maker. 			
R-Coding	Maximum boundary wall height	Maximum boundary wall length	Related figure
R30 – R35	3.5 m	Maximum two-thirds the length of the lot boundary the wall abuts, measured from behind the street setback line. Applicable up to two lot boundaries.	Figure 3.4f
R40	3.5 m	Maximum two-thirds the length of the lot boundary the wall abuts, measured from behind the street setback line. Applicable to all lot boundaries.	Figure 3.4g
R50 – R80	Where frontage is 8.5 m or less	Maximum 14 m length, at which point the wall is to be set back a minimum of 3 m measured from the lot boundary for a minimum length of 3 m. Applicable to all lot boundaries.	Figure 3.4h
	Where frontage is greater than 8.5 m	Maximum 14 m length, at which point the wall is to be set back a minimum of 3 m measured from the lot boundary for a minimum length of 3 m, with a cumulative maximum of two-thirds the length of the lot boundary the wall abuts measured from behind the street setback line. Applicable to all lot boundaries.	Figure 3.4g and 3.4h
<p><i>R80 Code standards apply to single houses and grouped dwellings in areas coded R100, R160 and R-AC.</i></p> <p><i>Where the subject site is adjacent to a site with a lower density code, the maximum wall length and height of the boundary wall between them is determined by the lower density code.</i></p> <p><i>Where a boundary wall incorporates a retaining wall directly beneath the boundary wall, the retaining wall does not require assessment under clause C3.5.2 and is to be included in the wall height for the purpose of clause C3.4.4 (refer Figure 3.4i).</i></p>			
Clause 3.5 Site works and retaining walls			
Clause 3.5, C3.5.1 is replaced with the following:			
C3.5.1 Excavation or filling between the street and building, or within the front setback area, whichever distance is lesser, shall not exceed 1 m from natural ground level, except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for a dwelling.			

Application: Higher dual density code
Clause 3.7 Access
Sightlines Clause 3.7, C3.7.7 is replaced with the following: C3.7.7 A pillar to a height of 1.8 m with a maximum dimension of 350 mm x 350 mm may be permitted within 1.5 m of where the vehicle access point meets the front property boundary provided the remainder of the wall within this area is visually permeable above 750 mm.
Clause 3.9 Solar access for adjoining sites
As per Clause 26(6) of Local Planning Scheme No 3: Clause 3.9, C3.9.1 – C3.9.3 is replaced with the following: C3.9.1 For residential areas with a dual code and the higher code is applied, 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: i. On adjoining sites coded R60 or greater – 40% of the site area. ii. On adjoining sites coded R30 to R40 inclusive – 35% of the site area. iii. On adjoining sites coded R25 and lower – 25% of the site area. iv. Where an adjoining site is subject to a dual density code and the site is yet to be developed to the higher code, the base density code applied for the purposes of determining the maximum amount of shadow cast permitted. v. Buildings are oriented to maintain 4 hours per day solar access on 21 June for existing solar collectors on neighbouring sites. vi. Where a development site shares its southern boundary with a lot, and that lot is bound to the north by another lots(s), the limit of shading for the development site set out in clause 26(6) i-iii shall be reduced proportionate to the percentage of the affected property's northern boundary that the development site abuts.

APPENDIX 3

PART D - Residential Design Codes Volume 1
Replacement and additional deemed-to-comply requirements:
Deemed-to-comply requirements that add to the 'deemed-to-comply' requirements of the Residential Design Codes Volume 1 applicable to:
<ul style="list-style-type: none"> • Single houses and grouped dwellings (all density codes) • Multiple dwellings: R10–R60
Application: Higher dual density code
1.0 Land
Clause 1.1 Site area
As per Clause 26(5) and Clause 26(7) of Local Planning Scheme No 3:
Clause 1.1 of the Residential Design Codes Volume 1, Part D is modified by inserting the additional 'deemed-to-comply' criteria as C1.1.9 and C1.1.10:
C1.1.9: In residential areas where dual coding applies, site areas under the higher coding may be applied subject to the following:
<ul style="list-style-type: none"> i. Development of single and grouped dwellings which complies with a minimum frontage of 9 m at the primary street setback; or ii. Development of grouped dwellings on corner lots with frontage to two streets, with rear common property access, which complies with a minimum frontage of 6 m.
C1.1.10 In addition to Clause 1.1 of the Residential Design Codes Volume 1, Part D and the Primary Controls Table 2.1 of the Residential Design Codes Volume 2, the following development standards apply:
<ul style="list-style-type: none"> i. Development of multiple dwellings which complies with a minimum site width street boundary of 20 m; and ii. For residential areas coded R20–40 multiple dwellings shall comply with the average site area per dwelling requirement specified for a single or grouped dwelling for the applicable density code under the Residential Design Codes Volume 1, unless the site: <ul style="list-style-type: none"> a. has a primary street frontage to a road with scheme reservation classification of Local Distributor Road or Other Regional Road; or b. is located within an 800 m walkable catchment, as defined on the Scheme map, from any existing or proposed strategic metropolitan, secondary or specialised activity centre or railway station on a high frequency rail route; or c. is located within a 400 m walkable catchment, as defined on the Scheme map, from any existing or proposed district activity centre.

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NO	SUBMISSION SUMMARY	ADMINISTRATION COMMENTS
1.	<p>Support</p> <p>The changes you have made, make it easier for an architectural designer like myself, to navigate the new medium density guidelines. I would only ask that in your policies section on your website you have a document called 'City of Joondalup's departures from Medium Density design Guidelines.' In that document you should include all the modifications the City makes to the MD guidelines so it is clear and simple to identify. Similar to how you have done the comparison table but delete all clauses that defer to the new R-Codes. I think this would lead to more faster planning applications.</p>	<p>Noted</p> <p>The new Residential Development Local Planning Policy includes the clauses of Part C which are modified by policy provisions.</p> <p>Consideration can be given to how this information on the City's website can be improved.</p>
2.	<p>Oppose</p> <p>I don't believe a continuation of the Housing opportunity LPP and dual zoning in City of Joondalup is required at all and should be removed.</p> <p>Given that the new R-codes addresses that vast majority of reason for the original Housing Opportunity LPP existing and solves these issues significantly better than the LPP, I believe it should simply be abolished and requirements left as per the new R-codes.</p> <p>I believe dual zoning is a cop-out and council need to take a stance on their plan for the future of Joondalup council and zone housing accordingly. Dual zoning and the policies that goes along with it simply means housing is built for years with compromised design and density that will plague city of Joondalup for the next 20-50 years. This is especially relevant in the current housing crisis.</p> <p>While the new LPP is a significant improvement over the previous, which was almost universally hated by owners, planners and designers, it still seems to be making alterations to the R-codes for the sake of it and providing</p>	<p>The new Residential Development Local Planning Policy applies development provisions to residential development in the City of Joondalup and does not in itself apply the dual code zoning to the City's Housing Opportunity Areas, with the dual density coding being applied through Local Planning Scheme No. 3.</p> <p>The provisions of the draft new Residential Development Local Planning Policy are designed to ensure that development outcomes are reflective of the current and future desired development characteristics in the City of Joondalup. It is not considered that R-Code provisions alone would be suitable to deliver housing which is sensitive to the local development context in terms of car parking and building height, for example.</p> <p>The City is currently undertaking a review of its Local Planning Strategy which can consider the appropriateness of dual density codings applied to lots in Housing Opportunity Areas as part of that broader review.</p>

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	minimal benefit that could not be provided through justification as lot requirements demand.	
3.	<p>Neutral</p> <p>After reading this proposal, I recognise that some provisions have been added to address the loss of tree canopy in these new developments. What is missing is that there seems to be no mention of requirements of developers to include enough green areas within or adjacent to the housing estate. By this I mean untouched bush corridors and conservation areas that can also be utilized by the residents as well as wildlife. Kingsley has a good example of this as it has Shepherds Bush which is a designated 'Bush Forever' site. Our policy needs to include these requirements for all new developments, especially now as block sizes are shrinking. This should be an urgent priority for the City of Joondalup ensuring the City is liveable for everyone.</p>	<p>Noted.</p> <p>The policy review is being undertaken as a statutory requirement in response to the release of the updated R-Codes, and therefore the scope for change is limited to determining where the new and updated requirements of the R-Codes should be amended through a revised local planning policy. The provision of open space for greenfield developments is outside of the scope of this review.</p>
4.	<p>Support</p> <p>The proposed changes to the HOA LPP and Residential Development LPP represent a good planning outcome, to align with current R Codes requirements and the intention of current planning expectations. The newly proposed policy will provide a clearer pathway for planning compliance in terms of home designs and likely reduce the need for planning applications or reduce application time frames.</p>	<p>Noted.</p>
5.	<p>Neutral</p> <p>R-Codes Part B, 5.1.3 Lot Boundary Setbacks C3.2 (ii) allows for boundary walls up to two side boundaries for areas coded R20 and R25, however did does not appear to have been referenced in the comparison table, nor any reasoning why the City is proposing to exclude this from the policy.</p>	<p>R-Codes Part B, 5.1.3 Lot boundary setbacks are referenced in the RDLPP comparison table and in the report to note that all RDLPP provisions are proposed to be removed and the R-Codes prevail, with the exception of boundary wall height provisions being restricted to 3.5m for developments under Part C. As such boundary walls are proposed to be able to be built up to two side boundaries in areas where Part B applies.</p>

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	<p>It is also unclear whether the proposed policy will be enforcing elements relative to Part C to all development in the City or if it will be defined as per the R-Codes, i.e. Single dwelling on R20 will still have Part B applicable? I have assumed that "Medium density development types" references any development where Part C is applicable, however wanted to clarify.</p>	<p>Clause 2 of the new Residential Development Local Planning policy specifies the application of replacement deemed to comply provisions for Parts B and C.</p>
<p>6.</p>	<p>Neutral 1. Discretion v judgement As recommended by the R-Codes Volume 1 practice notes please include in the new local planning policy ... <i>"clarification/guidance for the R-Codes Vol. 1 'design principles' by clearly outlining the parameters where discretion would be favourably exercised by the decision-maker."</i></p> <p>Reason: Such a clarification/guidance would help better decision-making and reduce pressure on the decision maker which could be applied from vested interests which will want to exploit the current contradictions and vagueness.</p> <p>Back-up points: CoJ's Provisions Summary Table described on the COJ website as Summary Comparison Table. 4th paragraph under the heading Approval pathway under the R-Codes refers to "... some judgement (referred to as 'discretion') ...". The R-Codes Vol 1 do not mention discretion, only judgement. Yet the Explanatory Guidelines, which are supplementary to, but to be read in conjunction with, the R-Codes Volume 1, refers to discretion in many cases. Discretion and judgement are different in meaning – check (full) dictionaries – and individual decision makers can</p>	<p>1. Discretion v judgement Clause 67(2) of the deemed provisions requires a decision-maker to have due regard to several factors when exercising discretion on planning applications. These include the following:</p> <ul style="list-style-type: none"> • Planning framework that applies to the proposed development; • Surrounding land use and development context; • Social, environmental and economic components; • Suitability of the land for development; • Site servicing requirements; and • Likely impacts of the proposed development on the community. <p>Given the high degree of variation in the above factors between development sites, providing broad clarification/guidance as to how discretion might be applied without considering individual site context would be difficult and may be limiting in the City's ability to effectively exercise discretion. Therefore, this inclusion is not supported.</p> <p>2. Delete proposed C3.5.1 C3.5.1 is a longstanding provision that is proposed to be retained from the current RDLPP. It is considered to provide improved flexibility in the provision of site works and retaining on lots in the City of Joondalup. This is reflective of the unique undulating topography in the City of Joondalup and therefore is considered to respond to the local context appropriately.</p>

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<p>have different interpretations, particularly of discretion. This situation leaves the decision maker open to influence by vested interests. A good example exploitation of the application of discretion was the approval of a 43 and 37 storey twin apartment blocks in Scarborough on a site that was zoned in the (then) MRA’s Master Plan for max 18 storeys including bonus storeys. The public was told that the decision was based on discretion being applied and nobody could do anything to reverse it. In that sort of case, discretion renders a plan or policy useless. There are many examples breaches of the R-Codes in buildings in my neighbourhood that should not have been approved. The interpretation of discretion needs tightening.</p> <p><u>Extract from Practice Notes</u> 2.5 <i>Exercise of judgement</i> <i>How do decisionmakers exercise judgement to determine if approval should be granted to a proposal which does not meet R-Codes Vol.1 ‘deemed-to-comply’ standards?</i> <i>‘Exercise of judgement’ is linked to ‘discretion’. Judgement and discretion are exercised by the decisionmaker on individual (case-by-case) merit – applying a combination of relevant facts, circumstances and applicable laws and policies to guide decision-making.</i> <i>Guidance on how judgement or discretion is to be exercised is outlined in the R-Codes Vol. 1, the R- Codes Explanatory Guidelines, local planning schemes, local planning policies and should be applied in conjunction with broad planning and administrative law principles. Schedule 2, clause 67 of the Regulations sets out the matters to be considered in determining a development application.</i> <i>Local planning policies can also provide clarification/guidance for the R-Codes Vol. 1 ‘design</i></p>	
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<p><i>principles' by clearly outlining the parameters where discretion would be favourably exercised by the decision-maker.</i></p> <p><i>The Development Assessment Panel Practice Notes: Making Good Planning Decisions guidelines on making good planning decisions are available to assist Development Assessment Panels and are recommended for use by other decision-makers to help in the assessment and determination of development applications.</i></p> <p>2. C7.1 Delete the proposed change – Leave as R-Codes C7.1</p> <p>And Application Delete proposed 3.5.1 – Leave as R-Codes (in all proposed instances)</p> <p>Thank you for the opportunity to submit my comments/views and for your time in considering them.</p>	
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Department of **Planning,
Lands and Heritage**



Your ref: 109496
Our ref: PLH2025P0661
Enquiries: [REDACTED]

Robert Woods
Senior Urban Planner
Planning Services
City of Joondalup
Via email to: robert.woods@joondalup.wa.gov.au

Dear Robert

WAPC CONSIDERATION OF PROVISIONS OF THE RESIDENTIAL DEVELOPMENT LOCAL PLANNING POLICY

Thank you for your letter dated 19 June 2025 regarding the City of Joondalup's draft Residential Development Local Planning Policy.

Please be advised that, on 10 September 2025, the Statutory Planning Committee of the Western Australian Planning Commission (WAPC) considered provisions of the draft policy that require WAPC approval and resolved as follows:

1. *Approve the amendments to the deemed-to-comply provisions of the R-Codes:*
 - a. *Clause 5.3.1 of Part B (outdoor living area) to insert an additional requirement;*
 - b. *Clause 5.3.2 of Part B (landscaping) to insert an additional requirement;*
 - c. *Clause 1.1 of Part C (private open space) to insert an additional requirement;*
 - d. *Clause 1.2 of Part C (trees and landscaping) to insert an additional requirement;*
and
 - e. *Clause 3.7 of Part C (access) to replace C3.7.7,*

subject to modifications as set out in Attachment A3.
2. *Refuse the amendments to the deemed-to-comply provisions of the R-Codes:*
 - a. *Clause 2.3 of Part C (parking) to replace C2.3.1; and*
 - b. *Clause 3.2 of Part C (building height) to replace C3.2.1,*



as the proposed amendments are inconsistent with clause 3.1 of the R-Codes because they are not warranted due to a specified need related to the particular locality, are inconsistent with the design principles of SPP 7.0 Design of the Built Environment, are inconsistent with the relevant objectives and design principles of the R-Codes, and are inconsistent with orderly and proper planning.

3. Refuse the amendments to the deemed-to-comply provisions of the R-Codes:

- a. Clause 5.4.2 of Part B (solar access) to replace C2.1 and C2.2;
- b. Clause 3.9 of Part C (solar access) to replace C3.9.1 to C3.9.3; and
- c. Clause 1.1 of Part D (site area) to insert additional requirements,

as the duplication of requirements that form part of clause 26 of the City of Joondalup Local Planning Scheme No. 3 is inconsistent with the governance objectives of the R-Codes and orderly and proper planning.

And:

Advise the City of Joondalup that any reference to these requirements in the Residential Development Local Planning Policy should identify that they do not form part of the policy measures and are in force under clause 26 of the City of Joondalup Local Planning Scheme No. 3.

4. Note that the balance of the Residential Development Local Planning Policy does not require the approval of the Western Australian Planning Commission and therefore does not form part of this decision.

Should you have any queries, please contact [REDACTED] on [REDACTED] or via email to [REDACTED]

Yours sincerely

[REDACTED]

A/ Planning Director Metropolitan North
Land Use Planning

23 September 2025

Enc Attachment A3 - Modifications to Provisions



Attachment A3

Subject Matter	Proposed Provision	Modified Provision (changes in red)	Reason for modification
Outdoor living area	Clause 5.3.1 of Part B – Outdoor living areas: Additional requirement as C1.3		
	Outdoor living areas may be located in the front setback area where street walls or fences within the primary street setback area are visually permeable above 1.2 m from natural ground level.	Outdoor living areas may be located in the street setback area where street walls or fences within the primary street setback area are visually permeable in accordance with clause 5.2.4 C4.1.	<ul style="list-style-type: none"> Align with R-Codes as closely as possible. Avoid duplicating requirements (street wall and fence standards)
	Clause 1.1 of Part C – Private open space: Additional requirement as C1.1.5		
	For single houses and grouped dwellings, primary garden area may be located in the front setback area where any street walls or fences within the primary street setback area are visually permeable above 1.2 m from natural ground level	For single houses and grouped dwellings, a single consolidated primary garden area may be located in the primary street setback area where any street walls or fences within the primary street setback area are visually permeable in accordance with clause 3.6 C3.6.7.	<ul style="list-style-type: none"> Align with R-Codes as closely as possible. Avoid duplicating requirements (street wall and fence standards)
Landscaping	Clause 5.3.2 of Part B – Landscaping: Additional requirement as C2.3		
	The verge(s) adjacent to the lot(s) shall be landscaped to the specification of the City and shall include one street tree for every 9 m of lot frontage width.	<p>Street verge(s) adjacent to the lot(s) shall be landscaped in accordance with any street verge guidelines published by the City of Joondalup and shall include a minimum of one street tree for every 9m of lot frontage width (in addition to the trees required at C2.1 and C2.2).</p> <p><i>Note: Each retained existing street tree satisfies the requirement one street tree in C2.3.</i></p>	<ul style="list-style-type: none"> Improve clarity about policy requirements.
	Clause 1.2 of Part C – Trees and Landscaping: Additional requirement as C1.2.9		
	The verge(s) adjacent to the lot(s) shall be landscaped to the specifications and satisfaction of the City and shall include one street tree for every 9 m of lot frontage width.	<p>Street verge(s) adjacent to the lot(s) shall be landscaped in accordance with any street verge guidelines published by the City of Joondalup and shall include a minimum of one street tree for every 9m of lot frontage width (in addition to the trees required at C1.2.4 and C1.2.5).</p> <p><i>Note: Each retained existing street tree satisfies the requirement for one street tree in C1.2.9.</i></p>	<ul style="list-style-type: none"> Improve clarity about policy requirements.

Attachment A3

<p>Access</p>	<p>Clause 3.7 of Part C – Access: Replace C3.7.7</p>		
<p>A pillar to a height of 1.8 m with a maximum dimension of 350 mm x 350 mm may be permitted within 1.5 m of where the vehicle access point meets the front property boundary provided the remainder of the wall within this area is visually permeable above 750 mm</p>	<p>Walls, fences and other structures truncated, reduced in height or visually permeable above 0.75m of natural ground level (with solid pillars not more than 1.8m above natural ground level in accordance with clause 3.6 C3.6.8) within 1.5m of where walls, fences, or other structures adjoin:</p> <ul style="list-style-type: none"> i. a driveway that intersects a street, right-of-way or communal street; ii. a right-of-way or communal street that intersects a public street; and iii. two streets that intersect (refer Figure 3.7e). 	<ul style="list-style-type: none"> • Align with the R-Codes as closely as possible . • Avoid duplicating requirements (street wall and fence standards) 	



Residential Development Local Planning Policy

Responsible directorate: Planning and Community Development

Objectives:

- To provide a planning framework which is complementary to the Residential Design Codes Volume 1 to support a high standard of urban design and amenity for residential developments in the City of Joondalup.
- To ensure that residential development outcomes in the City of Joondalup are reflective of the current and future desired character of the area.
- To ensure that development occurring at the higher dual density code within Housing Opportunity Areas is of a scale that provides an appropriate transition to adjoining land uses.
- To ensure that adequate parking facilities are provided for new developments.
- To contribute to improvement of the City's urban tree canopy and protect and enhance amenity of residents through attractive landscaped streetscapes and increased greening of verges.

1. Authority:

This Policy has been prepared in accordance with Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area, and in accordance with Clause 3.1 of the Residential Design Codes Volume 1 which allows a local planning policy to amend, replace and/or augment provisions of the Residential Design Codes Volume 1.

2. Application:

This policy applies to residential development in the City of Joondalup.

Appendix 1 of this policy applies to Part B of the R-Codes including the following:

- Single houses: R40 and below
- Grouped dwellings: R25 and below

- Multiple dwellings: R10–R25

Appendix 2 of this policy applies to Part C of the R-Codes including the following:

- Single houses: R50 and above
- Grouped dwellings: R30 and above
- Multiple dwellings: R30–R60

Locational application of requirements:

General residential:	General residential locations refer to all lots outside of Housing Opportunity Areas and lots within Housing Opportunity Areas which are being developed at the lower (R20) code.
Higher dual density code:	Higher dual density code locations refer to all lots within a Housing Opportunity Area which are being developed at the higher applicable dual density code.

Where this policy does not contain specific requirements for development matters that are otherwise contained in the Residential Design Codes Volume 1, or any approved structure plan or local development plan, then that document’s controls shall prevail in that instance only.

3. Definitions:

“**Housing Opportunity Area**” means an area with a dual density code applied to it in the City’s Local Planning Scheme No 3.

“**verge**” means the portion of land between the road and boundary of the adjacent lot.

4. Statement:

The City of Joondalup supports residential development that provides a diversity of housing typologies, which vary from low-density single houses and grouped dwellings, to medium-density grouped and multiple dwellings and ancillary accommodation. Medium and high-density development should be strategically located to support a more compact sustainable urban form around centres, train stations and public open space.

The City recognises that infill development outcomes for lots developed to the higher dual density code will result in a new scale of development in those areas that may be greater than the existing built form. As such there is a need to moderate the scale of development to provide a considered change from present character to future character. This will ensure a sustainable level of amenity is provided for residents and neighbours, now and into the future.

This policy provides development provisions for residential development that aims to create high-quality built form outcomes which appropriately manage the amenity impacts of infill development, while ensuring consistency with the Residential Design Codes Volume 1, where appropriate.

5. Details:

This policy provides replacement or additional Residential Design Codes 'deemed-to-comply' requirements for residential development and is structured in accordance with the Residential Design Codes Volume 1. This policy should be used by first identifying the applicable Appendix and associated part (B or C) followed by the locational application as either 'General residential' or 'Higher dual density code' to identify the applicable replacement or additional deemed-to-comply requirements.

This policy is to be read in conjunction with the Local Planning Scheme No. 3, Residential Design Codes Volume 1, relevant structure plans, and/or local development plans.

The deemed-to-comply requirements of the following clauses of the Residential Design Codes Volume 1 are modified by the provisions set out in Appendices 1–3 of this policy:

- Sightlines/Access — Part B, clause 5.2.5, Part C, clause 3.7
- Site works/Site works and retaining walls — Part B, clause 5.3.7, Part C, clause 3.5
- Setback of garages and carports/Street setbacks — Part B, clause 5.2.1, Part C, clause 3.3
- Outdoor living areas/Private open space — Part B, clause 5.3.1, Part C, clause 1.1
- Landscaping/Trees and landscaping — Part B, clause 5.3.2, Part C, clause 1.2
- Lot boundary setbacks — Part C, clause 3.4

Residential development will be assessed against the applicable replacement or additional deemed to comply requirements of that clause, in addition to any other applicable deemed-to-comply requirements or 'design principles' of the Residential Design Codes Volume 1.

Creation date:	<mmmm yyyy> (<report ref>)
Formerly:	NA
Amendments:	NA
Last reviewed:	NA
Related documentation:	<ul style="list-style-type: none">• City of Joondalup Local Planning Scheme No 3• Residential Design Codes Volume 1 2024
File reference:	104919

APPENDIX 1

PART B – Residential Design Codes Volume 1	
Replacement and additional deemed-to-comply requirements:	
Deemed-to-comply requirements that replace or add to the 'deemed-to comply' requirements of the Residential Design Codes Volume 1 applicable to:	
<ul style="list-style-type: none"> • Single houses: R40 and below • Grouped dwellings: R25 and below • Multiple dwellings: R10–R25 	
Application: General residential	
5.2 Streetscape	
Clause 5.2.5 Sightlines	
Clause 5.2.5, C5 is replaced with the following:	
C5	Walls, fences and other structures truncated, reduced in height or visually permeable above 0.75m of natural ground level (with solid pillars not more than 1.8m above natural ground level in accordance with clause 5.2.5 C5) within 1.5m of where walls, fences or other structures adjoin: <ol style="list-style-type: none"> i. a driveway that intersects a street, right-of-way or communal street; ii. a right-of-way or communal street that intersects a public street; and iii. two streets that intersect (refer Figure 10c).
5.3 Site planning and design	
Clause 5.3.7 Site works	
Clause 5.3.7, C7.1 is replaced with the following:	
C7.1	Excavation or filling between the street and building, or within the front setback area, whichever distance is lesser, shall not exceed 1 m from natural ground level, except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for a dwelling.
Application: Higher dual density code	
5.2 Streetscape	
Clause 5.2.1 Setbacks of garages and carports	
Clause 5.2.1 is amended to include the following additional 'deemed to comply' requirements as C1.5 and C1.6:	
C1.5	Garages and carports setback 4.5 m to the secondary street where an existing or planned footpath is located in the adjacent verge area.
C1.6	Garages and carports abutting a right of way which acts as the primary street for the lot, setback 5 m from the street boundary.
Clause 5.2.5 Sightlines	
Clause 5.2.5, C5 is replaced with the following:	
C5	Walls, fences and other structures truncated, reduced in height or visually permeable above 0.75m of natural ground level (with solid pillars not more than 1.8m above natural ground level in accordance with clause 5.2.5 C5) within 1.5m of where walls, fences or other structures adjoin: <ol style="list-style-type: none"> i. a driveway that intersects a street, right-of-way or communal street; ii. a right-of-way or communal street that intersects a public street; and iii. two streets that intersect (refer Figure 10c).

Application: Higher dual density code	
5.3 Site planning and design	
Clause 5.3.1 Outdoor living areas	
Clause 5.3.1 is amended to include the following additional 'deemed-to-comply' requirement as C1.3:	
C1.3	Outdoor living areas may be located in the street setback area where street walls or fences within the primary street setback area are visually permeable in accordance with clause 5.2.4 C4.1.
Clause 5.3.2 Landscaping	
Clause 5.3.2 is amended to include the following additional 'deemed-to-comply' requirement as C2.3:	
C2.3	Street verge(s) adjacent to the lot(s) shall be landscaped in accordance with any street verge guidelines published by the City of Joondalup and shall include a minimum of one street tree for every 9 m of lot frontage width (in addition to the trees required at C2.1 and C2.2).
<i>Note: Each retained existing street tree satisfies the requirement for one street tree in C2.3.</i>	
Clause 5.3.7 Site works	
Clause 5.3.7, C7.1 is replaced with the following:	
C7.1	Excavation or filling between the street and building, or within the front setback area, whichever distance is lesser, shall not exceed 1 m from natural ground level, except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for a dwelling.
5.4 Building design	
Clause 5.4.2 Solar access for adjoining sites	
Note: Changes to clause 5.4.2, C2.1 and 2.2 as per Clause 26(6) of Local Planning Scheme No. 3 are not affected by this policy and are included for completeness only:	
Clause 5.4.2, C2.1 and C2.2 are replaced with the following:	
C2.1	For residential areas with a dual code and the higher code is applied, 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 style="list-style-type: none"> i. On adjoining sites coded R60 or greater — 40% of the site area. ii. On adjoining sites coded R30 to R40 inclusive — 35% of the site area. iii. On adjoining sites coded R25 and lower — 25% of the site area. iv. Where an adjoining site is subject to a dual density code and the site is yet to be developed to the higher code, the base density code applied for the purposes of determining the maximum amount of shadow cast permitted. v. Buildings are oriented to maintain 4 hours per day solar access on 21 June for existing solar collectors on neighbouring sites. vi. Where a development site shares its southern boundary with a lot, and that lot is bound to the north by another lots(s), the limit of shading for the development site set out in clause 26(6) i–iii shall be reduced proportionate to the percentage of the affected property's northern boundary that the development site abuts.

APPENDIX 2

PART C – Residential Design Codes Volume 1				
Replacement and additional deemed-to-comply requirements:				
Deemed-to-comply requirements that replace or add to the ‘deemed-to-comply’ requirements of the Residential Design Codes Volume 1 applicable to:				
<ul style="list-style-type: none"> • Single houses: R50 and above • Grouped dwellings: R30 and above • Multiple dwellings: R30–R60 				
Application: General residential				
3.0 Neighbourliness				
Clause 3.4 Lot boundary setbacks				
Clause 3.4, C3.4.4 is replaced with the following:				
C3.4.4 Boundary walls may be built in accordance with the following:				
<ul style="list-style-type: none"> i. boundary walls are located behind the street setback; ii. overshadowing does not exceed the limits set out in Local Planning Scheme No 3; and iii. they are finished to an equivalent standard to the rest of the development, to the satisfaction of the decision maker. 				
R-Coding		Maximum boundary wall height	Maximum boundary wall length	Related figure
R30 – R35		3.5 m	Maximum two-thirds the length of the lot boundary the wall abuts, measured from behind the street setback line. Applicable up to two lot boundaries.	Figure 3.4f
R40		3.5 m	Maximum two-thirds the length of the lot boundary the wall abuts, measured from behind the street setback line. Applicable to all lot boundaries.	Figure 3.4g
R50 – R80	Where frontage is 8.5 m or less	3.5 m	Maximum 14 m length, at which point the wall is to be set back a minimum of 3 m measured from the lot boundary for a minimum length of 3 m. Applicable to all lot boundaries.	Figure 3.4h
	Where frontage is greater than 8.5m	3.5 m	Maximum 14 m length, at which point the wall is to be set back a minimum of 3 m measured from the lot boundary for a minimum length of 3 m, with a cumulative maximum of two-thirds the length of the lot boundary the wall abuts measured from behind the street setback line. Applicable to all lot boundaries.	Figure 3.4g and 3.4h
<p><i>R80 Code standards apply to single houses and grouped dwellings in areas coded R100, R160 and R-AC.</i></p> <p><i>Where the subject site is adjacent to a site with a lower density code, the maximum wall length and height of the boundary wall between them is determined by the lower density code.</i></p> <p><i>Where a boundary wall incorporates a retaining wall directly beneath the boundary wall, the retaining wall does not require assessment under clause C3.5.2 and is to be included in the wall height for the purpose of clause C3.4.4 (refer Figure 3.4i).</i></p>				

Application: General residential	
Clause 3.5 Site works and retaining walls	
Clause 3.5, C3.5.1 is replaced with the following:	
C3.5.1	Excavation or filling between the street and building, or within the front setback area, whichever distance is lesser, shall not exceed 1 m from natural ground level, except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for a dwelling.
Clause 3.7 Access	
Clause 3.7, C3.7.7 is replaced with the following:	
C3.7.7	Walls, fences and other structures truncated, reduced in height or visually permeable above 0.75m of natural ground level (with solid pillars not more than 1.8m above natural ground level in accordance with clause 3.6 C3.6.8) within 1.5m of where walls, fences or other structures adjoin: <ul style="list-style-type: none"> i. a driveway that intersects a street, right-of-way or communal street; ii. a right-of-way or communal street that intersects a public street; and iii. two streets that intersect (refer Figure 3.7e).
Application: Higher dual density code	
1.0 The garden	
Clause 1.1 Private open space	
Clause 1.1 is amended to include the following additional 'deemed-to-comply' requirement as C1.1.5:	
C1.1.5	For single houses and grouped dwellings, a single consolidated primary garden area may be located in the primary street setback area where any street walls or fences within the primary street setback area are visually permeable in accordance with clause 3.6 C3.6.7.
Clause 1.2 Trees and landscaping	
Clause 1.2 is amended to include the following additional 'deemed-to-comply' requirement as C1.2.9:	
C1.2.9	Street verge(s) adjacent to the lot(s) shall be landscaped in accordance with any street verge guidelines published by the City of Joondalup and shall include one street tree for every 9m of lot frontage width (in addition to the trees required at C1.2.4 and C1.2.5).
<i>Note: Each retained existing street tree satisfies the requirement for one street tree in C1.2.9.</i>	

Application: Higher dual density code			
3.0 Neighbourliness			
Clause 3.3 Street setbacks			
Setback of garages and carports			
Clause 3.3, C3.3.4 and C3.3.6 are replaced by the following:			
C3.3.4 Garages are setback from the primary street boundary in accordance with the following:			
R-Coding		Primary street setback	
R30 and above		4.5 m	
C3.3.6 Garages and carports setback from a secondary street, right of way and communal street in accordance with the following:			
R-Coding	Secondary street setback	Right of way setback	Communal street
R30 and above	Garages and carports setback in accordance with table 3.3a of the Residential Design Codes Volume 1, except: i. Setback 4.5 m from the street boundary where an existing or planned footpath is located in the verge area immediately adjacent.	Garages and carports setback in accordance with Table 3.3a of the Residential Design Codes Volume 1, except: i. Setback 5 m from the street boundary where abutting a right of way which acts as the primary street for the lot.	Garages and carports are setback from a communal street in accordance with Table 3.3a of the Residential Design Codes Volume 1.

Application: Higher dual density code			
Clause 3.4 Lot boundary setbacks			
Clause 3.4, C3.4.4 is replaced by the following:			
C3.4.4 Boundary walls may be built in accordance with the following:			
<ul style="list-style-type: none"> i. boundary walls are located behind the street setback; ii. overshadowing does not exceed the limits set out in Local Planning Scheme No 3; and iii. they are finished to an equivalent standard to the rest of the development, to the satisfaction of the decision maker. 			
R-Coding	Maximum boundary wall height	Maximum boundary wall length	Related figure
R30 – R35	3.5 m	Maximum two-thirds the length of the lot boundary the wall abuts, measured from behind the street setback line. Applicable up to two lot boundaries.	Figure 3.4f
R40	3.5 m	Maximum two-thirds the length of the lot boundary the wall abuts, measured from behind the street setback line. Applicable to all lot boundaries.	Figure 3.4g
R50 – R80	Where frontage is 8.5 m or less	Maximum 14 m length, at which point the wall is to be set back a minimum of 3 m measured from the lot boundary for a minimum length of 3 m. Applicable to all lot boundaries.	Figure 3.4h
	Where frontage is greater than 8.5 m	Maximum 14 m length, at which point the wall is to be set back a minimum of 3 m measured from the lot boundary for a minimum length of 3 m, with a cumulative maximum of two-thirds the length of the lot boundary the wall abuts measured from behind the street setback line. Applicable to all lot boundaries.	Figure 3.4g and 3.4h
<p><i>R80 Code standards apply to single houses and grouped dwellings in areas coded R100, R160 and R-AC.</i></p> <p><i>Where the subject site is adjacent to a site with a lower density code, the maximum wall length and height of the boundary wall between them is determined by the lower density code.</i></p> <p><i>Where a boundary wall incorporates a retaining wall directly beneath the boundary wall, the retaining wall does not require assessment under clause C3.5.2 and is to be included in the wall height for the purpose of clause C3.4.4 (refer Figure 3.4i).</i></p>			
Clause 3.5 Site works and retaining walls			
Clause 3.5, C3.5.1 is replaced with the following:			
C3.5.1 Excavation or filling between the street and building, or within the front setback area, whichever distance is lesser, shall not exceed 1 m from natural ground level, except where necessary to provide for pedestrian or vehicle access, drainage works or natural light for a dwelling.			

Application: Higher dual density code	
Clause 3.7 Access	
Sightlines	
Clause 3.7, C3.7.7 is replaced with the following:	
C3.7.7	Walls, fences and other structures truncated, reduced in height or visually permeable above 0.75m of natural ground level (with solid pillars not more than 1.8m above natural ground level in accordance with clause 3.6 C3.6.8) within 1.5m of where walls, fences or other structures adjoin: <ul style="list-style-type: none"> i. a driveway that intersects a street, right-of-way or communal street; ii. a right-of-way or communal street that intersects a public street; and iii. two streets that intersect (refer Figure 3.7e).
Clause 3.9 Solar access for adjoining sites	
Note: Changes to clause 3.9 as per Clause 26(6) of Local Planning Scheme No 3 are not affected by this policy and are included for completeness only:	
Clause 3.9, C3.9.1 – C3.9.3 is replaced with the following:	
C3.9.1	For residential areas with a dual code and the higher code is applied, 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 style="list-style-type: none"> i. On adjoining sites coded R60 or greater – 40% of the site area. ii. On adjoining sites coded R30 to R40 inclusive – 35% of the site area. iii. On adjoining sites coded R25 and lower – 25% of the site area. iv. Where an adjoining site is subject to a dual density code and the site is yet to be developed to the higher code, the base density code applied for the purposes of determining the maximum amount of shadow cast permitted. v. Buildings are oriented to maintain 4 hours per day solar access on 21 June for existing solar collectors on neighbouring sites. vi. Where a development site shares its southern boundary with a lot, and that lot is bound to the north by another lots(s), the limit of shading for the development site set out in clause 26(6) i-iii shall be reduced proportionate to the percentage of the affected property's northern boundary that the development site abuts.

APPENDIX 3

PART D - Residential Design Codes Volume 1	
Replacement and additional deemed-to-comply requirements:	
Deemed-to-comply requirements that add to the 'deemed-to-comply' requirements of the Residential Design Codes Volume 1 applicable to:	
<ul style="list-style-type: none"> • Single houses and grouped dwellings (all density codes) • Multiple dwellings: R10–R60 	
Application: Higher dual density code	
1.0 Land	
Clause 1.1 Site area	
Note: Changes to clause 1.1 C1.1.9 and C1.1.10 as per Clause 26(5) and Clause 26(7) of Local Planning Scheme No 3 are not affected by this policy and are included for completeness only:	
Clause 1.1 of the Residential Design Codes Volume 1, Part D is modified by inserting the additional 'deemed-to-comply' criteria as C1.1.9 and C1.1.10:	
C1.1.9	In residential areas where dual coding applies, site areas under the higher coding may be applied subject to the following: <ul style="list-style-type: none"> i. Development of single and grouped dwellings which complies with a minimum frontage of 9 m at the primary street setback; or ii. Development of grouped dwellings on corner lots with frontage to two streets, with rear common property access, which complies with a minimum frontage of 6 m.
C1.1.10	In addition to Clause 1.1 of the Residential Design Codes Volume 1, Part D and the Primary Controls Table 2.1 of the Residential Design Codes Volume 2, the following development standards apply: <ul style="list-style-type: none"> i. Development of multiple dwellings which complies with a minimum site width street boundary of 20 m; and ii. For residential areas coded R20–40 multiple dwellings shall comply with the average site area per dwelling requirement specified for a single or grouped dwelling for the applicable density code under the Residential Design Codes Volume 1, unless the site: <ul style="list-style-type: none"> a. has a primary street frontage to a road with scheme reservation classification of Local Distributor Road or Other Regional Road; or b. is located within an 800 m walkable catchment, as defined on the Scheme map, from any existing or proposed strategic metropolitan, secondary or specialised activity centre or railway station on a high frequency rail route; or c. is located within a 400 m walkable catchment, as defined on the Scheme map, from any existing or proposed district activity centre.



Medium-density Single House Development Standards Local Planning Policy

Responsible directorate: Planning and Community Development

Objectives:

- To ensure the consistent application of acceptable variations to the deemed-to-comply provisions of the Residential Design Codes (R-Codes) to medium-density single houses located in specified development zones or in local structure plans or activity centre plans.
- To implement the Western Australian Planning Commission (WAPC) adopted medium-density single house development standards (R-MD Codes).

1. Authority:

This Policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, which allows a local government to prepare local planning policies relating to planning and development within the Scheme area.

2. Application:

This policy will apply:

a. To the following properties:

- Lots 1-4 (No. 21, 23, 25 & 27) & 65-67 (No. 31, 33 & 35) Grangemouth Turn, Kinross
- Lots 5-16 (No. 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23 & 25) Lochnager Way, Kinross
- Lots 32-64 (No. 3-38) Darroch Loop, Kinross
- Lots 26-31 (No. 1-11) Skene Lane, Kinross
- Lots 17-25 (No. 17, 19, 21, 23, 25, 27, 29, 31 & 33) MacNaughton Crescent, Kinross

and/or

- b.** Where the approved structure plan identifies that the R-MD Codes Local Planning Policy applies.

This policy should be read in conjunction with the local planning scheme, R-Codes, relevant structure plans, activity centre plans and/or local development plans.

This policy will also be applied when making recommendations to the WAPC on subdivision of land for residential development where the R-MD Codes apply to ensure the lots created can be developed in accordance with this policy.

3. Definitions:

“**approved structure plan**” means a structure plan or activity centre plan that has been approved by the WAPC under Part 4 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

“**front load**” refers to a lot where the primary vehicle access is via the front of the lot and the garage / carport is located at the front of the dwelling.

~~“**medium density**” refers to R25-R60 density codes, as per the R-Codes.~~

“**rear load**” refers to a lot where the primary vehicle access is via the rear of the lot, from a street or right-of-way (ROW) and the garage / carport is located at the back of the dwelling.

~~“**R-MD / R-MD Codes**” refers to single house standards for R25-R40 in Development Zones. refers to medium density single house development standards.~~

4. Statement:

In order to reduce the use of ad-hoc R-Code variations, the WAPC released Planning Bulletin 112/2024~~16~~ ~~Medium density s~~Single house development standards ~~(R25 to R40)~~ – Development Zones. The Planning Bulletin outlines a set of variations to the deemed to comply provisions of the R-Codes that can be consistently applied to medium-density single house development in specified development zones and structure plans.

The City supports the adoption of appropriate mechanisms designed to facilitate the effective delivery of contemporary housing typologies on constrained sites within development areas in a manner that obviates the requirement for obtaining development approval from the City.

5. Details:

The deemed-to-comply provisions of the following clauses of the R-Codes are replaced with those provisions set out in Appendix 1 of this policy:

- Building and garage setbacks – clauses 5.1.2, 5.1.3 and 5.2.1
- Open space – clause 5.1.4
- Front fences – clause 5.2.4
- Outdoor living areas – clause 5.3.1
- Parking – clause 5.3.3

- Vehicular access – clause 5.3.5
- Visual privacy – clause 5.4.1
- Solar access – clause 5.4.2.

Development approval will not be required for a single dwelling that complies with the provisions of this policy (and all other deemed-to-comply requirements of the R-Codes), in accordance with clauses 61(1) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Creation date: June 2017 (CJ106-06/17)

Formerly:

Amendments: ~~{CJ278-12/23} (<report ref>)~~

Last reviewed: ~~December 2023 (CJ278-12/23) <mmmm yyyy> (<report ref>)~~

Related documentation:

- ~~City of Joondalup Local Planning Scheme No. 3~~
- ~~Planning and Development (Local Planning Schemes) Regulations 2015~~
- ~~Planning Bulletin 112/2024 Single house development standards (R25 to R40) – Development Zones~~
- ~~State Planning Policy 3.1: Residential Design Codes of Western Australia Residential Design Codes Volume 1 2024~~
- ~~Planning Bulletin 112/2016 Medium density single house development standards – Development Zones (WAPC April 2016)~~
- ~~City of Joondalup Local Planning Scheme No. 3~~

File reference: 106380

APPENDIX 1

Single house standards (R25 to R40) for medium-density housing in development zones (R-MD Codes)

R-Code	Lot type and size	Street setback and front fences		Lot boundary setback		Open space		Garage setback and width and vehicular access		Parking		Overshadowing		Privacy	
		R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision
R-MD— R60	<p><u>Rear load</u> 5m x 30m — 150m² 6m x 30m — 180m²</p> <p><u>Front load</u> 8.5m x 20m — 170m² 7.5m x 25m — 187.5m²</p>	2m	<p>2m minimum, no average.</p> <p>1m to porch / veranda no maximum length.</p> <p>1m minimum to secondary street.</p> <p>Front fences within the primary street setback area being a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence.</p>	<p><u>Boundary setbacks</u> 1 to 1.5m for wall height and less (subject to wall length and major openings).</p> <p><u>Boundary walls</u> 2/3 length one side boundary, max 3.5m high and 3m average height.</p>	<p><u>Boundary setbacks</u> 1.2m for wall height 3.5m or less with major openings.</p> <p>1m for wall height 3.5m or less without major openings.</p> <p><u>Boundary walls</u> No maximum length to both side boundaries.</p>	<p>40% open space (60% site cover).</p> <p>16m² courtyard.</p> <p>1/3 required outdoor living area (OLA) may be covered.</p> <p>Minimum dimension 4m.</p>	<p>An outdoor living area (OLA) with an area of 10% of the lot size or 20m², whichever is the greater, directly accessible from a habitable room of the dwelling and located behind the street setback area.</p> <p>At least 70% of the OLA must be uncovered and includes areas under eaves which adjoin uncovered areas.</p> <p>The OLA has a minimum 3m length or width dimension.</p> <p>No other R-Codes site cover standards apply.</p>	<p><u>Rear load</u> Nil — provided laneway is minimum of 6m wide.</p> <p><u>Front load</u> 4.5m or 0.5m behind dwelling alignment subject to averaging requirements.</p> <p>Garage width limited to maximum 50% of lot frontage where garage in front of or within 1m of building.</p>	<p><u>Rear load</u> 0.5m garage setback to laneway.</p> <p><u>Front load</u> 4.5m garage setback from the primary street and 1.5m from a secondary street.</p> <p>The garage setback from the primary street may be reduced to 4m where an existing or planned footpath or shared path is located more than 0.5m from the street boundary.</p> <p>For front loaded lots with street frontages between 10.5 and 12m, a double garage is permitted to a maximum width of 6m as viewed from the street subject to:</p> <ul style="list-style-type: none"> —Garage setback a minimum of 0.5m behind the building alignment; —A major opening to a habitable room directly facing the primary street; —An entry feature consisting of a porch or veranda with a minimum depth of 1.2m; and —No vehicular crossover wider than 4.5m where it meets the street. <p>Lots with a frontage less than 10.5m or not compliant with above require single or tandem garaging.</p>	Two on-site bays.	One on-site bay where dwelling has two bedrooms or less.	50% of the adjoining site area.	No maximum overshadowing.	3m to bedrooms and studies.	No privacy provisions apply.

R-Code	Lot type and size	Street setback and front fences		Lot boundary setback		Open space		Garage setback and width and vehicular access		Parking		Overshadowing		Privacy	
		R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision
R-MD – R40	<p><u>Rear load</u> 7.5m x 30m – 225m²</p> <p><u>Front load</u> 8.5m x 30m – 255m² 8.5m x 25m – 212.5m² 10m x 20m – 200m² 10m x 25m – 250m² 12.5m x 20m – 250m²</p>	4m	<p>2m minimum, no average.</p> <p>1.5m to porch / veranda no maximum length.</p> <p>1m minimum to secondary street.</p> <p>Front fences within the primary street setback area being a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence.</p>	<p><u>Boundary setbacks</u> 1 to 1.5m for wall height 3.5m and less (subject to wall length and major openings).</p> <p><u>Boundary walls</u> 2/3 length one side boundary, maximum 3.5m high and 3m average height.</p>	<p><u>Boundary setbacks</u> As per R-MD – R60 <u>1.2m for wall height 3.5m or less with major openings.</u></p> <p><u>1m for wall height 3.5m or less without major openings.</u></p> <p><u>Boundary walls</u> To both side boundaries subject to: No maximum length to one side boundary, 2/3 max length to second side boundary for wall height 3.5m or less.</p>	<p>45% open space (55% site cover).</p> <p>20m² courtyard.</p> <p>1/3 required OLA area may be covered.</p> <p>Minimum dimension 4m.</p>	<p>As per R-MD – R60 <u>An outdoor living area (OLA) with an area of 10% of the lot size or 20m², whichever is the greater, directly accessible from a habitable room of the dwelling and located behind the street setback area.</u></p> <p><u>At least 70% of the OLA must be uncovered and includes areas under eaves which adjoin uncovered areas.</u></p> <p><u>The OLA has a minimum 3m length or width dimension.</u></p> <p><u>No other R-Codes site cover standards apply.</u></p>	<p><u>Rear load</u> Nil – provided laneway is minimum of 6m wide.</p> <p><u>Front load</u> 4.5m or 0.5m behind dwelling alignment subject to averaging requirements.</p>	<p>As per R-MD – R60 <u>Rear load 0.5m garage setback to laneway.</u></p> <p><u>Front load 4.5m garage setback from the primary street and 1.5m from a secondary street.</u></p> <p><u>The garage setback from the primary street may be reduced to 4m where an existing or planned footpath or shared path is located more than 0.5m from the street boundary.</u></p> <p><u>For front loaded lots with street frontages between 10.5 and 12m, a double garage is permitted to a maximum width of 6m as viewed from the street subject to:</u></p> <ul style="list-style-type: none"> - <u>Garage setback a minimum of 0.5m behind the building alignment;</u> - <u>A major opening to a habitable room directly facing the primary street;</u> - <u>An entry feature consisting of a porch or veranda with a minimum depth of 1.2m; and</u> - <u>No vehicular crossover wider than 4.5m where it meets the street.</u> <p><u>Lots with a frontage less than 10.5m or not compliant with above require single or tandem garaging.</u></p>	Two on-site bays.	As per R-Codes	35% of the adjoining site area.	<p>No maximum overshadowing for wall height 3.5m or less.</p> <p>No maximum overshadowing for wall height greater than 3.5m where overshadowing is confined to the front half of the lot. If overshadowing intrudes into rear half of the lot, shadow cast does not exceed 35%.</p>	<p>4.5m to bedrooms and studies.</p> <p>6m to all other major openings.</p> <p>7.5m to balconies or similar.</p>	R-Codes clause 5.4.1 C1.1 applies, however the setback distances are 3m to bedrooms and studies, 4.5m to major openings to habitable rooms other than bedrooms and studies and 6m to unenclosed outdoor active habitable spaces.
R-MD – R30	<p><u>Rear load</u> 10m x 30m – 300m²</p> <p><u>Front load</u> 10m x 30m – 300m² 15m x 20m – 300m²</p>	4m	<p>2m minimum, no average.</p> <p>1.5m to porch / veranda no maximum length.</p> <p>1m minimum to secondary street.</p>	<p><u>Boundary setbacks</u> 1 to 1.5m for wall height 3.5m and less (subject to wall length and major openings).</p> <p><u>Boundary walls</u></p>	<p><u>Boundary setbacks</u> As per R-MD – R40 R60</p> <p><u>Boundary walls</u> To both side boundaries subject to:</p>	<p>45% open space (55% site cover).</p> <p>24m² courtyard.</p> <p>1/3 required OLA area may be covered.</p>	<p>As per R-MD – R40 R60</p>	<p><u>Rear load</u> Nil – provided laneway is minimum of 6m wide.</p> <p><u>Front load</u> 4.5m or 0.5m behind dwelling</p>	As per R-MD – R40 R60	Two on-site bays.	As per R-Codes	35% of the adjoining site area.	As per R-MD R40	<p>4.5m to bedrooms and studies.</p> <p>6m to all other major openings.</p>	As per R-MD – R40

R-Code	Lot type and size	Street setback and front fences		Lot boundary setback		Open space		Garage setback and width and vehicular access		Parking		Overshadowing		Privacy	
		R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision
			Front fences within the primary street setback area being a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence.	2/3 length one side boundary, maximum 3.5m high and 3m average height to one side boundary.	2/3 length to one side boundary, 1/3 max length to second side boundary for wall height 3.5m or less.	Minimum dimension 4m.		alignment subject to averaging requirements.							7.5m to balconies or similar.
R-MD – R25	<p><u>Front load</u> 12.5m x 25m – 312.5m² 15m x 25m – 375m² 12.5m x 30m – 375m²</p>	6m	<p>3m</p> <p>1.5m to porch / veranda no maximum length.</p> <p>1.5m minimum to secondary street.</p> <p>Front fences within the primary street setback area being a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence.</p>	<p><u>Boundary setbacks</u> 1 to 1.5m for wall height 3.5m and less (subject to wall length and major openings).</p> <p><u>Boundary walls</u> 2/3 length one side boundary, max 3.5m high and 3m average height to one side boundary.</p>	<p><u>Boundary setbacks</u> As per R-MD – R40 R60</p> <p><u>Boundary walls</u> As per R-MD – R30</p>	<p>50% open space (50% site cover).</p> <p>30m² courtyard.</p> <p>1/3 required OLA area may be covered.</p> <p>Minimum dimension 4m.</p>	As per R-MD – R40 R60	<p><u>Rear load</u> Nil – provided laneway is minimum of 6m wide.</p> <p><u>Front load</u> 4.5m or 0.5m behind dwelling alignment subject to averaging requirements.</p>	As per R-MD – R40 R60	Two on-site bays.	As per R-Codes	25% of the adjoining site area.	As per R-MD – R40, however if overshadowing intrudes into rear half of the lot, shadow cast does not exceed 25%.	<p>4.5m to bedrooms and studies.</p> <p>6m to all other major openings.</p> <p>7.5m to balconies or similar.</p>	As per R-MD – R40



Medium-density Single House Development Standards Local Planning Policy

Responsible directorate: Planning and Community Development

Objectives:

- To ensure the consistent application of acceptable variations to the deemed-to-comply provisions of the Residential Design Codes (R-Codes) to medium-density single houses located in specified development zones or in local structure plans or activity centre plans.
- To implement the Western Australian Planning Commission (WAPC) adopted medium-density single house development standards (R-MD Codes).

1. Authority:

This Policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*, which allows a local government to prepare local planning policies relating to planning and development within the Scheme area.

2. Application:

This policy will apply:

a. To the following properties:

- Lots 1-4 (No. 21, 23, 25 & 27) & 65-67 (No. 31, 33 & 35) Grangemouth Turn, Kinross
- Lots 5-16 (No. 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23 & 25) Lochnager Way, Kinross
- Lots 32-64 (No. 3-38) Darroch Loop, Kinross
- Lots 26-31 (No. 1-11) Skene Lane, Kinross
- Lots 17-25 (No. 17, 19, 21, 23, 25, 27, 29, 31 & 33) MacNaughton Crescent, Kinross

and/or

- b. Where the approved structure plan identifies that the R-MD Codes Local Planning Policy applies.

This policy should be read in conjunction with the local planning scheme, R-Codes, relevant structure plans, activity centre plans and/or local development plans.

This policy will also be applied when making recommendations to the WAPC on subdivision of land for residential development where the R-MD Codes apply to ensure the lots created can be developed in accordance with this policy.

3. Definitions:

“**approved structure plan**” means a structure plan or activity centre plan that has been approved by the WAPC under Part 4 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

“**front load**” refers to a lot where the primary vehicle access is via the front of the lot and the garage / carport is located at the front of the dwelling.

“**rear load**” refers to a lot where the primary vehicle access is via the rear of the lot, from a street or right-of-way (ROW) and the garage / carport is located at the back of the dwelling.

“**R-MD / R-MD Codes** ” refers to single house standards for R25-R40 in Development Zones.

4. Statement:

In order to reduce the use of ad-hoc R-Code variations, the WAPC released Planning Bulletin 112/2024 Single house development standards (R25 to R40) – Development Zones. The Planning Bulletin outlines a set of variations to the deemed to comply provisions of the R-Codes that can be consistently applied to medium-density single house development in specified development zones and structure plans.

The City supports the adoption of appropriate mechanisms designed to facilitate the effective delivery of contemporary housing typologies on constrained sites within development areas in a manner that obviates the requirement for obtaining development approval from the City.

5. Details:

The deemed-to-comply provisions of the following clauses of the R-Codes are replaced with those provisions set out in Appendix 1 of this policy:

- Building and garage setbacks – clauses 5.1.2, 5.1.3 and 5.2.1
- Open space – clause 5.1.4
- Front fences – clause 5.2.4
- Outdoor living areas – clause 5.3.1
- Parking – clause 5.3.3
- Vehicular access – clause 5.3.5

- Visual privacy – clause 5.4.1
- Solar access – clause 5.4.2.

Development approval will not be required for a single dwelling that complies with the provisions of this policy (and all other deemed-to-comply requirements of the R-Codes), in accordance with clauses 61(1) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Creation date:	June 2017 (CJ106-06/17)
Formerly:	
Amendments:	CJ278-12/23 (<report ref>)
Last reviewed:	<mmmm yyyy> (<report ref>)
Related documentation:	<ul style="list-style-type: none">• City of Joondalup Local Planning Scheme No. 3• Planning and Development (Local Planning Schemes) Regulations 2015• Planning Bulletin 112/2024 Single house development standards (R25 to R40) – Development Zones• Residential Design Codes Volume 1 2024
File reference:	106380

APPENDIX 1

Single house standards (R25 to R40) in development zones (R-MD Codes)

R-Code	Lot type and size	Street setback and front fences		Lot boundary setback		Open space		Garage setback and width and vehicular access		Parking		Overshadowing		Privacy	
		R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision
R-MD – R40	<p><u>Rear load</u> 7.5m x 30m – 225m²</p> <p><u>Front load</u> 8.5m x 30m – 255m² 8.5m x 25m – 212.5m² 10m x 20m – 200m² 10m x 25m – 250m² 12.5m x 20m – 250m²</p>	4m	2m minimum, no average. 1.5m to porch / veranda no maximum length. 1m minimum to secondary street. Front fences within the primary street setback area being a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence.	<p><u>Boundary setbacks</u> 1 to 1.5m for wall height 3.5m and less (subject to wall length and major openings).</p> <p><u>Boundary walls</u> 2/3 length one side boundary, maximum 3.5m high and 3m average height.</p>	<p><u>Boundary setbacks</u> 1.2m for wall height 3.5m or less with major openings. 1m for wall height 3.5m or less without major openings.</p> <p><u>Boundary walls</u> To both side boundaries subject to: No maximum length to one side boundary, 2/3 max length to second side boundary for wall height 3.5m or less.</p>	45% open space (55% site cover). 20m ² courtyard. 1/3 required OLA area may be covered. Minimum dimension 4m.	<p>An outdoor living area (OLA) with an area of 10% of the lot size or 20m², whichever is the greater, directly accessible from a habitable room of the dwelling and located behind the street setback area.</p> <p>At least 70% of the OLA must be uncovered and includes areas under eaves which adjoin uncovered areas.</p> <p>The OLA has a minimum 3m length or width dimension.</p> <p>No other R-Codes site cover standards apply.</p>	<p><u>Rear load</u> Nil – provided laneway is minimum of 6m wide.</p> <p><u>Front load</u> 4.5m or 0.5m behind dwelling alignment subject to averaging requirements.</p>	<p><u>Rear load</u> 0.5m garage setback to laneway.</p> <p><u>Front load</u> 4.5m garage setback from the primary street and 1.5m from a secondary street.</p> <p>The garage setback from the primary street may be reduced to 4m where an existing or planned footpath or shared path is located more than 0.5m from the street boundary.</p> <p>For front loaded lots with street frontages between 10.5 and 12m, a double garage is permitted to a maximum width of 6m as viewed from the street subject to:</p> <ul style="list-style-type: none"> - Garage setback a minimum of 0.5m behind the building alignment; - A major opening to a habitable room directly facing the primary street; - An entry feature consisting of a porch or veranda with a minimum depth of 1.2m; and - No vehicular crossover wider than 4.5m where it meets the street. <p>Lots with a frontage less than 10.5m or not compliant with above require single or tandem garaging.</p>	Two on-site bays.	As per R-Codes	35% of the adjoining site area.	No maximum overshadowing for wall height 3.5m or less. No maximum overshadowing for wall height greater than 3.5m where overshadowing is confined to the front half of the lot. If overshadowing intrudes into rear half of the lot, shadow cast does not exceed 35%.	4.5m to bedrooms and studies. 6m to all other major openings. 7.5m to balconies or similar.	R-Codes clause 5.4.1 C1.1 applies, however the setback distances are 3m to bedrooms and studies, 4.5m to major openings to habitable rooms and studies and 6m to unenclosed outdoor active habitable spaces.
R-MD – R30	<p><u>Rear load</u> 10m x 30m – 300m²</p> <p><u>Front load</u> 10m x 30m – 300m²</p>	4m	2m minimum, no average.	<p><u>Boundary setbacks</u> 1 to 1.5m for wall height 3.5m and less (subject to wall</p> <p><u>Boundary walls</u></p>	<p><u>Boundary setbacks</u> As per R-MD – R40</p> <p><u>Boundary walls</u></p>	45% open space (55% site cover). 24m ² courtyard.	As per R-MD – R40	<p><u>Rear load</u> Nil – provided laneway is minimum of 6m wide.</p>	As per R-MD – R40	Two on-site bays.	As per R-Codes	35% of the adjoining site area.	As per R-MD R40	4.5m to bedrooms and studies.	As per R-MD – R40

R-Code	Lot type and size	Street setback and front fences		Lot boundary setback		Open space		Garage setback and width and vehicular access		Parking		Overshadowing		Privacy	
		R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision	R-Codes	R-MD provision
	15m x 20m – 300m ²		1.5m to porch / veranda no maximum length. 1m minimum to secondary street. Front fences within the primary street setback area being a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence.	length and major openings). <u>Boundary walls</u> 2/3 length one side boundary, maximum 3.5m high and 3m average height to one side boundary.	To both side boundaries subject to: 2/3 length to one side boundary, 1/3 max length to second side boundary for wall height 3.5m or less.	1/3 required OLA area may be covered. Minimum dimension 4m.		<u>Front load</u> 4.5m or 0.5m behind dwelling alignment subject to averaging requirements.						6m to all other major openings. 7.5m to balconies or similar.	
R-MD – R25	<u>Front load</u> 12.5m x 25m – 312.5m ² 15m x 25m – 375m ² 12.5m x 30m – 375m ²	6m	3m 1.5m to porch / veranda no maximum length. 1.5m minimum to secondary street. Front fences within the primary street setback area being a maximum height of 900mm above natural ground level, measured from the primary street side of the front fence.	<u>Boundary setbacks</u> 1 to 1.5m for wall height 3.5m and less (subject to wall length and major openings). <u>Boundary walls</u> 2/3 length one side boundary, max 3.5m high and 3m average height to one side boundary.	<u>Boundary setbacks</u> As per R-MD – R40 <u>Boundary walls</u> As per R-MD – R30	50% open space (50% site cover). 30m ² courtyard. 1/3 required OLA area may be covered. Minimum dimension 4m.	As per R-MD – R40	<u>Rear load</u> Nil – provided laneway is minimum of 6m wide. <u>Front load</u> 4.5m or 0.5m behind dwelling alignment subject to averaging requirements.	As per R-MD – R40	Two on-site bays.	As per R-Codes	25% of the adjoining site area.	As per R-MD – R40, however if overshadowing intrudes into rear half of the lot, shadow cast does not exceed 25%.	4.5m to bedrooms and studies. 6m to all other major openings. 7.5m to balconies or similar.	As per R-MD – R40

STRA Land Use Permissibility and Definition Comparison Tables

Table 1 - Short-term Accommodation Definitions Comparison		
Short-term Accommodation	Short-term Rental Accommodation	Short-term Rental Arrangement
Means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than 3 months in any 12 month period.	(a) Means a dwelling provided, on a commercial basis, for occupation under a short-term rental arrangement; but (b) does not include a dwelling that is, or is part of, any of the dwelling - (i) an aged care facility as defined in the <i>Land Tax Assessment Act 2002</i> section 38A(1); (ii) a caravan park; (iii) a lodging house as defined in the <i>Health (Miscellaneous Provisions) Act 1911</i> section 3(1); (iv) a park home park (v) a retirement village as defined in the <i>Retirement Villages Act 1992</i> (section 3(1); (vi) workforce accommodation.	Means an arrangement under which - (a) a dwelling, or part of a dwelling, is provided for occupation by a person; and (b) the person occupies the dwelling, or part of the dwelling, for a period or periods not exceeding a total of 3 months in any 12-month period.

Table 2 - Bed and Breakfast Land Use Comparison	
Existing LPS3 Land Use	Existing LPS3 Definition
Bed and Breakfast	Means a dwelling: (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and (b) containing not more than 2 guest bedrooms.
Replacement LPS Regulations Land Use	Replacement LPS Regulations Definition
Hosted Short-term Rental Accommodation	Means any of the following - (a) short-term rental accommodation where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the same dwelling during the short-term rental arrangement; (b) short-term rental accommodation that is an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides the other dwelling on the same lot, resides at that other dwelling during the short-term rental arrangement; (c) short-term rental accommodation that is a dwelling on the same lot as an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the ancillary dwelling during the short-term rental arrangement.

Table 3 – Holiday House Definition Comparison	
Existing LPS3 Land Use	Existing LPS3 Definition
Holiday House	Means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.
Replacement LPS Regulations Land Use	Replacement LPS Regulations Definition
Unhosted Short-term Rental Accommodation	Means short-term rental accommodation that – (a) is not hosted short-term rental accommodation; and (b) accommodates 12 people or fewer per night.

Table 4 – Proposed Amendments to LPS3 Table 3 Zoning Table							
Use and Development Class	Residential	Mixed Use	Commercial	Service Commercial	Light Industry	Private Community Purposes	Rural
Bed and Breakfast	D	D	P	X	X	D	D
Holiday House	D	D	X	X	X	D	X
Hosted Short-term Rental Accommodation	P	P	P	X	X	X	P
Unhosted Short-term Rental Accommodation	D	D	D	X	X	X	D

Table 5 – Proposed Amendments to LPS3 Table 3a Whitford Activity Centre Zoning Table				
Use and Development Class	C-1 Endeavour District	C-2 Retail District	C-3 Banks District	C-4 Education and Civic District
Bed and Breakfast	X	X	D	X
Hosted Short-term Rental Accommodation	P	P	P	P
Unhosted Short-term Rental Accommodation	D	D	D	D

*Holiday house does not exist as a land use within Table 3a of LPS3.

Table 6 – Proposed Amendments to LPS3 Table 3b Joondalup Activity Centre Zoning Table						
Use and Development Class	City Centre	Health and Wellness	Learning and Innovation	Joondalup Edge	Joondalup West	Lakeside Residential
Bed and Breakfast	D	D	D	D	X	D
Holiday House	X	X	X	X	X	D
Hosted Short-term Rental Accommodation	P	P	P	P	X	P
Unhosted Short-term Rental Accommodation	D	D	D	D	X	D

Proposed STRA Amendments to Local Planning Scheme No. 3

1. In clause 37, 'Terms Used' delete the definition for *short-term accommodation*.
2. In clause 38, 'Land Use Terms Used' delete the definitions for *bed and breakfast* and *holiday house*.
3. In table 3, 'Zoning Table' insert in alphabetical order the following land uses and permissibility:
 - A. *Hosted short-term rental accommodation*; designate as a 'P' use in the Residential, Mixed Use, Commercial and Rural zones and an 'X' use in the Service Commercial, Light Industry and Private Community Purposes zones;
 - B. *Unhosted short-term rental accommodation*; designate as a 'D' use in the Residential, Mixed Use, Commercial and Rural zones and an 'X' use in the Service Commercial, Light Industry and Private Community Purposes zones.
4. In table 3, 'Zoning Table' delete all references to *bed and breakfast* and *holiday house*.
5. In table 3a, 'Whitford Activity Centre Zoning Table' insert in alphabetical order the following land uses and permissibility:
 - A. *Hosted Short-term Rental Accommodation*; designate as a 'P' use all zones;
 - B. *Unhosted Short-term Rental Accommodation*; designate as a 'D' use in all zones.
6. In table 3a, 'Whitford Activity Centre Zoning Table' delete all references to *bed and breakfast*.
7. In table 3b, 'Joondalup Activity Centre Zoning Table' insert in alphabetical order the following land uses and permissibility:
 - A. *Hosted Short-term Rental Accommodation*; designate as a 'P' use in the City Centre, Health and Wellness, Learning and Innovation, Joondalup Edge and Lakeside Residential zones and an 'X' use in the Joondalup West zone;
 - B. *Unhosted Short-term Rental Accommodation*; designate as a 'D' use in the City Centre, Health and Wellness, Learning and Innovation, Joondalup Edge and Lakeside Residential zones and an 'X' use in the Joondalup West zone.
8. In table 3b, 'Joondalup Activity Centre Zoning Table' delete all references to *bed and breakfast* and *holiday house*.



Short-term Accommodation Local Planning Policy

Responsible directorate: Planning and Community Development

Objectives:

- To encourage good quality, well managed short-term accommodation for use by visitors that does not compromise the amenity of residential areas or nearby residents.
- To provide guidance and development provisions for operators seeking to establish short-term accommodation within the City of Joondalup.
- To establish a clear framework for the assessment and determination of applications for short-term accommodation.

1. Authority:

This Policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area.

2. Application:

This policy applies to all 'Bed and Breakfast', 'Holiday House', 'Holiday Accommodation' and 'Serviced Apartment' land uses in all zones.

3. Definitions:

"Bed and Breakfast" as defined by Local Planning Scheme No. 3 means a dwelling:

- (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than four (4) adult persons or one family; and
- (b) containing not more than two (2) guest bedrooms.

“**dwelling**” as defined by the Residential Design Codes means a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six (6) persons who do not comprise a single family.

“**Holiday House**” as defined by Local Planning Scheme No. 3 means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.

“**Holiday Accommodation**” as defined by Local Planning Scheme No. 3 means two (2) or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot.

“**R-Codes**” means the Residential Design Codes.

“**Serviced Apartment**” as defined by Local Planning Scheme No. 3 means a group of units or apartments providing:

- (a) self-contained short stay accommodation for guests; and
- (b) any associated reception or recreational facilities.

“**short-term accommodation**” as defined by Local Planning Scheme No. 3 means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than three (3) months in any 12-month period.

4. **Statement:**

The City of Joondalup supports diversity of accommodation types to facilitate tourism and other activities within its district. In considering applications for short-term accommodation, the City will take into consideration the siting, design and management of the short-term accommodation to ensure such accommodations are compatible with, and avoid adverse impacts on, the amenity of adjoining and surrounding areas.

5. **Details:**

5.1. **General requirements for all short-term accommodation:**

5.1.1. **Car parking standards:**

- a. Car parking bays are to be provided in accordance with the following table:

Use Class	Number of on-site parking bays
Bed and Breakfast	One car parking bay per guest bedroom. In addition, car parking for permanent residents is to be in accordance with the R-Codes.
Holiday House	In accordance with the R-Codes clause 5.3.3 Location B requirements.
Holiday Accommodation	In accordance with the R-Codes clause 5.3.3 Location B requirements.
Serviced Apartment	In accordance with the R-Codes clause 5.3.3 or 6.3.3 Location B requirements.

5.1.2. Car parking location and design:

- a. Car park access and design is to be in accordance with the following requirements:

Design Element	Development Requirement
(a) Car park location	(i) All car parking is to be provided on-site; verge parking is not permitted. (ii) In the 'Residential' zone, the provision of car parking bays must not detract from the residential appearance of the dwelling or dominate the streetscape.
(b) Car park design	(i) Car parks shall be designed in accordance with the R-codes.
(c) Vehicle access	(i) Vehicles access is to be provided in accordance with the R-codes.

5.1.3. Management plan:

- a. A management plan is required to be submitted at the time of lodging an application for development approval for short-term accommodation. The requirement for the operation of the short-term accommodation in accordance with the management plan will be included as a condition of any development approval issued.
- b. The management plan is to include, but not be limited to the following matters:
- i. A code of conduct detailing the expected behaviour and obligations of guests. The code of conduct shall be displayed in a prominent position within the premises.
 - ii. Management of complaints, in the form of a Complaints Management Procedure (which must include the provision of the short-term accommodation owners/managing agents contact telephone number for adjoining neighbours).
 - iii. Control of anti-social behaviour and the potential conflict between guests and permanent residents of the area, detailing the expected behaviour of guests and control of noise.
 - iv. Details regarding guest check-in and check-out procedures.
 - v. Management of car parking.
 - vi. Details regarding waste management which must include specifying the expectations on guests with regard to general rubbish and bin collection (if applicable).
 - vii. Compliance with Strata By-Laws (if applicable) in the form of a Statement of Compliance.

5.1.4. Guest register:

- a. A register of all persons occupying the short-term accommodation is required to be kept on the premises of the short-term accommodation or at such other

place as agreed by the City and shall be open to inspection on demand by an authorised City officer.

- b. The register shall:
 - i. show the name and address of every occupant staying within the accommodation and the unit occupied; and
 - ii. include the date of arrival and date of departure of the occupants of the accommodation.

5.1.5. Signage:

- a. Any signage associated with short-term accommodation is to be in accordance with the City of Joondalup Signs Policy.

5.1.6. Application information:

- a. In addition to the management plan referred to above and the normal development application submission requirements, the following additional information is required to be submitted with an application for development approval for short-term accommodation:
 - i. Justification as to how and why the proposed accommodation will be compatible with the adjoining area and is consistent with the objectives of this Policy.

5.1.7. Public consultation:

- a. Refer to the City's Planning Consultation Local Planning Policy.
- b. Where an application involves short-term accommodation in a strata title arrangement, the strata body will be consulted. Prior to submission, applicants are encouraged to seek clarification as to whether or not the operation of short-term accommodation is compliant with regulations governing ownership of the property i.e. provisions of the *Strata Titles Act 1985* and associated by-laws.

5.2. Development requirements for a Bed and Breakfast:

- a. The owner/resident of the accommodation must reside on-site at all times while the 'Bed and Breakfast' is in operation.
- b. Meals may only be provided for 'Bed and Breakfast' guests.

5.3. Development requirements for a Holiday House:

- a. Applications for development approval for a 'Holiday House' within an existing dwelling will be processed as a change of use.
- b. Applications for development approval for a purpose built 'Holiday House' are required to meet the relevant single house requirements of the Residential Design Codes, the City of Joondalup Residential Development Local Planning Policy and any relevant structure plan or local planning policy.

5.4. Development requirements for Holiday Accommodation:

- a. Applications for development approval for 'Holiday Accommodation' within existing grouped or multiple dwelling developments will be processed as a change of use.
- b. Applications for development approval for purpose built 'Holiday Accommodation' are required to meet the relevant grouped or multiple dwelling development requirements of the Residential Design Codes, the City of Joondalup Residential Development Local Planning Policy and any relevant structure plan or local planning policy.
- c. Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same holiday accommodation unit.

5.5. Development requirements for Serviced Apartments:

- a. Applications for development approval for 'Serviced Apartment' within an existing grouped dwelling or multiple dwelling development will be processed as a change of use and are expected to provide dedicated reception facilities and may provide recreational facilities.
- b. Applications for purpose built 'Serviced Apartment' shall be subject to the siting and design requirements applicable under the relevant local planning policy, and any relevant structure plan. If applicable, serviced apartments are required to be designed to separate short-term accommodation from permanent occupancy dwellings located on the same site or building.
- c. Where a development involves a combination of permanent occupancy dwellings and serviced apartments, parking areas for permanent residents and their visitors shall be clearly separated and delineated from the parking area for the serviced apartments.
- d. Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same serviced apartment.
- e. If required, applications for purpose built 'Serviced Apartment' must also demonstrate the sufficient provision of facilities for the loading/unloading of goods on the site.

Creation date:	September 2011 (CJ159-09/11)
Formerly:	Short Stay Accommodation Policy
Amendments:	CJ231-12/16, CJ058-04/17, CJ184-10/18, CJ033-03/20
Last reviewed:	March 2020 (CJ033-03/20)
Related documentation:	<ul style="list-style-type: none">• Local Planning Scheme No. 3• Planning Consultation Local Planning Policy
File reference:	72584



Short-term Rental Accommodation Local Planning Policy

Responsible directorate: Planning and Community Development

Objectives:

- To encourage good quality, well managed short-term rental accommodation that does not compromise the amenity of residential areas or nearby residents.
- To provide guidance and development requirements for operators seeking to establish short-term rental accommodation within the City of Joondalup.
- To establish a clear framework for the assessment and determination of applications for short-term rental accommodation.

1. Authority:

This Policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area.

2. Application:

This policy applies to all 'Holiday Accommodation', 'Serviced Apartment' and 'Unhosted Short-term Rental Accommodation' land uses in all zones.

3. Definitions:

"dwelling" as defined by the Residential Design Codes means a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six (6) persons who do not comprise a single family.

"Holiday Accommodation" as defined by Local Planning Scheme No. 3 means two (2) or more dwellings on one lot used to provide short-term accommodation for persons other than the owner of the lot.

“Hosted Short-term Rental Accommodation” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* means any of the following:

- a. Short-term rental accommodation where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the same dwelling during the short-term rental arrangement.
- b. Short-term rental accommodation that is an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the other dwelling on the same lot, resides at that other dwelling during the short-term rental arrangement.
- c. Short-term rental accommodation that is a dwelling on the same lot as an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the ancillary dwelling during the short-term rental arrangement.

“R-Codes” means the Residential Design Codes.

“Serviced Apartment” as defined by Local Planning Scheme No. 3 means a group of units or apartments providing:

- a. self-contained short stay accommodation for guests; and
- b. any associated reception or recreational facilities.

“Short-term Rental Accommodation” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- a. means a dwelling provided, on a commercial basis, for occupation under a short-term rental arrangement; but
- b. does not include a dwelling that is, or is part of, any of the following:
 - i. An aged care facility as defined in the *Land Tax Assessment Act 2002* section 38A(1).
 - ii. A caravan park.
 - iii. A lodging-house as defined in the *Health (Miscellaneous Provisions) Act 1911* section 3(1).
 - iv. A park home park.
 - v. A retirement village as defined in the *Retirement Villages Act 1992* section 3(1).
 - vi. Workforce accommodation.

“Short-term Rental Arrangement” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* means an arrangement under which:

- a. a dwelling, or part of a dwelling, is provided for occupation by a person; and
- b. the person occupies the dwelling, or part of the dwelling, for a period or periods not exceeding a total of three (3) months in any 12-month period.

“Unhosted Short-term Rental Accommodation” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* means short-term rental accommodation that:

- a. is not hosted short-term rental accommodation; and
- b. accommodates a maximum of 12 people per night.

4. Statement:

The City of Joondalup supports diversity of accommodation types to facilitate tourism and other activities within its district. In considering development applications for short-term rental accommodation, the City will take into consideration the siting, design and management of the short-term rental accommodation to ensure such accommodations are compatible with, and avoid adverse impacts on, the amenity of adjoining and surrounding areas.

5. Details:

5.1. General development requirements for all short-term rental accommodation:

5.1.1. Application information:

In addition to the standard development application submission requirements, written justification is required to be provided as to how and why the proposed accommodation will be compatible with the adjoining area and is consistent with the objectives of this Policy.

5.1.2. Car parking requirements:

- a. The required number of car parking bays is to be provided in accordance with the R-Codes or relevant local planning policy that amends or replaces the R-Codes.
- b. Car parking access and design is to be in accordance with the following requirements:

Design Element	Development Requirement
a. Car parking location	<ul style="list-style-type: none"> i. All car parking is to be provided on-site; verge parking is not permitted. ii. In the 'Residential' zone, the provision of car parking bays must not detract from the residential appearance of the dwelling or dominate the streetscape.
b. Car parking design	<ul style="list-style-type: none"> i. Car parking shall be designed in accordance with the R-Codes.
c. Vehicle access	<ul style="list-style-type: none"> i. Vehicle access is to be provided in accordance with the R-Codes.

5.1.3. Management plan:

- a. A management plan is required to be submitted at the time of lodging an application for development approval for short-term rental accommodation. The requirement for the operation of the short-term rental accommodation in accordance with the management plan will be included as a condition of any development approval issued.
- b. The management plan is to include, but not be limited to the following matters:

- i. A code of conduct detailing the expected behaviour and obligations of guests. The code of conduct shall be displayed in a prominent position within the premises.
- ii. Management of complaints, in the form of a Complaints Management Procedure (which is to include the provision of the short-term rental accommodation owners/managing agents contact telephone number for adjoining neighbours and be updated/remain current).
- iii. Control of anti-social behaviour and the potential conflict between guests and permanent residents of the area, detailing the expected behaviour of guests and control of noise.
- iv. Details regarding guest check-in and check-out procedures.
- v. Management of car parking.
- vi. Details regarding waste management which must include specifying the expectations on guests with regard to general rubbish and bin collection (if applicable).
- vii. Compliance with Strata By-Laws (if applicable) in the form of a Statement of Compliance.

5.1.4. Guest numbers and register:

- a. Short-term rental accommodation subject to this policy is to have a maximum occupancy of two (2) persons per bedroom.
- b. A register of all persons occupying the short-term rental accommodation is required to be kept and shall be open to inspection on demand by an authorised City officer.
- c. The register shall:
 - i. show the name and address of every occupant staying within the accommodation and the unit occupied; and
 - ii. include the date of arrival and date of departure of the occupants of the accommodation.

5.1.5. Signage:

Any signage associated with short-term rental accommodation is to be in accordance with the City of Joondalup Advertisements Local Planning Policy.

5.1.6. Public consultation:

Refer to the City's Planning Consultation Local Planning Policy.

5.2 Development requirements for Unhosted Short-term Rental Accommodation:

- a. Development applications for 'Unhosted Short-term Rental Accommodation' within an existing dwelling will be processed as a change of use.

- b. Development applications for purpose built 'Unhosted Short-term Rental Accommodation' are required to meet the relevant single house, grouped dwelling, or multiple dwelling requirements of the R-Codes, the City of Joondalup Residential Development Local Planning Policy and any relevant structure plan, local development plan, or local planning policy.

5.3. Development requirements for Holiday Accommodation:

- a. Development applications for 'Holiday Accommodation' within existing grouped or multiple dwelling developments will be processed as a change of use.
- b. Development applications for purpose built 'Holiday Accommodation' are required to meet the relevant grouped or multiple dwelling development requirements of the R-Codes, the City of Joondalup Residential Development Local Planning Policy and any relevant structure plan, local development plan, or local planning policy.
- c. Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same holiday accommodation unit.

5.4. Development requirements for Serviced Apartments:

- a. Development applications for use of a single 'Serviced Apartment' within an existing grouped dwelling or multiple dwelling development will be processed as a change of use.
- b. Development applications for purpose built 'Serviced Apartment' units shall be subject to the siting and design requirements applicable under the R-Codes and/or relevant local planning policy, structure plan, or local development plan. If applicable, 'Serviced Apartments' are required to be designed to separate short-term rental accommodation from permanent occupancy dwellings located on the same site or building.
- c. Where a development involves a combination of permanent occupancy dwellings and 'Serviced Apartments', parking areas for permanent residents and their visitors shall be clearly separated and delineated from the parking area for the 'Serviced Apartments'.
- d. Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same 'Serviced Apartment'.
- e. If required, applications for purpose built 'Serviced Apartments' must also demonstrate the sufficient provision of facilities for the loading/unloading of goods on the site.

Creation date:	September 2011 (CJ159-09/11)
Formerly:	Short Stay Accommodation Policy Short-term Accommodation Local Planning Policy
Amendments:	CJ231-12/16, CJ058-04/17, CJ184-10/18, CJ033-03/20, CJXXX-XX/25
Last reviewed:	Month 2024 (CJXXX-XX/XX)
Related documentation:	<ul style="list-style-type: none">• Local Planning Scheme No. 3• Planning Consultation Local Planning Policy
File reference:	72584



Short-term Rental Accommodation Local Planning Policy

Responsible directorate: Planning and Community Development

Objectives:

- To encourage good quality, well managed short-term rental accommodation that does not compromise the amenity of residential areas or nearby residents.
- To provide guidance and development requirements for operators seeking to establish short-term rental accommodation within the City of Joondalup.
- To establish a clear framework for the assessment and determination of applications for short-term rental accommodation.

1. Authority:

This Policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area.

2. Application:

This policy applies to all 'Holiday Accommodation', 'Serviced Apartment' and 'Unhosted Short-term Rental Accommodation' land uses in all zones.

3. Definitions:

"dwelling" as defined by the Residential Design Codes means a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on a permanent basis by a single person, a single family, or no more than six (6) persons who do not comprise a single family.

"Holiday Accommodation" as defined by Local Planning Scheme No. 3 means two (2) or more dwellings on one lot used to provide short-term accommodation for persons other than the owner of the lot.

“Hosted Short-term Rental Accommodation” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* means any of the following:

- a. Short-term rental accommodation where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the same dwelling during the short-term rental arrangement.
- b. Short-term rental accommodation that is an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the other dwelling on the same lot, resides at that other dwelling during the short-term rental arrangement.
- c. Short-term rental accommodation that is a dwelling on the same lot as an ancillary dwelling where the owner or occupier, or an agent of the owner or occupier who ordinarily resides at the dwelling, resides at the ancillary dwelling during the short-term rental arrangement.

“R-Codes” means the Residential Design Codes.

“Serviced Apartment” as defined by Local Planning Scheme No. 3 means a group of units or apartments providing:

- a. self-contained short stay accommodation for guests; and
- b. any associated reception or recreational facilities.

“Short-term Rental Accommodation” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- a. means a dwelling provided, on a commercial basis, for occupation under a short-term rental arrangement; but
- b. does not include a dwelling that is, or is part of, any of the following:
 - i. An aged care facility as defined in the *Land Tax Assessment Act 2002* section 38A(1).
 - ii. A caravan park.
 - iii. A lodging-house as defined in the *Health (Miscellaneous Provisions) Act 1911* section 3(1).
 - iv. A park home park.
 - v. A retirement village as defined in the *Retirement Villages Act 1992* section 3(1).
 - vi. Workforce accommodation.

“Short-term Rental Arrangement” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* means an arrangement under which:

- a. a dwelling, or part of a dwelling, is provided for occupation by a person; and
- b. the person occupies the dwelling, or part of the dwelling, for a period or periods not exceeding a total of three (3) months in any 12-month period.

“Unhosted Short-term Rental Accommodation” as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015* means short-term rental accommodation that:

- a. is not hosted short-term rental accommodation; and
- b. accommodates a maximum of 12 people per night.

4. Statement:

The City of Joondalup supports diversity of accommodation types to facilitate tourism and other activities within its district. In considering development applications for short-term rental accommodation, the City will take into consideration the siting, design and management of the short-term rental accommodation to ensure such accommodations are compatible with, and avoid adverse impacts on, the amenity of adjoining and surrounding areas.

5. Details:

5.1. General development requirements for all short-term rental accommodation:

5.1.1. Application information:

In addition to the standard development application submission requirements, written justification is required to be provided as to how and why the proposed accommodation will be compatible with the adjoining area and is consistent with the objectives of this Policy.

5.1.2. Car parking requirements:

- a. The required number of car parking bays is to be provided in accordance with the ~~following rates: R-Codes or relevant local planning policy that amends or replaces the R-Codes.~~

<u>Maximum number of guests</u>	<u>Minimum number of car parking bays required</u>
<u>1-3</u>	<u>1</u>
<u>4-6</u>	<u>2</u>
<u>7-8</u>	<u>3</u>
<u>9-12</u>	<u>4</u>

- b. Car parking access and design is to be in accordance with the following requirements:

Design Element	Development Requirement
a- Car parking location	<ul style="list-style-type: none"> i. All car parking is to be provided on-site; verge parking is not permitted. ii. In the 'Residential' zone, the provision of car parking bays must not detract from the residential appearance of the dwelling or dominate the streetscape.
b- Car parking design	i- Car parking shall be designed in accordance with the R-Codes.
c- Vehicle access	i- Vehicle access is to be provided in accordance with the R-Codes.

5.1.3. Management plan:

- a. A management plan is required to be submitted at the time of lodging an application for development approval for short-term rental accommodation. The requirement for the operation of the short-term rental accommodation in accordance with the management plan will be included as a condition of any development approval issued.
- b. The management plan is to include, but not be limited to the following matters:
 - i. A code of conduct detailing the expected behaviour and obligations of guests. The code of conduct shall be displayed in a prominent position within the premises.
 - ii. Management of complaints, in the form of a Complaints Management Procedure (which is to include the provision of the short-term rental accommodation owners/managing agents contact telephone number for adjoining neighbours and be updated/remain current).
 - iii. Control of anti-social behaviour and the potential conflict between guests and permanent residents of the area, detailing the expected behaviour of guests and control of noise.
 - iv. Details regarding guest check-in and check-out procedures.
 - v. Management of car parking.
 - vi. Details regarding waste management which must include specifying the expectations on guests with regard to general rubbish and bin collection (if applicable).
 - vii. Compliance with Strata By-Laws (if applicable) in the form of a Statement of Compliance.

5.1.4. Guest numbers and register:

- a. ~~Short-term rental accommodation subject to this policy is to have a maximum occupancy of two (2) persons per bedroom. Short-term rental accommodation subject to this policy is to have an overall maximum occupancy calculated on the ratio of two (2) persons per bedroom.~~
- b. A register of all persons occupying the short-term rental accommodation is required to be kept and shall be open to inspection on demand by an authorised City officer.
- c. The register shall:
 - i. show the name and address of every occupant staying within the accommodation and the unit occupied; and
 - ii. include the date of arrival and date of departure of the occupants of the accommodation.

5.1.5. Signage:

Any signage associated with short-term rental accommodation is to be in accordance with the City of Joondalup Advertisements Local Planning Policy.

5.1.6. Public consultation:

Refer to the City's of Joondalup Planning Consultation Local Planning Policy.

5.1.7. Approval period:

- a. Where development approval is granted by the City for short-term rental accommodation, this approval may be subject to an initial 12-month approval period following assessment of the proposal, including any potential impact of the proposal on the amenity of adjoining and surrounding landowners.
- b. Prior to the end of an initial 12-month approval period, a development application for the continuation of the use is to be submitted. The application should demonstrate that the ongoing operation of the short-term rental accommodation will not be unreasonably detrimental to adjoining and surrounding landowners.

5.2 Development requirements for Unhosted Short-term Rental Accommodation:

- a. Development applications for 'Unhosted Short-term Rental Accommodation' within an existing dwelling will be processed as a change of use.
- b. Development applications for purpose built 'Unhosted Short-term Rental Accommodation' are required to meet the relevant single house, grouped dwelling, or multiple dwelling requirements of the R-Codes, the City of Joondalup Residential Development Local Planning Policy and any relevant structure plan, local development plan, or local planning policy.

5.3. Development requirements for Holiday Accommodation:

- a. Development applications for 'Holiday Accommodation' within existing grouped or multiple dwelling developments will be processed as a change of use.
- b. Development applications for purpose built 'Holiday Accommodation' are required to meet the relevant grouped or multiple dwelling development requirements of the R-Codes, the City of Joondalup Residential Development Local Planning Policy and any relevant structure plan, local development plan, or local planning policy.
- c. Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same holiday accommodation unit.

5.4. Development requirements for Serviced Apartments:

- a. Development applications for use of a single 'Serviced Apartment' within an existing grouped dwelling or multiple dwelling development will be processed as a change of use.
- b. Development applications for purpose built 'Serviced Apartment' units shall be subject to the siting and design requirements applicable under the R-Codes and/or relevant local planning policy, structure plan, or local development plan. If applicable, 'Serviced Apartments' are required to be designed to separate short-term rental accommodation from permanent occupancy dwellings located on the same site or building.
- c. Where a development involves a combination of permanent occupancy dwellings and 'Serviced Apartments', parking areas for permanent residents and their visitors

shall be clearly separated and delineated from the parking area for the 'Serviced Apartments'.

- d. Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same 'Serviced Apartment'.
- e. If required, applications for purpose built 'Serviced Apartments' must also demonstrate the sufficient provision of facilities for the loading/unloading of goods on the site.

Creation date:	September 2011 (CJ159-09/11)
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Amendments:	CJ231-12/16, CJ058-04/17, CJ184-10/18, CJ033-03/20, CJXXX-XX/25
Last reviewed:	Month 2024-2025 (CJXXX-XX/XX)
Related documentation:	<ul style="list-style-type: none">• Local Planning Scheme No. 3• Planning Consultation Local Planning Policy
File reference:	72584

**PROPOSED SCHEME AMENDMENT NO. 21 & AMENDMENTS TO SHORT-TERM ACCOMMODATION LOCAL PLANNING POLICY
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING**

SUBMISSION	ADMINISTRATION COMMENTS
<p>Oppose In Joondalup, un-hosted short term rental businesses are being approved with inadequate consideration of the real and potential deleterious effects on the amenity of the immediate adjacent neighbours and on neighbourhoods themselves.</p> <p>One's quality of lifestyle is not enhanced by such a business. A business that potentially could be the cause of significant mental, social and psychological distress.</p> <p>Who would want such a business to be approved in an existing domestic residence adjacent to one's own home never knowing who may be there from one day to the next?</p> <p>Such development results in a commercialisation of residential properties. The residential zoning ought to prohibit at least un-hosted STRA, in order to provide "peace of mind".</p> <p>Additionally approvals have absolutely no regards to the loss of one's property value due to an adjacent residential property being converted into an un-hosted STRA business. It's irrefutable that such a change does devalue the adjacent resident's property.</p> <p>The effect on the amenity of the neighbourhood is deleterious to the whole concept of a community and neighbourhood. It's a commercial business with users, with no affiliation to the local community, coming and going. Such transient occupation undermines the very concept of neighbour and neighbourhood.</p> <p>Neighbourhood amenity is more than noise, antisocial behaviour, parking, loss of security, poor property appearance and maintenance. It's about a sense of belonging, being present for one another and caring for one another.</p> <p>In terms of the "big picture" Metropolitan Perth has a long term rental accommodation short fall and this type of hosted and un-hosted STRA rental arrangement is not at all helpful to solving this problem.</p>	<p>The scheme amendment is proposed to align the City's local planning framework with the recent changes to the State planning framework regarding land use permissibility and definitions.</p> <p>The Western Australian Planning Commission has provided direction that blanket bans on short-term rental accommodation in residential zoned areas is not appropriate. The consideration of potentially restricting short-term rental accommodation to certain areas in the City is outside the scope of the current policy review, however is an issue that can be investigated through the City's current Local Planning Strategy review.</p> <p>Each individual planning application for short-term rental accommodation is assessed on its merits in accordance with the local planning framework. The policy amendments propose modifications to how short-term rental accommodation is managed throughout the City, which will provide greater clarity for the community and short-term rental accommodation operators. It is noted that property value is not a relevant planning consideration.</p> <p>The proposed introduction of a one-year time limit for planning approvals in circumstances where the impact of a short-term rental accommodation proposal requires review over time provides the City with greater ability to monitor the effectiveness of a management plan. There is potential in the future for the City to prepare a template management plan, however this is outside the scope of the current policy review which is primarily intended to function as an interim review to align the policy with the amended <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, not overhaul the policy entirely.</p>

**PROPOSED SCHEME AMENDMENT NO. 21 & AMENDMENTS TO SHORT-TERM ACCOMMODATION LOCAL PLANNING POLICY
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING**

SUBMISSION	ADMINISTRATION COMMENTS
<p>This State Government has shown no real regard for protecting residents from un-hosted STRA businesses. Local Government Councils need to be doing more to protect residents.</p> <p>I request that these Draft Policies be referred back to the City's Policy Committee for further development to enhance protections for residents from un-hosted STRA.</p> <p>I endorse the recommendations made by the MSDPARA, in its submission on this matter, and urge Council to adopt them.</p>	
<p>Oppose</p> <p>We consider that both types of Short Term Rental Accommodation(STRA) the Hosted and especially the Un- hosted form will have a big impact on the residential amenity of neighbours who are unfortunate enough to have such accommodation next to them. That the hosted form is classed as a "P" use means that it is permitted anywhere in the residential and other areas. The un-hosted version is a "D" discretionary use so should receive more oversight but again it can be anywhere a residential use is allowed. It effectively provides the potential to turn the residential areas into commercial accomodation zones.</p> <p>The STRA policy also flies in the face of the State government initiative of paying cash to investors to convert from Short stay accommodation to permanent rentals to help the housing crisis.</p> <p>That a maximum of 12 persons per night per dwelling is proposed means that local residents could be faced with "party" size groups of people next to them on a regular basis. The potential for disruption of peaceful neighbourhoods is obvious.</p> <p>The impact of overflow parking in residential streets (12 guests could potentially equal 6 cars) would be significant when our homes are increasingly turning into carparks as adult kids stay at home longer.</p> <p>While areas close to attractions like beaches , marinas and city centres would be most popular for STRA, suburbs like Kingsley, Greenwood, Warwick not far from attractions will also be targeted by some home owners keen to make</p>	<p>The scheme amendment is proposed to align the City's local planning framework with the recent changes to the State planning framework regarding land use permissibility and definitions.</p> <p>The Western Australian Planning Commission has provided direction that blanket bans on short-term rental accommodation in residential zoned areas is not appropriate. The consideration of potentially restricting short-term rental accommodation to certain areas in the City is outside the scope of the current policy review, however is an issue that can be investigated through the City's current Local Planning Strategy review.</p> <p>Each individual planning application for short-term rental accommodation is assessed on its merits in accordance with the local planning framework. The policy amendments propose modifications to how short-term rental accommodation is managed throughout the City, which will provide greater clarity for the community and short-term rental accommodation operators.</p> <p>The proposed introduction of a one-year time limit for planning approvals in circumstances where the impact of a short-term rental accommodation proposal requires review over time provides the City with greater ability to monitor the effectiveness of a management plan. There is potential in the future for the City to prepare a template management plan, however this is outside the scope of the current policy review which is primarily intended to function as an interim review to align the policy with the amended <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, not overhaul the policy entirely.</p>

**PROPOSED SCHEME AMENDMENT NO. 21 & AMENDMENTS TO SHORT-TERM ACCOMMODATION LOCAL PLANNING POLICY
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SUBMISSION	ADMINISTRATION COMMENTS
<p>extra income. Unfortunately this extra income would be generated at the expense of their neighbours' amenity.</p> <p>We request that the draft policies are referred back to the COJ Policy Committee to seek advice from the Planning Department to increase the protection to residential property owners from the encroachment of these businesses into residential areas</p> <p>We Endorse the submission of the Marmion Duncraig Sorrento Progress and Ratepayers Association.</p> <p>In particular:</p> <ol style="list-style-type: none"> 1. That the proposed Draft LPP is inadequate in its protection of residential amenity and neighbourhood from the impact of STRA's. 2. That it seeks greater protection and recognition of residential amenity, lifestyle and neighbourhood relationship development. 3. That the City undertakes a more proactive approach in the compliance management and education and awareness of STRA's in the community. 4. That the Policy fails to address, in any detail, non-compliance, or penalties associated with not maintaining the currency and relevance of Management Plans. 5. That Council reject/not accept the proposed Policy amendments endorsed by the CoJ Policy Committee. 6. That Council seeks not to approve/allow Un-Hosted STRA's in residential areas. 7. That the Council refers this matter back to the Policy Committee to seek advice as to what modifications ought to be made to address the concerns raised by this submission. 	<p>The City does not have the resources at this time to proactively monitor all properties operating as short-term rental accommodation across the City, with requests to review potential non-compliance investigated and responded to when are received. The penalties for non-compliance vary dependent on the extent of non-compliance and are enforced, where appropriate, in accordance with the applicable legislation. A local planning policy is not an appropriate mechanism to prescribe penalties for non-compliance.</p>
<p>Oppose</p> <p>I do not support these amendments on the grounds that they do little to protect the amenity of neighbour's residents and also the amenity of neighbourhoods generally.</p> <p>The un-hosted STRA business are not development approvals but in essence are a Change of Use. A change which adversely affects adjacent neighbours and neighbourhoods.</p>	<p>The scheme amendment is proposed to align the City's local planning framework with the recent changes to the State planning framework regarding land use permissibility and definitions.</p> <p>The Western Australian Planning Commission has provided direction that blanket bans on short-term rental accommodation in residential zoned areas is not appropriate. The consideration of potentially restricting short-term rental accommodation to certain areas in the City is outside the scope of the current policy review, however is an issue that can be investigated through the City's</p>

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<p>As such they ought not be approved in residentially zoned neighbourhoods.</p> <p>What justification is there to impose on a resident a business that potentially has serious implications for the amenity and well-being of the resident. I refer to the attachments regarding un-hosted STRA in the municipality of Subiaco as evidence of such outcomes. Not isolated incidents.</p> <p>I request that the Draft Amendments be referred back to the City's Policy Committee for it to seek advice from the Town Planner for "modification" that will enhance resident protections from these businesses. The Report to Council did offer Council the option to "modify" the Drafts. Unfortunately that didn't occur at that time. Now after Public Consultation it ought to be undertaken.</p> <p>I endorse the recommendations of the Marmion Sorrento Duncraig Progress and Ratepayers Association made in its submission on this matter.</p> <div data-bbox="347 762 734 1002"> <p>Subi rejects short-stay squeeze By LLOYD GORMAN Two Airbnb-type properties in Subiaco that tried to increase the number of people who could stay in them were blocked by the council this week.</p> <p>About 20 concerned neighbours sat in the public gallery during Tuesday night's council meeting and some spoke about the noise, late-night parties, antisocial behaviour and localism parking.</p> <p>No 6 Redfern Street, already operating as short stay rental accommodation for up to six guests at a time, was the subject of a development application seeking an increase in permits.</p> <p>Another application, for 10 Darbon Avenue in Subiaco, would permit for an extra two people, increasing the permitted number of guests to eight.</p> <p>Nine residents stood up at the council meeting and told councillors why that would be a bad idea.</p> <p>Redfern Street resident Michael Phelan said the close-knit nature of the neighbourhood was being threatened.</p> <p>“My concern is that by supporting the increased number of tenants, and therefore increasing the rental factors on investment, a precedent is set that the City is actively encouraging non-residential investors to rent,” Mr Phelan said.</p> <p>“This application seeks to house 10 people in a Subiaco workers cottage.”</p> <p>“How many more can be squeezed into a Subi Central Midland?”</p> <p>“This application seeks to degrade a residential area into a business district by stealth.”</p> <p>He implored councillors to learn from “mistakes” made in other places and to preserve the local community.</p> <p>“Approving this application, even if it is only at the expense of our local community, will exacerbate the housing issues that Perth and other areas around the world are currently trying to mitigate,” he said.</p> <p>Darbon Crescent resident David Taylor said people in the street were concerned about “the reverberating relation of tenants” at No 10.</p> <p>Most households in the area had two to three people living in them, he said, adding “The occupancy of 10 Darbon can be eight people or more if they have friends visit.”</p> <p>“This adds to pressure on”</p> <p>• Please turn to page 61</p> </div> <div data-bbox="347 1013 734 1268"> <p>Subi rejects short-stay squeeze From page 7</p> <p>parking, noise, movements, behaviour – impacting the quality of life for residents.”</p> <p>Another neighbour of No 10, David Taylor, described a whole weekend of suspicious and strange behaviour centred on the STRA house.</p> <p>Three cars – usually full of men – came and going in the small hours of the morning and entering and leaving the property.</p> <p>At one point, they heard a woman screaming and another woman shouting to her to come inside.</p> <p>“On Sunday at least 10 people had a maximum of six cars parked on Ayrton, were seen walking past our living room windows from next door,” he said.</p> <p>By 4.30am for the Saturday it had become somewhat terrifying seeing the number of people and cars moving around the area, so I contacted the police and advised them of activity in the area.</p> <p>“I then advised the agents of 10 Darbon had no request for the police and impossibility of the police at night.”</p> <p>“The recommendation of City planners to allow the expansion of guests with conditions – including the use of management plans – in both cases got no support from elected members.”</p> <p>Instead, two motions from councillor Mark Burns to refuse the applications were carried.</p> <p>Councillor Russell Jones said: “I hoped whether management plans could help reduce the impacts on affected neighbours from more people were allowed to use the short-term rentals.”</p> <p>“The big issue is that the transient nature of the visitors means every looking is a very opportunity for a disturbance,” he said.</p> <p>“So even if the City could provide an instant response it would still be playing a great big game of Whack-a-Mole.”</p> <p>“It’s one week and it could easily happen again the next weekend.”</p> <p>10 Darbon Crescent, Subiaco</p> </div>	<p>current Local Planning Strategy review.</p> <p>Each individual planning application for short-term rental accommodation is assessed on its merits in accordance with the local planning framework. The policy amendments propose modifications to how short-term rental accommodation is managed throughout the City, which will provide greater clarity for the community and short-term rental accommodation operators.</p> <p>The proposed introduction of a one-year time limit for planning approvals in circumstances where the impact of a short-term rental accommodation proposal requires review over time provides the City with greater ability to monitor the effectiveness of a management plan.</p>

**PROPOSED SCHEME AMENDMENT NO. 21 & AMENDMENTS TO SHORT-TERM ACCOMMODATION LOCAL PLANNING POLICY
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SUBMISSION	ADMINISTRATION COMMENTS
<p>Oppose The Marmion, Sorrento Duncraig Progress & Ratepayers Association (Association) submits the following submission in response to the proposed amendments, as approved for Public Consultation by Council on the 25 March, 2025, in respect to the LPP Scheme and the Short-term Accommodation Local Planning Policy (LPP) that, were proposed to align with the Local Planning Scheme 3 (Scheme).</p> <p>There is a continuing and growing trend particularly, in the coastal suburbs e.g. Marmion and Sorrento, of residential properties being used for STRA's (in particular un-hosted STRA's) as a means of generating additional income for their owners. This is a clearly different form of accommodation compared to the traditional long-stay rental accommodation which, is residentially focused, rather than the more transient visitor / holiday/ tourist type short stay accommodation. This trend is extending further up the coastal strip to suburbs like Whitfords and Mullaloo, with growing local social, economic and financial consequences The City of Joondalup (CoJ) needs to be prepared to address this growing issue, by improving its strategic planning and better activating its administrative oversight responsibilities, in order to protect the affected neighbours and neighbourhood amenity, of the City's permanent residents.</p> <p>Already, City of Subiaco and City of Busselton have recently taken actions in curbing the expansion of these types of accommodation, within their respective residential areas, regarding issues around residential amenity and accommodation supply and costs, along with economic impacts on their local communities and businesses. The City of Fremantle has taken the step of recognising these activities as a unique form of business and has introduced a new Rate Category - "Residential Short-term Accommodation," in its Differential Ratings for 2025-26.</p> <p>The Association has major concerns arising from this Council decision and the continuing lack of consideration and opportunity to strengthening the security of residential amenity in respect to the associated changes made to the CoJ LPP, as part of alignment with the Scheme.</p> <p>The proposed amendments to the LPP lack assurances around security for residential amenity and in providing a level of recourse to residents in respect</p>	<p>The scheme amendment is proposed to align the City's local planning framework with the recent changes to the State planning framework regarding land use permissibility and definitions.</p> <p>The Western Australian Planning Commission has provided direction that blanket bans on short-term rental accommodation in residential zoned areas is not appropriate. The consideration of potentially restricting short-term rental accommodation to certain areas in the City is outside the scope of the current policy review, however is an issue that can be investigated through the City's current Local Planning Strategy review.</p> <p>Each individual planning application for short-term rental accommodation is assessed on its merits in accordance with the local planning framework. The policy amendments propose modifications to how short-term rental accommodation is managed throughout the City, which will provide greater clarity for the community and short-term rental accommodation operators.</p> <p>The proposed introduction of a one-year time limit for planning approvals in circumstances where the impact of a short-term rental accommodation proposal requires review over time provides the City with greater ability to monitor the effectiveness of a management plan. There is potential in the future for the City to prepare a template management plan, however this is outside the scope of the current policy review which is primarily intended to function as an interim review to align the policy with the amended <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>, not overhaul the policy entirely.</p> <p>The City does not have the resources at this time to proactively monitor all properties operating as short-term rental accommodation across the City, with requests to review potential non-compliance investigated and responded to when are received. The penalties for non-compliance vary dependent on the extent of non-compliance and are enforced, where appropriate, in accordance with the applicable legislation. A local planning policy is not an appropriate mechanism to prescribe penalties for non-compliance.</p>

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<p>to having tangible reference points, other than a Management Plan, parking and limiting numbers persons per bedroom, in fielding objections to STRA's, in particular un-hosted short-term rentals. Whilst limiting occupancy it does not address the potential for anti-social behaviour (disruptions and disturbances) due to parties of large gatherings.</p> <p>The concerns are focused not so much on approvals but more so in respect to the lack of greater consideration being given to residential amenity and for a more pro-active approach being taken by the City in promoting education and awareness and more importantly, regulatory compliance management, rather than the current reactive approach.</p> <p>Residential amenity goes beyond issues like waste management plans – bin storage, anti-social behaviour, parking, noise and should encompass a greater focus on maintaining security of residential amenity and a sense of neighbourhood within the community.</p> <p>The proposed amended policy fails to adequately address non- compliance nor further strengthen resident's protection and recourse to that which, was already lacking in the current LPP i.e. residents are not being extended a valid voice/recourse into adjacent properties being converted to the more disruptive, un-hosted Short Term Rental Accommodation businesses.</p> <p>In terms of the current stated Policy Objectives:</p> <ul style="list-style-type: none"> • To encourage good quality, well managed short-term rental accommodation that does not compromise the amenity of residential areas or nearby residents needs to provide for greater consideration being given to not only issues such as noise, parking, rubbish and anti-social behaviour but to also encompass protecting the intrinsic monetary value of resident's properties, along with upholding a sense of neighbourhood and neighbourly relationship. • To provide guidance and development requirements for operators seeking to establish short term rental accommodation within the City of Joondalup. This could be better supported by more practical and concise terminology being used in the LPP document. • "To establish a clear framework" for the assessment and determination of applications for short term rental accommodation. This is an ambiguous 	

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<p>statement, the opportunity for amendments to the LPP should be taken up to better defined by questioning... what are the actual existing framework elements and how are they utilised in the assessment and determination of applications for short term rental accommodation process? This could better be supported by an accompanying check list of defined elements and a pro-forma Management Plan, as subsidiary support documents to the LPP. This approach provides a level of assurance to applicants (property holders) wishing to conduct such businesses, time efficiencies for City officers in assessing Applications and Management Plans and a resultant level of consistency in compliance requirements, for prospective tenants utilising such accommodation options.</p> <ul style="list-style-type: none"> • There are no details contained within the LPP in regard to penalties ... What are the penalties, if any, for non-compliance of a Management Plan and if there are penalties how are they executed/ prosecuted/enacted? This level of detail needs to be incorporated into LPP and additionally, be detailed as clauses, in the Management Plan. • What provisions, if any, are being proposed to be put into place to pro-actively audit such establishments, to ensure that they are in fact "well managed" i.e. the Management Plans are accessible, relevant and current? The CoJ needs to be more pro-active in this area e.g. by enacting random audits for Management Plans, under the regulatory compliance regime. Surely, it would not be a too onerous task for the Governance and Compliance officers to randomly audit of STRA Management Plans (including Un-hosted STRA's), to ensure the operators were actually maintaining the accessibility, currency and relevance of those plans, in meeting the compliance requirements? • Report 13. 1.6 (Council Meeting March 2025), PROPOSED SHORT-TERM RENTAL ACCOMMODATION AMENDMENT TO LOCAL PLANNING SCHEME NO. 3 AND AMENDMENTS TO THE SHORT-TERM ACCOMMODATION LOCAL PLANNING POLICY offered the following advice to Council with regards to the Scheme Amendment and the STRA Policy: <ul style="list-style-type: none"> ○ proceed to advertise the amendment to the local planning scheme with modifications; and ○ advertise the revised Short-term Accommodation Local Planning Policy, with modifications. 	

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<p>As such the Association requests that this matter be referred back to the Policy Committee to seek advice as to what modifications ought to be made to address the concerns raised by this report.</p> <p>Conclusion</p> <p>The Association requests the CoJ Council to consider the following in respect to the proposed Short-term Rental Accommodation amendment to the Local Planning Scheme No.3 and amendments to the Short-term Accommodation Local Planning Policy:</p> <ol style="list-style-type: none"> 1. That the proposed Draft LPP is inadequate in its protection of residential amenity and neighbourhood from the impact of STRA's. 2. That it seeks greater protection and recognition of residential amenity, lifestyle and neighbourhood relationship development. 3. That the City undertakes a more proactive approach in the compliance management and education and awareness of STRA's in the community. 4. That the Policy fails to address, in any detail, non-compliance, or penalties associated with not maintaining the currency and relevance of Management Plans. 5. That Council reject/not accept the proposed Policy amendments endorsed by the CoJ Policy Committee. 6. That Council seeks not to approve/allow Un-Hosted STRA's in residential areas. 7. That the Council refers this matter back to the Policy Committee to seek advice as to what modifications ought to be made to address the concerns raised by this submission. <p>The Association is keen to work with CoJ Council and its officers to achieve outcomes that more realistically protect residents from the very real and potential deleterious outcomes associated with STRA un-hosted businesses.</p>	
<p>Support</p> <p>This proposed amendment makes common sense - having a "bed and breakfast" condition placed on a short stay accommodation approval is unnecessary and cumbersome.</p> <p>I do query if any existing approvals will be deemed to be amended to reflect</p>	<p>The proposed scheme amendment and policy changes will not be applied retrospectively to existing planning approvals.</p>

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the proposed change if the amendment is passed, or if a modification to existing approvals are required	
<p>Support No comments provided.</p>	Noted.
<p>Neutral We, Developed, have prepared a written submission regarding the City of Joondalup Proposed Short- Term Rental Accommodation Amendment to Local Planning Scheme No. 3 (LPS3) and Amendments to the Short-Term Accommodation Local Planning Policy (City’s File Ref: 72584).</p> <p>We support the Scheme Amendment in its entirety and commend the alignment of terminology with the Model Scheme Text. While we broadly support the proposed amendments to the Local Planning Policy (Policy), we do have concerns with specific provisions, particularly:</p> <ul style="list-style-type: none"> • the limitation on the number of persons per bedroom, and • the requirement to provide the names and address details of guests to the City. <p>We have marked up these concerns and suggested changes to the Policy (see attached), which aim to ensure that the information required by the City is relevant and necessary for the assessment of short-term rental accommodation land uses, while also ensuring that the amenity of neighbouring residents is protected.</p> <p>We humbly request that the City has due regard for all submissions provided and consider a possible revision of the policy with respect to our comments. We encourage the City to contact us to discuss application of the policy and its ultimate adoption.</p> <p><u>Changes requested to the Policy:</u> Objectives: delete third objective or relocate to the “Statement” section of the policy. <i>Reason: It is impossible for an Applicant to justify against as it is a statement outlining the purpose of the Policy.</i></p> <p>Definitions: recommended to delete any surplus definitions not already covered by the Regulations or Scheme (inclusive of the Amendment).</p>	<p>Objectives: The third objective is an overall objective of the policy. Justification accompanying a proposal for short-term rental accommodation would not be required against this objective.</p> <p>Definitions: The policy definitions proposed (including those contained within the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> are provided for completeness so that all relevant documents are included in a single document.</p> <p>5.1.1 Application information: The information required in this section expands on the policy objectives by outlining the detail required in support of a short-term rental accommodation proposal.</p> <p>5.1.4 Guest numbers and register: The two guests per bedroom limitation is intended to restrict the total number of guests in accordance with the number of bedrooms, for example, two bedrooms would permit four guests. This is not intended to restrict the number of people sleeping per room, with a minor change in wording proposed to the policy for clarification of this distinction.</p> <p>The purpose of the guest register is to ensure that the host has available the details for each occupant. The City would only need to access this information if required to investigate potential non-compliance with the planning approval issued.</p> <p>5.1.5 Signage: Noted.</p>

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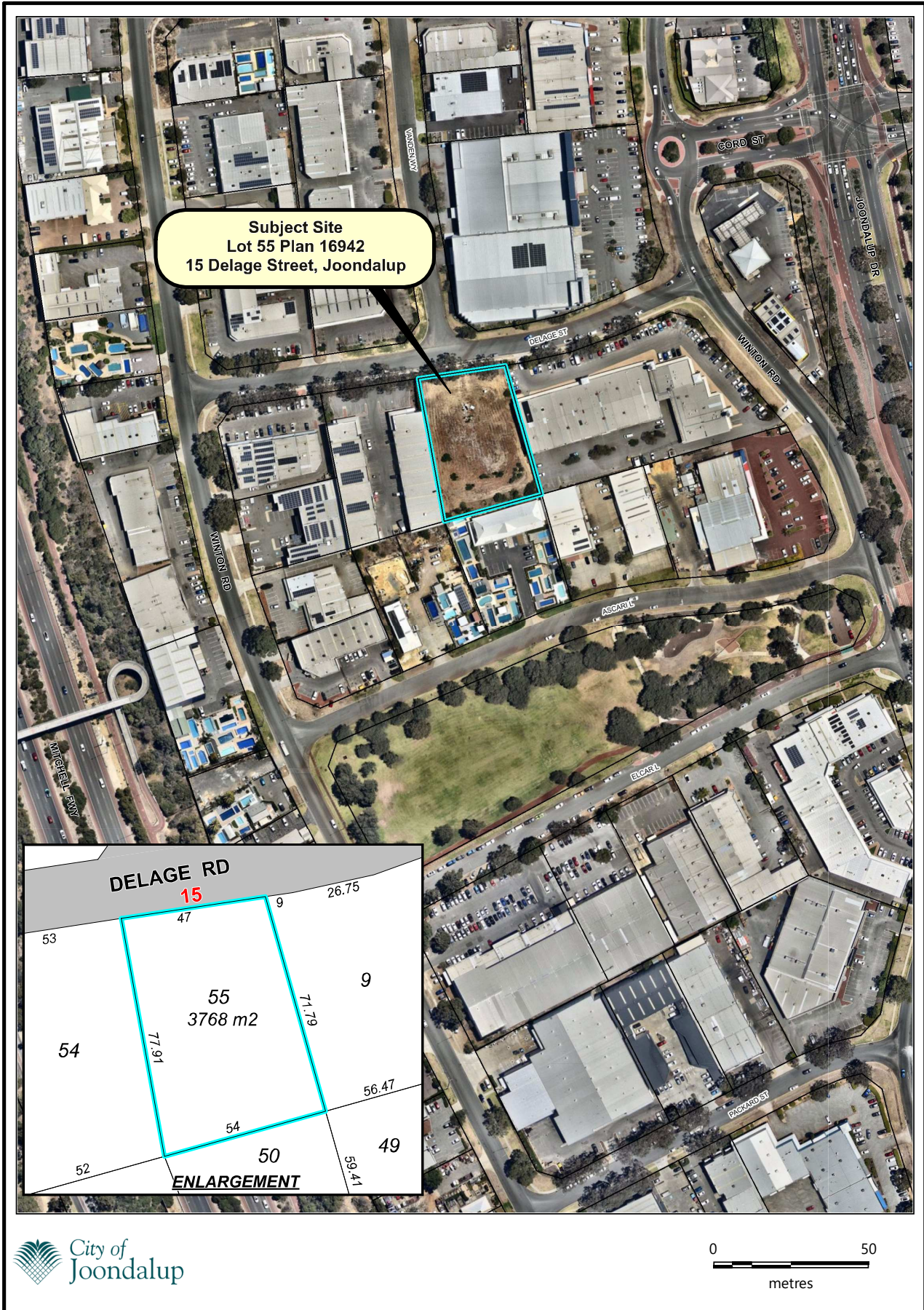
SUBMISSION	ADMINISTRATION COMMENTS
<p><i>Reason: Unless they are not defined in the Regulations or Scheme, why do these definitions need to be provided for in this policy?</i></p> <p>5.1.1 Application information: Recommends deletion of 5.1.1 or reword requiring any variation to the policy to be justified against the Objectives. <i>Reason: Providing additional justification against the objectives of the policy is unnecessary as an application that demonstrates compliance with the provisions of this policy inherently demonstrates consistency with its objectives.</i></p> <p>5.1.4 Guest numbers and register: Recommends deletion. <i>Reason: Disagree, as it doesn't allow for couples with babies to sleep in a room together (e.g. cot). The floor plan would show the number of guests intended to stay in the STRA. Is it necessary for the City to know who will be staying in a STRA? What would the City do with this information? At worst, the City only needs to know how many people are staying on the property to ensure compliance with the Policy.</i></p> <p>5.1.5 Signage: No objections. <i>Comment: No objections, however it is highly unlikely that any STRA would have signage.</i></p>	
<p>Support The most important point is to allow STR and keep control. While the contract to lease is up to the parties involved we want to avoid misuse like all night parties.</p> <p>2 guests per bedroom is the most important change. This is a must.</p> <p>I prefer B&Bs and will miss them, as they offer good services and lots of information. Why do we have to omit them? Can they not continue? I would refer this option.....</p> <p>Another point is: I like to stay in Hotels, (they do the work) BUT we do not have a good Hotel in Joondalup.....that Hotel might take a good number of ST stay visitors.....We had added a Hotel to the Ocean Reef Marina, but that Hotel was eliminated when the State took over.....sad....."</p>	<p>The policy amendments propose modifications to how short-term rental accommodation is managed throughout the City, which will provide greater clarity for the community and short-term rental accommodation operators.</p> <p>The scheme amendment is proposed to align the City's local planning framework with the recent changes to the State planning framework regarding land use permissibility and definitions, which includes deleting the land use 'bed and breakfast' to be replaced with 'hosted short-term rental accommodation' which in effect is the same use.</p> <p>Hotels are not captured under the definition of short-term rental accommodation in accordance with the <i>Short-term Rental Accommodation Act 2024</i>.</p>
<p>Oppose</p>	<p>The scheme amendment is proposed to align the City's local planning</p>

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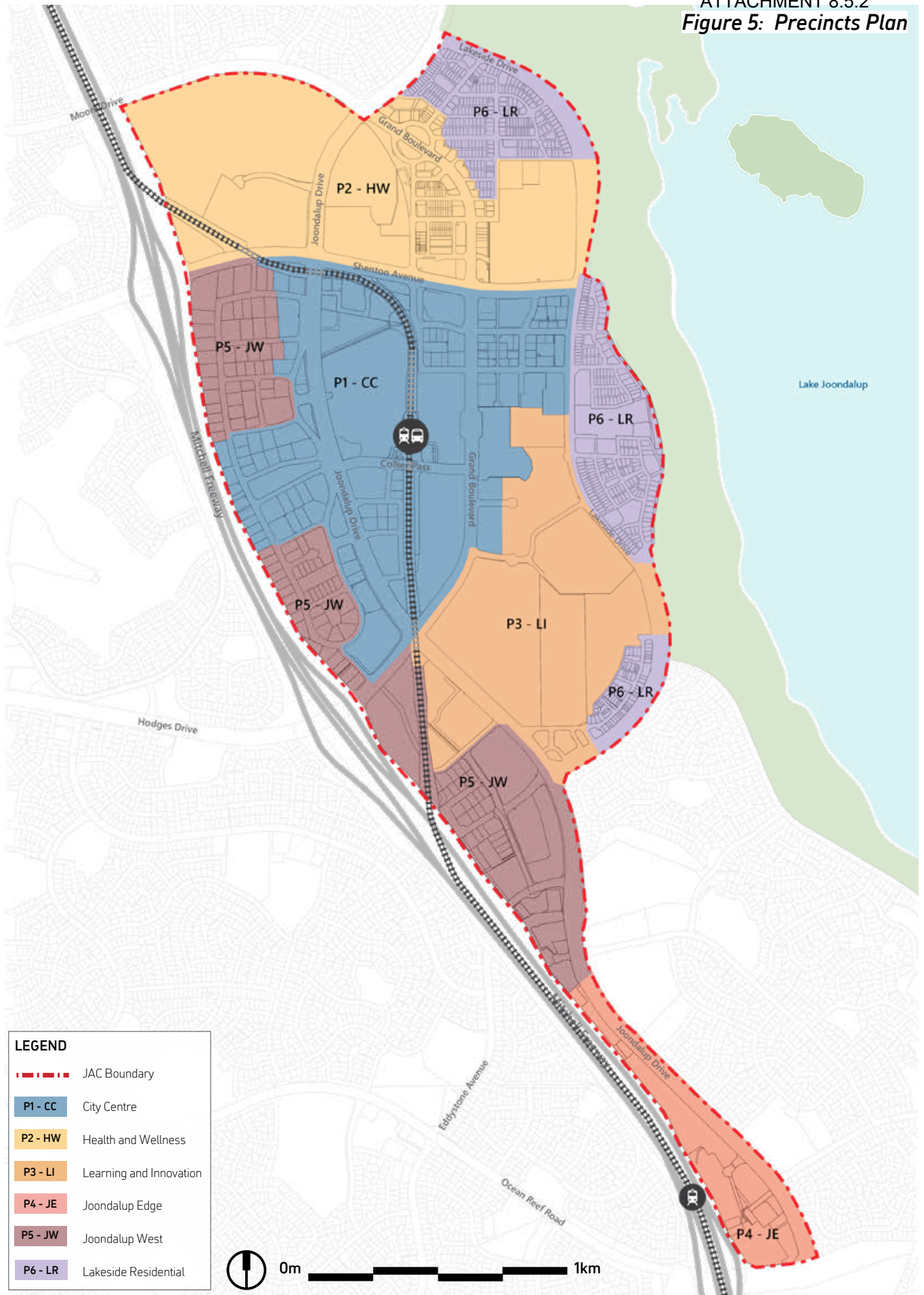
SUBMISSION	ADMINISTRATION COMMENTS
<p>I believe unhosted short term rental should be subject to planning approval with a reduced minimum of days (not the 96 as stated) As it is listed, a property can be used for only 2 days per week without any hindrances to the owner. With the shortage of rental properties it should be in the cities interest to have less short term rentals available and more full term rentals available on the market and perhaps one of the ways to make this happen is to make it not as lucrative to have a short term rental.</p>	<p>framework with the recent changes to the State planning framework regarding land use permissibility and definitions.</p> <p>The exemptions from planning approval for hosted short-term rental accommodation and unhosted short-term rental accommodation (up to 90 nights) are deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and therefore cannot be varied by the City.</p> <p>The consideration of potentially restricting short-term rental accommodation to certain areas in the City is outside the scope of the current policy review, however is an issue that can be investigated through the City's current Local Planning Strategy review.</p>
<p>Oppose</p> <p>I am writing to express strong opposition to the proposed changes that would make it easier for property owners to establish short-term rental accommodation in residential neighbourhoods. While such platforms may offer economic benefits and support tourism, they also have a significant impact on housing affordability and availability for local residents.</p> <p>Short-term rentals, such as those listed on platforms like Airbnb, continue to divert much needed housing stock away from the long-term rental market. When property owners choose to rent out homes to short-term visitors, the supply of housing available to long-term tenants is reduced, worsening existing shortages and contributing to rising rental prices.</p> <p>This issue is especially pressing in Greenwood and surrounding areas, where both rent and house prices are already reaching unaffordable levels, and the availability of properties is limited. Making it easier to convert homes into short-term rentals will only further constrain the market, reducing housing options for residents and pushing prices even higher.</p> <p>The broader impacts of the proposed policy include:</p> <ul style="list-style-type: none"> • Reduced Long-Term Rental Supply: Increasing the number of short-term rentals removes properties from the long-term rental pool, intensifying the existing shortage. • Greater Demand for Remaining Rentals: With fewer long-term options 	<p>The scheme amendment is proposed to align the City's local planning framework with the recent changes to the State planning framework regarding land use permissibility and definitions.</p> <p>The exemptions from planning approval for hosted short-term rental accommodation and unhosted short-term rental accommodation (up to 90 nights) are deemed provisions of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and therefore cannot be varied by the City.</p>

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<p>available, more renters are forced to compete for limited housing, further exacerbating pressure on the market.</p> <ul style="list-style-type: none"> • Rising Rental and Housing Costs: As supply shrinks and demand grows, costs inevitably increase, making it even more difficult for residents, particularly low and middle income households, to access secure, affordable housing. <p>Given the current housing crisis, I strongly urge city planners to reconsider this proposal. Any regulatory changes should be focused on protecting the long-term stability, affordability, and liveability of our communities not prioritising short-term gains that undermine housing security for local residents.</p>	
<p>Oppose Stop changing things. You scare the community when you constantly make changes. This doesn't do anything. These rules already exist within the state governments planning policy. If this is introducing some new change to make it more difficult to host then say it in simple plain English. If this doesn't make any new change and just changes the wording then say that. If you are making changes and making it harder for hosts to host and you are adding development requirement what are they? List them as well. When you constantly propose changes it freaks everyone out.</p>	<p>The scheme amendment and policy changes are proposed to align the City's local planning framework with the recent changes to the State planning framework regarding land use permissibility and definitions.</p> <p>The policy amendments also propose modifications to how short-term rental accommodation is managed throughout the City, which will provide greater clarity for the community and short-term rental accommodation operators.</p>
<p>Support The Planning Proposal to incorporate Hosted and Unhosted short term accomodation in the current planning scheme No.3 is very relevant and eliminates ambiguity.</p>	<p>Noted.</p>
<p>Support No comments provided.</p>	<p>Noted.</p>



ATTACHMENT 8.5.2
Figure 5: Precincts Plan





LOT 55 (NO. 15) DELAGE STREET, JOONDALUP

AMENDMENT TO CITY OF JOONDALUP LOCAL PLANNING SCHEME NO. 3

DECEMBER 2024 | PROJECT NO 1458



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FIGURES

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Figure 3 – Aerial Context of the City Centre Precinct

Figures 4-8 – Examples of existing development in the City Centre Precinct

Figure 9 – Edward Street example development

Figure 10 – Roberts Street example development

Figure 11 – ACP precinct boundaries



1.0 INTRODUCTION

Dynamic Planning (DP) act on behalf of the registered proprietor of Lot 55 (No. 15) Delage Street, Joondalup (herein referred to as the 'subject site'). DP has prepared this report in order to seek support from the City of Joondalup to initiate an amendment to its Local Planning Scheme No. 3 (LPS3) to allow approval of a 'Warehouse/Storage' and 'Bulky Goods Showroom' land uses at the subject site. This will be done by amending Table 4 in LPS3 to add the additional uses applicable to the subject site. The amendment will enable a development outcome consistent with other properties in the City Centre Precinct of the Joondalup Activity Centre Structure Plan, west of Joondalup Drive.

This report will address, in detail, various issues pertinent to the proposal, these being:

- The relevant site context.
- An overview of the proposed amendment.
- Relevant justification in support of the proposed amendment.

The proposed LPS amendment is considered to be 'standard' as defined under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* since the amendment:

- a) *Is not a complex or basic amendment.*



2.0 BACKGROUND AND SITE DESCRIPTION

2.1 Legal Description and Land Ownership

The subject site is described as Lot 55 (No.15) Delage Street, Joondalup and covers an area of 3,769sqm.

The registered proprietor of the subject site is Apache Investments Australia Pty Ltd.

A copy of the Certificate of Title pertaining to the subject site is contained within **Attachment 1**.

2.2 Land Description

The subject site is located within the suburb of Joondalup, within the Joondalup City Centre area and as such is subject to the Joondalup Activity Centre Plan (ACP). The site is situated on Delage Street within the 'City Centre' precinct of the ACP and abuts existing multi-unit light industrial / service commercial development. The broader area and surrounding streetscapes are characterised by similar development outcomes which is illustrated in the below figures.

The site is also the only vacant property west of Joondalup Drive in the City Centre precinct of the ACP and given the construction dates of surrounding properties, there is viability for them to continue their existing use and function, suggesting redevelopment on a large scale in this area is unlikely to occur.

Figures 1 and 2 below illustrates the subject site within its local and regional context, respectively.

Figure 3 provides an aerial context of where the subject site is located within the broader City Centre precinct of the ACP.

Figures 4-8 are examples of existing development in the City Centre precinct on the western side of Joondalup Drive.

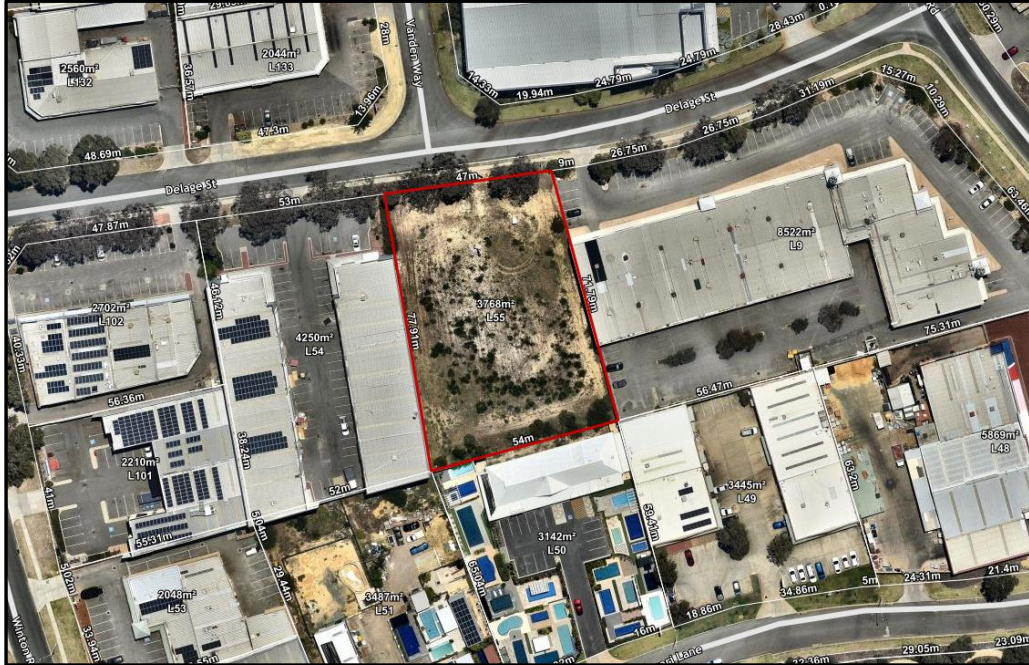


Figure 1 – Local Context

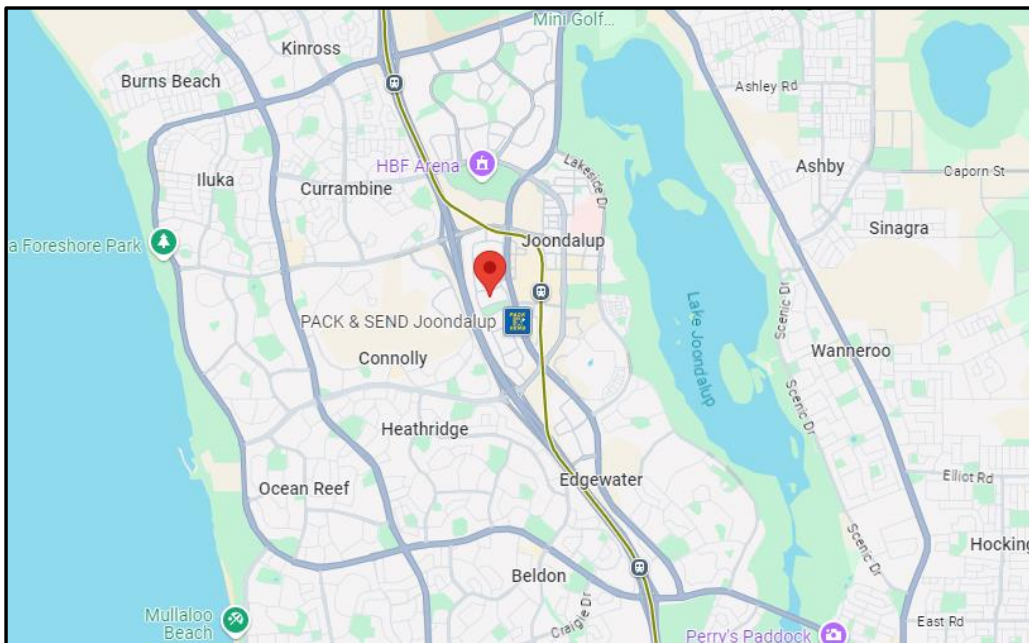


Figure 2 – Regional Context

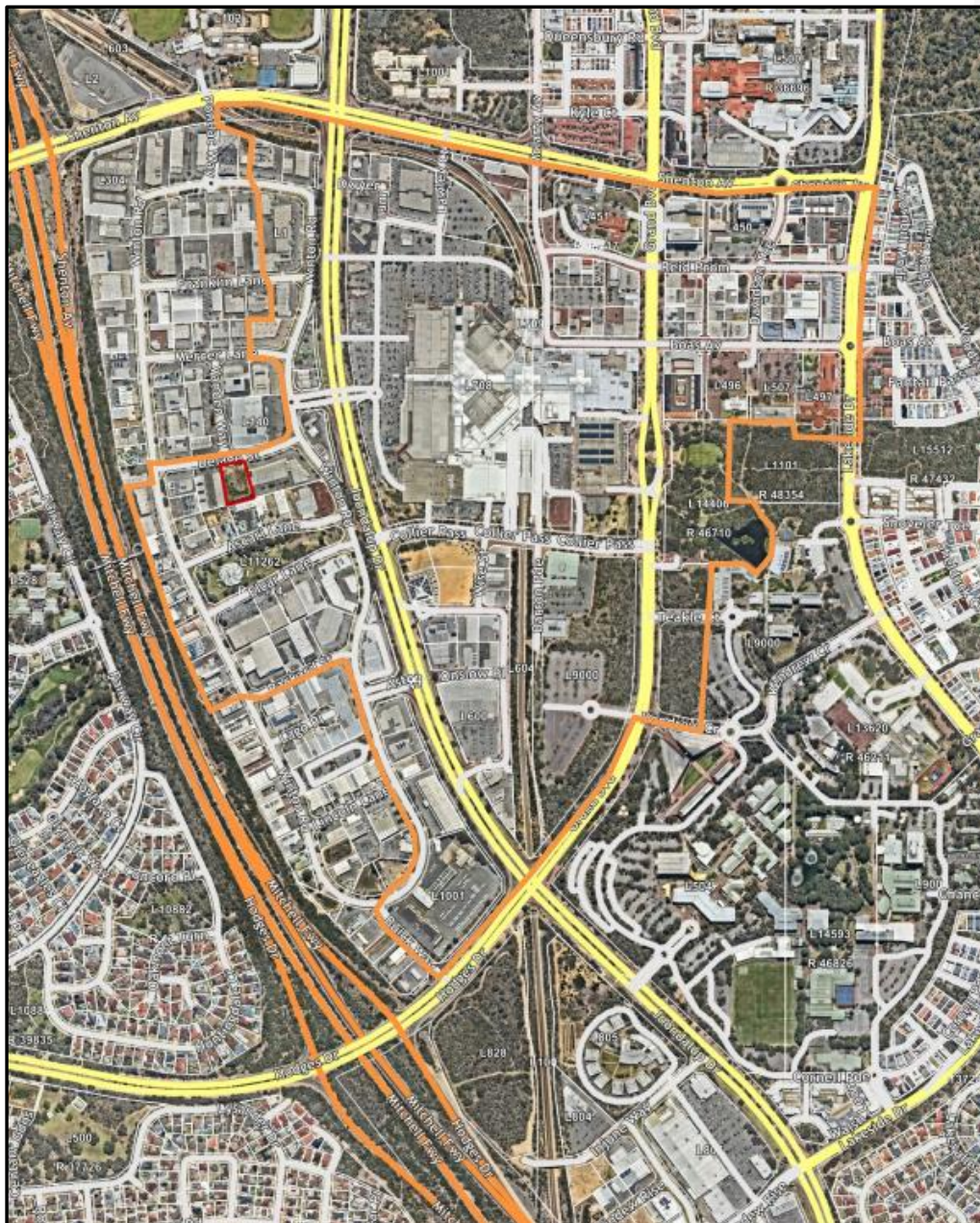


Figure 3 – Aerial Context of the City Centre Precinct



Figure 4 – 2 Delage Street, Joondalup



Figure 5 – 21 Delage Street, Joondalup



Figure 6- 71 Winton Road, Joondalup



Figure 7 – 53 Winton Road, Joondalup



Figure 8 – 7 Packard Street, Joondalup



3.0 PLANNING FRAMEWORK

3.1 Metropolitan Region Scheme

The subject site is zoned 'Urban' under the provisions of the Metropolitan Region Scheme (MRS). The additional 'Warehouse/Storage' and 'Bulky Goods Showroom' land uses and eventual development in accordance with what is proposed through this amendment is considered to be entirely consistent with the applicable MRS zoning.

3.2 City of Joondalup Local Planning Scheme No. 3 (LPS3)

Under the provisions of the City of Joondalup Local Planning Scheme No. 3 (LPS3), the subject site is currently zoned 'Centre'. In accordance with the 'Centre' zoning the City have adopted the Joondalup ACP to guide subdivision and development within the ACP area. This is discussed in more detail below.

In accordance with LPS3, land use permissibility at the subject site is determined with regard to Table 3b and specifically the 'City Centre' precinct. At present the 'Warehouse/Storage' and 'Bulky Goods Showroom' land uses are prohibited.

The proposed amendment is not seeking to modify the zoning of the subject site, rather it is seeking to add 'Warehouse/Storage' and 'Showroom' as additional uses to Table 4 in LPS3. The 'Warehouse/Storage' and 'Showroom' land uses are defined by LPS3 as:

Warehouse/Storage

'means premises including indoor or outdoor facilities used for:

- a) The storage of goods, equipment, plant or materials; or*
- b) The display or sale by wholesale of goods.*

Bulky Goods Showroom

'means premises:

- a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes:*
 - i. automotive parts and accessories;*
 - ii. camping, outdoor and recreation goods;*
 - iii. electric light fittings;*
 - iv. animal supplies including equestrian and pet goods;*
 - v. floor and window coverings;*
 - vi. furniture, bedding, furnishings, fabrics, manchester and homewares;*
 - vii. household appliances, electrical goods and home entertainment goods;*
 - viii. party supplies;*
 - ix. office equipment and supplies;*
 - x. babies' and children's goods, including play equipment and accessories;*



- xi. sporting, cycling, leisure, fitness goods and accessories;*
- xii. swimming pools;*
- b) used to sell by retail goods and accessories by retail if:*
 - i. a large area is required for the handling, display or storage of the goods;*
or
 - ii. vehicular access is required to the premises for the purpose of collection of purchased goods;*

As the primary controls applicable to subdivision and development at the subject site are deferred to the ACP, the proposed amendment to add additional uses at the subject site is considered to be consistent with the provisions of LPS3.

3.3 Joondalup Activity Centre Plan (ACP)

The subject site is located within the 'City Centre' precinct of the Joondalup ACP which has the below objectives:

- a) Encourage the highest intensity of mixed use development and the greatest concentration of employment intensive land uses.*
- b) Support mixed-use development along Joondalup Drive and Grand Boulevard to form intense inner-city development corridors.*
- c) Establish the Joondalup Drive/Grand Boulevard and Shenton Avenue/Grand Boulevard intersections as the primary gateways into the city centre.*
- d) Improve connectivity from Joondalup Train / Bus Stations to surrounding precincts.*
- e) Establish a local mobility hub at the Collier Pass city square to improve connectivity between Joondalup Train Station and other precincts within the JAC.*
- f) Establish a series of interconnected, functional and unique squares that form part of an integrated pedestrian network.*
- g) Provide car parking in negotiation with Lakeside Shopping Centre as the major trip generator in the City Centre.*
- h) Reinforce Central Walk (north-south) and Boas Avenue (east-west) as the primary pedestrian spines by activating buildings at ground floor uses.*
- i) Encourage the amalgamation of smaller lots into larger parcels to optimise redevelopment potential.*

Many of the objectives for the 'City Centre' are not relevant to development at the subject site as:

- The site doesn't front or abut Joondalup Drive, Grand Boulevard or Shenton Avenue.
- The site is not in proximity to the Collier Pass city square, the Lakeside Shopping Centre or the Central Walk and Boas Avenue.
- Many of the objectives relate to the upgrade of public infrastructure as opposed to specific development outcomes that might eventuate.



Of most relevance is the encouragement of mixed use development and employment intensive land uses. In our view this is most applicable to development on the western side of Joondalup Drive. Despite this, the proposed scheme amendment and development will result, will increase the employment population in the area on a site that has remained vacant since it was created, thereby meeting the objective to encourage employment intensive land uses.

The ACP also includes a range of requirements that development within the City Centre Precinct will be assessed against. The critical development requirements that defined the allowed building envelope have been summarised in the below table. An assessment of the potential development outcome against these, and also the less built form defining development requirements has been provided in section 6 of this report.

Development Requirements	
Building Heights	<u>Minimum:</u> 13.5m* <u>Maximum:</u> 45m
Setbacks	<u>Street:</u> Nil required to 75% of the building frontage <u>Side and Rear:</u> Nil
Parking	<u>Non residential development:</u> 1 bay per 75sqm NLA
*Proposed to be varied as part of the scheme amendment.	

With the exception of the minimum building height requirement, which is proposed to be varied through the conditions associated with the proposed additional uses, a typical 'Warehouse/Storage' and 'Bulky Goods Showroom' development will be able to meet the relevant development requirements applicable under the ACP.

Examples of similar or likely development outcomes that might result has been provided below and it is evident through these developments that an active and attractive streetscape outcome can be achieved through a 'Warehouse/Storage' development outcome as traditionally these development included incidental office components which can assist in activating the streetscape.



Figure 9 – Edward Street, Osborne Park Warehouse Development
[20210204 – Agenda – No 61 – City of Stirling](#)



Figure 10 – Roberts Street, Osborne Park Warehouse Development
[20210824 – Agenda – No.100 – City of Stirling](#)

4.0 PROPOSED AMENDMENT

The proposed scheme amendment seeks approval to amend the City of Joondalup Local Planning Scheme No. 2 by:

1. Amending the scheme map by adding an additional use designation over the subject site, as illustrated in the scheme amendment map in Attachment 2.
2. Amending Table 4 of LPS3 to add an Additional Use 19 designation in accordance with the below.

No	Description of Land	Additional Use	Conditions
19	Lot 55 (No. 15) Delage Street, Joondalup	Warehouse/Storage Bulky Goods Showroom	Development of the Warehouse/Storage land use will not be subject to minimum building height requirements.

The intent of the scheme amendment is to allow development at the site that is consistent with the market demand and existing uses, built form and amenity in the area.

In accordance with Part 5, Division 1, Clause 34 of the Planning and Development (Local Planning Schemes) Regulations 2015, the proposed LPS amendment is considered to be 'standard' as defined under the provisions since the amendment:

- a) *Is consistent with the objectives identified in the Scheme for the 'Centre' zone;*
- b) *Is consistent with the 'Urban' zoning as per the Metropolitan Region Scheme;*
- c) *Is consistent with the ACP that has been approved for the land to which the amendment relates;*
- d) *Would have minimal impact on land in the scheme area that is not the subject of the amendment;*
- e) *Does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and*
- f) *Is not considered a complex or basic amendment.*



5.0 OTHER CONSIDERATIONS

5.1 Acoustic

As the proposed scheme amendment is not proposing a particular development or land use, we are unable to assess compliance with the *Environmental Protection (Noise) Regulations*. Any noise associated from a development or land use will be assessed as part of a development application that will follow the scheme amendment. However, as the proposed land use is not considered to be a sensitive land use the impact of inbound transport noise will not be a relevant consideration. Further, as no sensitive land uses are located in proximity to the site, the impact of outbound noise is also not considered to be a relevant consideration.

5.2 Traffic

Traffic analysis in the form of a Traffic Impact Statement or Assessment is not required as part of the scheme amendment as:

- There will be no changes to the existing access points.
- There is no land use or development proposed and as such there is no increase in trips that will occur from the site as a result of the scheme amendment.
- Traffic impact will be considered in greater detail as part of a development application.
- The existing road network is accommodating traffic that is also likely to frequent the proposed land use.

5.3 Servicing

The subject site has existing access to water, sewer and power. These services support the existing development at the site which is not proposed to change as a result of the proposed amendment. In this regard the existing provision of services is appropriate to support the proposed scheme amendment.

5.4 Heritage

The subject site is not identified as having any heritage value and as such this is not a relevant planning consideration in the assessment of the proposed amendment.

5.5 Bushfire

The subject site is not identified as being bushfire prone and as such there is no requirement for a Bushfire Management Plan to be provided as part of the proposed Scheme Amendment.

6.0 JUSTIFICATION

The proposed amendment to the City of Joondalup Local Planning Scheme No. 3, as described above, is considered to be entirely appropriate for approval as:

1. Allowing the development of a 'Warehouse/Storage' and/or 'Bulky Goods Showroom' land use at the site will result in business operations that are entirely consistent with surrounding development. Of particular relevance is the portion of the 'City Centre' precinct west of Joondalup Drive as this already consists of smaller warehouse/industrial units, bulky goods showroom businesses and other light industrial or service commercial type businesses (this is highlighted in Figures 4-8 above). Joondalup Drive (and to some extent Collier Pass) presently provides a very clear delineation between the light industrial / service commercial type development and the more retail or mixed use development envisaged by the City Centre precinct in the ACP.

Due to the age and quality of existing built form in the City Centre precinct west of Joondalup Drive, it is evident that the nature and type of businesses occupying these buildings are unlike to change in the short to medium term and in this regard a 'Warehouse/Storage' and/or 'Bulky Goods Showroom' development would remain consistent with the surrounding area for many years.

2. Related to the above – it is possible for the 'Warehouse/Storage' and 'Bulky Goods Showroom' land uses and development to be approved in the 'Joondalup West' precinct which exists on the opposite side of Delage Street. With this in mind, new development, north of Delage Street could be entirely consistent with what is being proposed through this scheme amendment.

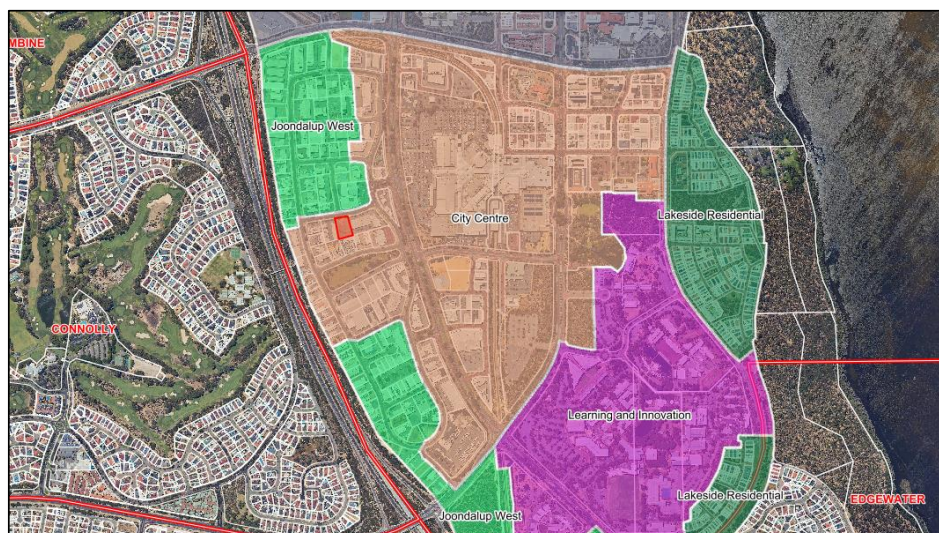


Figure 11 – ACP Precinct Boundaries



3. The site is the only vacant property within the City Centre precinct west of Joondalup Drive. In this regard, enabling approval for a 'Warehouse/Storage' and/or 'Bulky Goods Showroom' land use at the subject site will not establish a precedence or enable a range of development outcomes that could vary or move away from the intent of ACP.
4. Facilitating approval of the 'Warehouse/Storage' and/or 'Bulky Goods Showroom' land uses will not result in a built form outcome at the site that is vastly different to what is envisaged by the ACP. It is acknowledged that the minimum building height required by the ACP will require variation through the conditions associated with the additional use, but the remaining provisions are able to be appropriately addressed as part of a 'Warehouse/Storage' and/or 'Bulky Goods Showroom' development at the subject site. Evidence to this effect is provided in the below table which notes the relevant requirements and how a 'Warehouse/Storage' or 'Bulky Goods Showroom' development might address them.

Requirement	Compliance
Building Height <ul style="list-style-type: none"> • Min 13.5m (being removed as part of the scheme amendment). • Max 45m. 	Any warehouse/storage or bulky goods showroom development at the site is likely to replicate two storey built form as warehouse and showrooms typically require additional clearance and accommodate one or two storeys of office to support the business operations.
End of Trip Facilities	End of trip facilities in accordance with the ratios specified in the ACP can be easily provided within warehouse units or a showroom development.
Service Areas	Loading and service areas are critical to the function of warehouse/storage and showroom developments, however, these can be located to the rear of particular units. Evidence to this effect is noted in the two reference developments in Osborne Park.
Setbacks <ul style="list-style-type: none"> • Street frontage – Nil • Side and rear - Nil 	<ul style="list-style-type: none"> • A nil street frontage and a more active office/showroom uses can be provided fronting the street (as noted in the Osborne Park developments) with parking to the rear. • A nil side and rear setback is typical for warehouse/storage developments.
Semi Active Frontage	As illustrated in the Osborne Park development example – the more active office land uses can be abutting the street which can exhibit a high amount of glazing together with pedestrian awnings over the streetscape.
Adaptable Buildings	The floor heights or clearances are typically larger as part of warehouse/storage and showroom developments suggesting there is a level of adaptability into the future for other uses that can be considered in the City Centre precinct.
Landscaping	As there is a nil setback requirement, landscaping isn't considered to be required.
Parking	The non-residential parking rate of 1 bay per 75sqm is not dissimilar to standard warehouse parking rates which usually



	range from 1 bay per 50sqm to 1 bay per 100sqm. Whilst slightly less than typically required for a showroom development, other uses similar to this have existed in adjoining precincts with the same parking requirements.
--	---

5. The subject site has remained vacant since the lot was created, this is despite a number of sales and leasing campaigns and the property changing hands in recent years (since the adoption of the ACP). Throughout this process it has become very apparent that the market demands for the site are not being facilitated by the planning framework. These observations are reflected in a letter from WA Commercial Real Estate (Attachment 3) who have been the sales and leasing agent for the property since November of 2023, with prior agents having similar issue.

We consider the proposed amendment appropriate for initiation and approval with the land use being consistent with what already exists in the area and a built form outcome likely to comply with the various development requirements applicable to the City Centre precinct in the ACP.



7.0 CONCLUSION

In light of the above, the proposed scheme amendment is considered appropriate and justified given the comprehensive assessment above demonstrating the suitability against the prevailing context of the area.

The proposed additional use will enable development at an underutilised site that remains the only vacant property within the City Centre precinct in the ACP, west of Joondalup Drive. Allowing a 'Warehouse/Storage' and/or 'Bulky Goods Showroom' development at the site will also not compromise or prejudice the intent of the ACP with a development of this nature being:

- Consistent with other built form and land uses in the immediate vicinity.
- Capable of approval under the existing framework on the northern side of Delage Street.
- Capable of compliance with nearly all development requirements applicable under the ACP.

As a result, we are of the view that the proposed amendment to the *City of Joondalup Local Planning Scheme* warrants favourable consideration and subsequent approval by the City and the Western Australian Planning Commission.




ATTACHMENT 1 – Certificate of Title



TITLE NUMBER	
Volume	Folio
1842	751

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES 

LAND DESCRIPTION:

LOT 55 ON PLAN 16942

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

APACHE INVESTMENTS AUSTRALIA PTY LTD OF PO BOX 125 SOUTH PERTH WA 6151
(T P082250) REGISTERED 21/3/2022

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. E257785 RESTRICTIVE COVENANT BURDEN REGISTERED 15/12/1989.
2. P128835 MORTGAGE TO NATIONAL AUSTRALIA BANK LTD REGISTERED 29/4/2022.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1842-751 (55/P16942)
PREVIOUS TITLE: 1702-420
PROPERTY STREET ADDRESS: 15 DELAGE ST, JOONDALUP.
LOCAL GOVERNMENT AUTHORITY: CITY OF JOONDALUP

ORIGINAL—NOT TO BE REMOVED FROM OFFICE OF

CT 1842 0751 F



Application E130166
Volume 1702 Folio 420 WESTERN



AUSTRALIA

1842 751

CERTIFICATE OF TITLE

UNDER THE "TRANSFER OF LAND ACT, 1893" AS AMENDED

I certify that the person described in the First Schedule hereto is the registered proprietor of the undermentioned estate in the undermentioned land subject to the easements and encumbrances shown in the Second Schedule hereto.

Dated 20th June, 1989



REGISTRAR OF TITLES

ESTATE AND LAND REFERRED TO

Estate in fee simple in portion of Swan Location 3324 and being Lot 55 on Plan 16942, delineated on the map in the Third Schedule hereto, limited however to the natural surface and therefrom to a depth of 12.19 metres.

FIRST SCHEDULE (continued overleaf)

Joondalup Development Corporation of 1st Floor, AMP Building, 140 Saint George's Terrace, Perth.

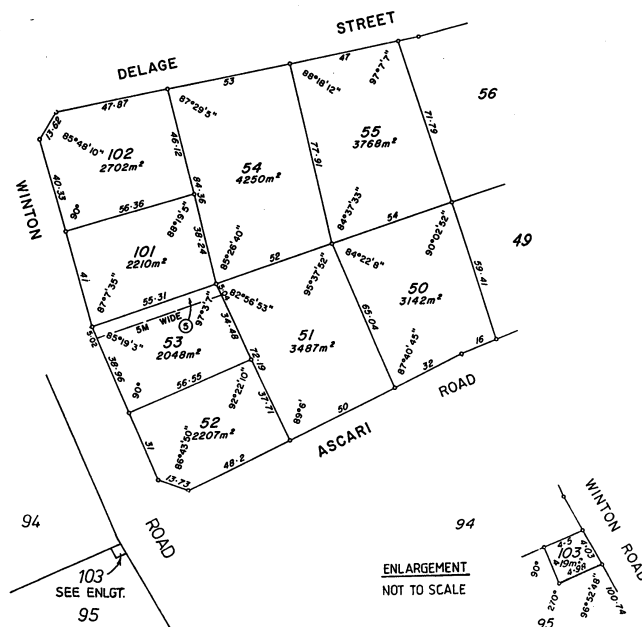
SECOND SCHEDULE (continued overleaf)

NIL

THIRD SCHEDULE

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Page 1 (of 2 pages) 1842 VOL. 751 FOL.

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON



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4

ENLARGEMENT
NOT TO SCALE



NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS.

E67590/3/89-20M-L/4664

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Page 2 (of 2 pages)

LT. 37

INSTRUMENT NATURE		INSTRUMENT NUMBER	REGISTERED	TIME	SEAL	CERT. OFFICER
REGISTERED PROPRIETOR						
New Century Holdings Pty Ltd, of 85 Circe Circle, Dalkeith.		E257785	15.12.89	9.56		

NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS

INSTRUMENT NATURE		INSTRUMENT NUMBER	REGISTERED	TIME	SEAL	CERT. OFFICER
PARTICULARS						
contains a restrictive covenant expiring on 31.12.2010		E257785	15.12.89	9.56		

NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS

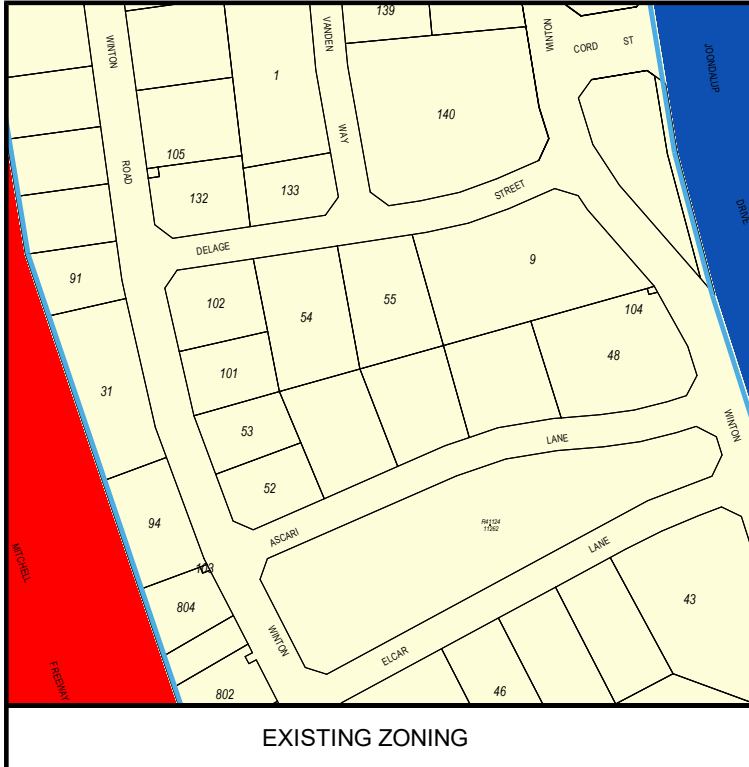
CERTIFICATE OF TITLE VOL. 1842 FOL. 751



ATTACHMENT 2 – Scheme Amendment Plan

CITY OF JOONDALUP
LOCAL PLANNING SCHEME No. 3

Planning and Development Act 2005



LEGEND

REGION SCHEME RESERVES (MRS)

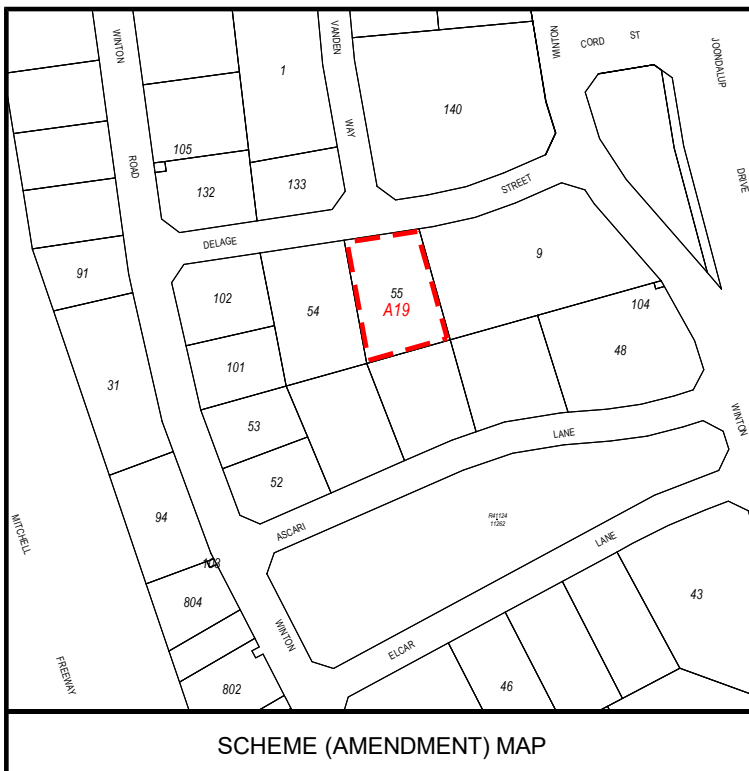
- OTHER REGIONAL ROADS
- PRIMARY REGIONAL ROADS

LOCAL SCHEME ZONES

- CENTRE

OTHER CATEGORIES

- ADDITIONAL USES



N

SCALE: 1:4000

DATE: 19.10.2012

Amendment No.



ATTACHMENT 3 – Commercial Market Commentary



Dansan (WA) Pty Ltd

Licensed Real Estate and Business Agent

ABN 81 108 175 677

Level 1, 465 Scarborough Bch Rd
Osborne Park, WA 6017

PO Box 1850

Osborne Park DC WA 6916

Phone: 08 9446 4144

4 December 2024

Reegan Cake
Planning Manager
Dynamic Planning and Developments
Suite 15/29 Collier Road MORLEY WA 6062
E: reegan.cake@dynamicplanning.net.au

WA Commercial Real Estate have formally been advertising the property for sale from November 2023. The property was on the market for lease with another agent from February 2023 advertising a medical/office/education development, but they were unsuccessful at securing these types of tenants.

Most parties that have enquired on the property have all required a warehouse/storage component. It is fair to say the expectation from potential buyers/developers is that warehouse would be allowed in this location as it would be consistent with all the surrounding development.

The parties that are more commercial like office/medical have confirmed their preference is the other side of Joondalup Drive and have not participated in the buying or leasing process.

Should you have any further queries please do not hesitate to contact me.

Your sincerely

A handwritten signature in blue ink, appearing to read 'Daniel Sanzone', written over a light blue horizontal line.

Daniel Sanzone
Managing Director



**PROPOSED SCHEME AMENDMENT NO. 21
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING**

SUBMISSION	ADMINISTRATION COMMENTS
INDIVIDUAL SUBMISSIONS	
Support No comments provided.	Noted.
Support I wish to support the proposal for this particular site to be permitted for the additional uses of 'Warehouse/Storage' and 'Bulky Goods Showroom'. This amendment to the scheme would allow for a successful sale of the land and the construction of buildings to further complement the street and surrounding area.	Noted.
Support I'd like to put forward my comments in support of this planning proposal, to encourage development consistent with existing surrounding land uses and to remove the minimum build height of 13.5m. This change will allow for further development positively impacting upon Delage Street and the wider Winton Loop precinct.	Noted.
Support I wish to participate in the community consultation for this particular development, and agree with the proposed changes.	Noted.
Neutral I am a resident and not interested in this Amendment. My concern is the regulation surrounding this Amendment. Looking at existing other approved uses in this area, suggests to me, the City is creating/imposing a measurable regulatory impact on the Applicant in seeking this Amendment that could be solved, in my humble opinion, more effectively.	The City is required to assess and process the proposed scheme amendment in accordance with the current planning regulations, notably the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and <i>Local Planning Scheme No. 3</i> . Consideration of land use permissibility within the Winton Road business park will be considered through future review of the <i>Joondalup Activity Centre Plan</i> .
Neutral No comments provided.	Noted.
SERVICE AGENCY COMMENTS	
ATCO Gas Australia (ATCO) has no objection to the proposed application, based on the information and plan provided.	Noted.
Water Corporation does not have any objections to the proposed amendment to Local Planning Scheme No 3 for the subject lot as the water & wastewater servicing will remain the same.	Noted.
Western Power does not oppose the Proposed Scheme Amendment No. 21 for additional land use Warehouse/Storage and Bulky Goods Showroom at Lot 55 (15) Delage Street, Joondalup.	Noted.



Elected Members' Entitlements Council Policy

Responsible directorate: Governance and Strategy

Objective: To set out the support and allowances available to the City's Elected Members.

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1. Definitions:

“**annual period**” means the third Saturday in October to the third Saturday in October in the following year.

“**conferences and training**” means conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training sessions and events related to the industry of local government and held within Australia.

“**fair value**” means the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date (AASB 13).

“**ICT expenses**” means:

- a. rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the *Local Government (Administration) Regulations 1996*; or
- b. any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the *Local Government (Administration) Regulations 1996*.

2. Statement:

This policy has been prepared to comply with the provisions relevant to Elected Members' entitlements under the *Local Government Act 1995* and supporting Regulations.

3. Provision of support:

3.1. Objective:

To provide Elected Members with appropriate facilities, equipment, material and information to support them in performing their duties of Office.

3.2. Mayor:

- a. The Mayor shall, in carrying out the duties and responsibilities of that Office, be entitled to receive the benefit of the following facilities without the reduction of the fees and allowances approved by Council under section 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995*:
 - i. The provision of a luxury sedan type motor vehicle with unrestricted use for all official and civic duties connected to the Office of Mayor and for personal private use. This vehicle will be changed over in accordance with the City's general management of its light vehicles fleet. The Mayor may elect to have City of Joondalup vehicle licence number plates fitted to the vehicle at the City's expense for their term of Office (i.e. COJ 1, COJ 001, COJ 001 etc.).
 - ii. Where the Mayor is provided with a vehicle as detailed in 3.2(a)(i) above, the costs associated with the Mayor's private use of the vehicle are to be reimbursed by the Mayor.

The calculation of the reimbursement for the private use is by way of a Log Book in accordance with the requirements of the Australian Taxation Office.

- iii. Membership of the Qantas Club.
 - iv. The registration cost or ticket cost for the Mayor to attend a pre-approved event or non-approved event under the City's Attendance at Events Council Policy, provided the event does not fall into the category of a conference and training event (as defined in section 1 of this policy).
 - v. The registration cost or ticket cost of the Mayor's accompanying person (such as a spouse, family member or relative) to an event, where the Mayor is attending, or been invited to attend in an official capacity (as prescribed in clause 4(a) of the City's Attendance at Events Council Policy).
 - vi. Suitable contemporary office accommodation within the Civic Centre.
 - vii. Administrative support associated with the role of Mayor in accordance with the provisions of the *Local Government Act 1995*.
 - viii. Access to the Elected Member Lounge and refreshments.
- b. All equipment and facilities subject of this policy are provided to the Mayor on the absolute understanding that they will not be used for any election purposes.

3.3. Deputy Mayor and Councillors:

- a. The Deputy Mayor and Councillors shall, in carrying out the duties and responsibilities of their Office, be entitled to receive the benefit of the following facilities without the reduction of the fees and allowances under section 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995*:
- i. Access to the Elected Member Lounge and refreshments.
 - ii. Access to suitably equipped shared office accommodation, reading room, ward meeting and conference rooms within the Civic Centre with photocopying, printing, facsimile, internet and telephone facilities.
 - iii. Some secretarial support as resources allow, including limited word processing, photocopying, and postage.
 - iv. The registration cost or ticket cost for the Deputy Mayor or Councillor to attend a pre-approved event or non-approved event under the City's Attendance at Events Council Policy provided the event does not fall into the category of a conference and training event (as defined in section 1 of this policy).
 - v. The registration cost or ticket cost of the Deputy Mayor's or Councillor's accompanying person (such as a spouse, family member or relative) to an event, where the Deputy Mayor or Councillor is attending, or been invited to attend in an official capacity (as prescribed in clause 4(a) of the City's Attendance at Events Council Policy).
- b. All equipment and facilities subject of this policy are provided to the Deputy Mayor and Councillors on the absolute understanding that they will not be used for any election purposes.

4. Issue and return of Council equipment:

4.1. Objective:

To enable Elected Members to be accessible to the community, their colleagues and the City's staff.

4.2. Equipment:

The following equipment, documents, stationery and other items will be issued to Elected Members:

- a. Either a Macbook Air, Macbook Pro or an iMac (or similar Microsoft Windows based device); an Apple iPhone; an Apple iPad; and all-in-one printer.
- b. A file backup device and a Wi-Fi capable broadband modem (such as a Time Capsule device for Mac, or an external USB device and a Wi-Fi modem for non-Mac).
- c. Elected Member Lounge key.
- d. Security card/building access card.
- e. Satchel or briefcase (optional).

Computer equipment supplied (if required) will be issued new and replaced following each local government election where the Elected Member is elected (that is every four years). Apple iPhones will be issued new and replaced following each local government election (that is every two years). Notwithstanding, equipment issued under 4.2(a) and 4.2(b) will be replaced on failure if this occurs prior to its scheduled replacement.

At the end of each two and four year period (for mobile phones and computer equipment respectively), Elected Members will have the option to either return or purchase the devices provided by the City, at fair value. The Chief Executive Officer is authorised to approve the purchase of devices at a value to be determined by the Chief Executive Officer.

The specification of the equipment supplied under 4.2(a) and 4.2(b) shall be the highest specification for the model proposed. Elected Members will be consulted prior to the provision of the equipment and have the opportunity to make requests for changes to the equipment supplied.

4.3. Other items:

- a. The following items will be issued to Elected Members:
 - i. Two name badges, and one name badge for their partner.
 - ii. Business cards.
 - iii. City of Joondalup Elected Members' letterhead.
 - iv. Christmas cards or a Christmas e-card.
 - v. Elected Member uniform (optional) (one jacket, two trousers/skirts and three shirts/blouses) and two casual City of Joondalup polo-shirts (or similar).

- b. Each Elected Member is entitled to be reimbursed to a maximum amount of \$1,610 (**July 2025**) following their inaugural election and every second ordinary election thereafter in which they are elected, or where an Elected Member is elected as a result of an extraordinary election, for the purchase of relevant home office furniture/equipment to assist them to perform their role as an Elected Member and to be used for Council-related purposes.

The amount allocated for reimbursement will be inflated annually as from 1 July based on the Consumer Price Index (All Groups Perth) Rate, rounded to the nearest \$10.

4.4. Return of equipment issued:

- a. An Elected Member must return the following equipment to the City within 14 days of ceasing to be an Elected Member:
 - i. Any mobile phone or computer equipment issued by the City (unless otherwise negotiated to purchase, at fair value). The Chief Executive Officer is authorised to approve the purchase of devices at a value to be determined by the Chief Executive Officer.
 - ii. All equipment leased by the City and provided to the Elected Member.
 - iii. Security card/building access card.
 - iv. Elected Member Lounge key.
 - v. City of Joondalup vehicle licence number plates (to be returned and exchanged at the Department of Transport Licensing Centre at the cost of the City).
- b. The value of any equipment retained by an Elected Member on retirement cannot be more than the limits set under regulation 34AC of the *Local Government (Administration) Regulations 1996*. This value will also be deducted from the value of any retirement gift given by the City under 11.2 of this policy.

5. Payment of fees and allowances:

5.1. Objective:

To detail the amount of fees and allowances to be paid to Elected Members and the conditions under which those fees and allowances shall be paid.

5.2. Annual meeting attendance fees in lieu of Council meeting and committee meeting attendance fees:

- a. In lieu of paying the Mayor and Councillors a meeting attendance fee for each prescribed meeting, the City will pay the maximum amount within the range set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid annually for meeting attendance fees for the Mayor and Councillors (see Item CJ128-07/13).
- b. Payments will be made monthly in arrears on a pro-rata basis throughout the annual period.

5.3. Annual local government allowances — Mayor and Deputy Mayor:

- a. The City will pay the maximum annual local government allowance within the range set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid to the Mayor and Deputy Mayor (see Item CJ128-07/13).
- b. Payments will be made monthly in arrears on a pro-rata basis throughout the annual period.

5.4. Annual allowance for ICT expenses:

- a. The City will pay all Elected Members the maximum annual allowance for ICT expenses as set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid to Elected Members (see Item CJ128-07/13). Additional to the annual allowance for ICT expenses, a mobile telephone is provided to Elected Members under 4.2 of this policy.
- b. Any claims by Elected Members for expenses incurred over the maximum annual allowance for ICT expenses detailed in 5.4(a) above are to be submitted on the form provided for the purpose. Additional claims above the maximum limit must be supported by receipted invoices for the maximum limit plus the additional amounts claimed. Where an Elected Member reaches the limit, all claims for reimbursement shall be referred to Council for approval.
- c. Subject to 5.4(d) full payment of the annual allowance for ICT expenses will be made in advance at the commencement of the financial year.
- d. Where an Elected Member's term of Office ceases at a local government election in a financial year, the Elected Member will be paid the annual allowance for ICT expenses on a pro-rata basis up until the local government election day. Should that Elected Member be re-elected at the local government election the remainder of the annual allowance for ICT expenses will be paid following the local government election day.
- e. Where an Elected Member commences their term of Office at a local government election, the annual allowance for ICT expenses will be paid on a pro-rata basis following the local government elections (end of October) and for the period between the local government election day and the end of the financial year in which the local government election occurred.

5.5. Conditions of payment:

- a. All allowances and fees shall be paid automatically unless an Elected Member has advised the Chief Executive Officer, in writing, that he/she does not want to claim any or part of those fees and allowances.
- b. If an Elected Member advises that he/she does not want all or part of the fees and allowances to which he/she is entitled, any subsequent request for full or additional payment will not be back paid but accrue from the date of the Chief Executive Officer receiving such a request.
- c. The taxation liability arising from these payments is the individual responsibility of each Elected Member.

6. Mandatory Elected Member Training:

Elected Members are required to complete the Council Member Essentials Course within 12 months from the day on which they are elected, unless exempt under regulation 36 of the *Local Government (Administration) Regulations 1996*. Elected Members should confirm with the Chief Executive Officer whether they are eligible for an exemption.

All costs associated with mandatory Elected Member training will be paid for by the City. The Annual Budget will include an allocation for Council as a whole, to be used for this purpose.

The City of Joondalup will provide new Elected Members with information on training options from which the Elected Member may select according to their preferred delivery mode and availability. The City will make the necessary arrangements for enrolment.

7. Continuing Professional Development within Australia:

7.1. Objective:

To enable Elected Members to develop and maintain skills and knowledge relevant to either their role as an Elected Member or the Council's role as defined under the Act.

7.2. Statement:

Elected Members are encouraged to attend conferences and training relating to the business of the City and to enable them to be more informed and better able to fulfil their duties of Office. In accordance with regulation 37(2) of the *Local Government (Administration) Regulations 1996*, Continuing Professional Development must be relevant to the Elected Member's role as defined under the Act, or the Council's role as defined under the Act.

7.3. Annual conference and training expense allocation:

- a. The following conference and training expense allocation shall be made available to Elected Members during an annual period:
 - i. The Mayor shall be entitled to \$19,800 (**July 2025**) inflated by the Consumer Price Index (All Groups Perth) Rate on 1 July each year and rounded to the nearest \$100.
 - ii. All Councillors shall be entitled to \$9,000 (**July 2025**) inflated by the Consumer Price Index (All Groups Perth) Rate on 1 July each year and rounded to the nearest \$100.
- b. In addition to the conference and training expense allocation detailed in 7.3(a) above, the Mayor shall be entitled to attend the following conferences, at the City's cost:
 - i. Annual Western Australian Local Government Association.
 - ii. Annual National Australian Local Government Association.
 - iii. Annual National Congress of the Local Government Professionals Australia.

- c. In addition to the conference and training expense allocation detailed in 7.3(a) above, Councillors shall be entitled to attend the Annual Western Australian Local Government Association conference, at the City's cost.

7.4. Approval:

Subject to section 8 of this policy for overseas travel, Elected Members may attend conferences and training:

- a. following approval by the Council where such approval is required; and
- b. by informing the Chief Executive Officer in advance of attendance.

In accordance with regulation 37(3) of the *Local Government (Administration) Regulations 1996*, approval will not be granted for training or continuing professional development that is scheduled to occur within the last three (3) months of an Elected Member's term of office or upon delivery of a notice of resignation to the Chief Executive Officer.

7.5. Conferences and training that may be attended:

The conferences and training to which this policy applies shall generally be limited to the following:

- a. Western Australian Local Government Association and Australian Local Government Association conferences.
- b. Special 'one off' conferences called for or sponsored by the Western Australian Local Government Association and/or Australian Local Government Association on important issues.
- c. Annual conferences of the major professions in local government and other institutions of relevance to local government activities.
- d. Australian Sister Cities conferences.
- e. Western Australian Local Government Association Elected Members' training and development.
- f. Training relating to the role of Elected Members.
- g. Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles/responsibilities of Elected Members, meeting procedures, etc.

7.6. Payment of conference and training expenses:

7.6.1. Payment from conference and training expense allocation:

The City will pay conference or training expenses where the Elected Member has been authorised to attend and there are sufficient funds remaining within the Elected Member's annual conference and training expense allocation. Should sufficient funds be unavailable, the Elected Member may meet the difference between the actual cost and their remaining conference and training expense allocation themselves.

7.6.2.Booking arrangements:

Registration, travel and accommodation for Elected Members will normally be arranged by the City, with the appropriate City discount for travel and accommodation being provided. In general, all costs including airfares, registration fees and accommodation will be paid direct by the City. Alternatively, Elected Members may make their own booking arrangements.

7.6.3.Support activities:

The City will pay all costs for Elected Members that are charged by organisers for support activities, including those costs relating to official luncheons, dinners and tours/inspections that are relevant to the conference and training event.

7.6.4.Accommodation:

- a. The City will pay reasonable accommodation costs for Elected Members including the night before and/or after the conference and training event where this is necessary because of travel and/or the conference and training event timetables which make it unreasonable to arrive at or return home in normal working hours.
- b. Accommodation shall normally be booked at the conference and training venue or, where unavailable, at a similar-rated accommodation in the vicinity of the conference and training venue.
- c. Only accommodation costs for hotels, motels or accommodation of a similar type will be paid utilising an Elected Member's annual conference and training expense allocation. Accommodation provided by relatives or friends at a private address will not be reimbursed by the City although a meal and refreshment costs can be offered in return to the hosts under 7.6.6(e).

7.6.5.Travel:

- a. Where travel is involved, the travel is to be undertaken with all due expedition, by the shortest most practical route, to and from the conference and training venue. All reasonable travel costs for Elected Members to and from the venue/accommodation will be met by the City.
- b. Where air travel is involved, approval to attend should ideally be sought two months prior to departure to facilitate booking arrangements.
- c. All air travel within Australia shall be by Economy Class.
- d. If accommodation is at the conference or training venue, or in close proximity, taxis (or similar type service) should be used for reasonable travel requirements. Where necessary, a hire car may be arranged for the conduct of Council business. Costs of taxi fares (or similar type service), vehicle hire and parking, which are reasonable, required and incurred in attending conferences and training, will be reimbursed by the City.
- e. Where, in particular circumstances, Elected Members desire to travel interstate or intrastate by private motor vehicle, they will be reimbursed for vehicle costs in accordance with the local government kilometre allowance up to an equivalent amount that would have been expended had arrangements been made to travel by air.

7.6.6. Extent of expenses to be reimbursed:

- a. An Elected Member attending a conference and training event is entitled to be reimbursed for 'normally accepted' living costs while travelling. Such living costs would include, but are not limited to:
 - i. meals and refreshments for the Elected Member (that are not covered by the conference and training registration costs);
 - ii. dry-cleaning and laundry expenses; and
 - iii. reasonable telephone, internet and facsimile charges.
- b. Elected Members will generally not be reimbursed for the cost of meals or refreshments for other people. The main exception is where it is indicated that the meal or refreshment provided to another person is in response to a meal or refreshments previously received.
- c. Expenses will generally be reimbursed from the time an Elected Member leaves home to attend an event to the time the Elected Member returns home. Should an Elected Member extend a visit by leaving prior to the time necessary to arrive for the event or return after the time at which the Elected Member could have returned following the event, reimbursements will be paid:
 - i. for the days of the conference and training event only; and
 - ii. for the cost of travel to and from the airport to the accommodation to be used for the conference and training.
- d. Where a visit is extended, as discussed in 7.6.6(c), an Elected Member may stay for the period of the extension in different accommodation to that used for the attendance at the conference and training event. In such situations, the reimbursement of taxi fares (or similar type service) will be to the estimated cost of travel between the conference and training event's accommodation and the airport. The Elected Member will be required to pay any greater amount.
- e. Where an Elected Member does not require paid accommodation for a conference and training event because the Elected Member is able to source accommodation from another party (the hosts), the Elected Member is entitled to be reimbursed for meal and refreshment costs provided to the hosts up to the amount that would have been incurred had paid accommodation been used.
- f. Where an Elected Member attends two conference and training events and there is a gap of no more than three days between the conclusion of the first event and the start of the second event, the Elected Member shall be entitled to reasonable accommodation expenses and the reimbursement of 'normally accepted' living costs during that 'gap' period. If the gap is greater than three days, only three days reimbursement can be claimed.

7.6.7. Payment of expense reimbursements:

- a. The extent to which an Elected Member can be reimbursed for intrastate and interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the Regulations is as set by the Salaries and Allowances Tribunal through a determination published from time to time.

- b. Nothing prevents an Elected Member from being reimbursed expenses for intrastate and interstate travel and accommodation costs above the levels set in 7.6.7(a) where an Elected Member produces receipts or other sufficient information for the total cost to support their claim.

7.6.8. Cash advances associated with interstate and overseas travel:

- a. A cash advance of \$170 per day (**July 2025**) for interstate travel and \$270 per day (**July 2025**) for overseas travel shall be made available to Elected Members for each day the Elected Member is travelling. The cash advances per day will be inflated annually from 1 July based on the Consumer Price Index (All Groups Perth) Rate and rounded to the nearest \$10.
- b. Payments will be made by Electronic Funds Transfer into the Elected Member's nominated bank account. Any other administrative arrangements for managing this will be the most appropriate to the circumstances in the view of the Chief Executive Officer.
- c. The cash advance shall be paid to cover all reasonable incidental expenses associated with attending conference and training events attendance such as:
 - i. hotel/motel charges other than accommodation, such as dry-cleaning and laundry expenses;
 - ii. reasonable telephone, or facsimile or internet use;
 - iii. meals and refreshments for the Elected Member that are not covered by the conference and training registration cost; and
 - iv. any optional activity in a conference and training program.
- d. Documentary evidence, in the form of original invoices and receipts, must be provided for the acquittal of all cash advances. All cash advances must be acquitted within two weeks of the Elected Member returning to Perth. Amounts not acquitted shall be refunded to the City or, where agreed by the Elected Member, deducted from their annual attendance meeting fee.

7.7. Elected Member / delegate accompanying person:

- a. Subject to 7.7(d) where an Elected Member is accompanied at a conference and training event, all costs for or incurred by the accompanying person, including, but not limited to, travel, breakfast, meals, registration and/or participation in any event programs, are to be borne by the Elected Member/accompanying person and not by the City. The exception to the above being the cost of attending any official conference and training event dinner where partners would normally attend as well as accommodation costs associated with a shared room with the Elected Member where such costs are not above a room rate for the Elected Member alone.
- b. An accompanying person's registration, or accompanying person's program fee, is to be paid to the conference organiser, at time of registration. The City will administer the registration and payment process for the accompanying person if the relevant forms and payment are made to the City in advance for the accompanying person.
- c. Where the City meets an account containing any expenditure or cost incurred on behalf of an accompanying person attending, such expenditure must be repaid to the

City by the Elected Member/accompanying person within 30 days of being invoiced for such expenditure following the conclusion of the conference and training event.

- d. Where an Elected Member is attending a conference and training event and has a 'disability' as defined in the *Disability Services Act 1993*, the City will meet the travel, accommodation, and registration costs for a carer (as defined by section 3A of the *Disability Services Act 1993*) to accompany that Elected Member where that carer is a person who provides ongoing care or assistance. Costs paid by the City will not be deducted from the relevant Elected Member's annual conference and training expense allocation.

7.8. Guidelines for conference and training attendance:

Subject to the provisions of 7.3 of this policy the guidelines detailed in this section shall apply to all conference and training under this policy:

- a. An Elected Member is only entitled to attend up to two interstate conference and training events per financial year.
- b. Generally, no more than two Elected Members may attend a particular conference or training event outside Western Australia at the same time. The Chief Executive Officer or Council may, however, approve attendance by more than two Elected Members if a particular purpose or need arises.
- c. All unspent funds within an Elected Member's conference and training expense allocation shall be carried forward at the completion of each annual period.
- d. Following each ordinary local government election, Elected Members will forfeit any unspent funds, and commence their annual Elected Member's conference and training expense allocation as detailed in 7.3 of this policy.
- e. Elected Members will only be registered for conference and training events itemised in this policy if the Elected Member has sufficient funds in their annual conference and training expense allocation to meet the costs.
- f. The cost of training that is specifically arranged for attendance by all Elected Members (e.g. team-building) shall be paid from a separate allocation for the purpose and not considered as part of, and debited to, the individual Elected Member's conference and training expense allocation referred to in this policy.

8. Attendance at overseas conferences:

- a. An Elected Member may, with Council approval, attend an overseas conference. The Council report must include details of the anticipated benefits to the City and the Elected Member in attending the requested overseas conference. The specific Council resolution must state the authorised travel period that would include sufficient time to travel to and from the conference location (including a reasonable acclimatisation period) and attendance at the conference; and
- b. An Elected Member may attend an overseas conference if the Elected Member has sufficient funds in their annual conference and training expense allocation to meet the costs. Where there are insufficient funds to meet the cost of the registered overseas conference or training in the Elected Member's conference and training expense allocation, Council approval must be obtained before costs are incurred in keeping with 7.8(d) above or the Elected Member agrees to meet the additional costs personally.

- c. Air travel overseas may be by Business Class, except where an Elected Member chooses to travel at a cheaper rate. If Business Class is not available, Economy Class is to be used.
- d. Cash advances are payable for overseas conferences (see 7.6.8).

9. Report:

Upon return from any interstate or overseas conference and training event as detailed within this policy, where registration and other associated costs are met by the City of Joondalup, the attending Elected Member is required to:

- a. prepare a detailed written report on their attendance and benefits to them and the City, to be circulated to all Elected Members within one month; or
- b. present a verbal report on their attendance and benefits to them and the City, at the next available Strategy Session.

10. Reimbursement of expenses:

10.1. Objective:

To provide for the reimbursement of expenses necessarily incurred by Elected Members while performing their duties so that no Elected Member should be unreasonably disadvantaged financially due to meeting the requirements of their Office.

10.2. Child care:

- a. In accordance with regulation 31 of the *Local Government (Administration) Regulations 1996*, child care costs will be paid at the rate set by the Salaries and Allowances Tribunal through a determination published from time to time for an Elected Member's attendance at a Council meeting or a meeting of a committee of which he or she is a member and the expense is to be claimed on the form provided.
- b. Where an Elected Member attends any other meeting, reception, citizenship or other Council function, or Council-related activity and incurs child care costs, such costs may be claimed at the rate set by the Salaries and Allowances Tribunal through a determination published from time to time, provided they are substantiated with details of the date, activity attended, the actual costs incurred and original receipts being provided and attached to the claim form.
- c. Child care costs are applicable for children, either of natural birth or guardianship determined by legal process.
- d. Child care costs will not be paid for where the care is provided by a relative living in the same premises as the Elected Member. For this purpose "relative" means a spouse, de facto partner, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, cousin, lineal descendant of the Elected Member or a relative of the Elected Member's spouse or de facto partner.
- e. Child care costs shall be debited to a separate account in the budget and not be debited to or form part of an Elected Member's annual expense reimbursement limit as referred to in 10.4 of this policy.

10.3. Travel:

- a. The payment of travel costs is covered under regulations 31 and 32 of the *Local Government (Administration) Regulations 1996*.
- b. Travel costs incurred and paid by Elected Members will be reimbursed for the following:
 - i. Travel and parking expenses incurred by an Elected Member using a private motor vehicle or bicycle to, from and attending:
 - meetings of the Council or a committee of the Council and civic or Council-related functions;
 - as a delegate of the Council to statutory and other boards and committees, community organisations, conferences, local government association or industry groups or committees of them;
 - a specific request or instruction of the Council and/or including inspection, ratepayer/electors' requests or other Council duty; and
 - social functions where the Elected Member is representing the Mayor or is attending by resolution of Council or where the function is an otherwise authorised activity.
 - ii. The amount payable in respect of travelling expenses shall be paid from when a Councillor-Elect makes their declaration of Office.
 - iii. Travel expenses claimed for motor vehicles under this policy are to be calculated in accordance with the rate set by the Salaries and Allowances Tribunal through a determination published from time to time.
 - iv. Travel expenses claimed for bicycles under this policy are to be calculated in accordance with the rate of \$0.10 per kilometre.
 - v. A claim for reimbursement of expenses form indicating the date, particulars of travel, nature of business, distance travelled, vehicle displacement and total travelled in kilometres, is to be completed by members to ensure that the transport expense can be verified.
- c. Where an Elected Member deems it is more appropriate to attend a Council-related commitment without a motor vehicle or bicycle, a taxi or similar type service may be used and the costs incurred reimbursed.
- d. Should an Elected Member travel by a motor vehicle or bicycle which is not his or her own, the reimbursement will be calculated in accordance with 10.3(b) above.

10.4. Other specified expenses:

Outside of child care and travel costs an annual reimbursement limit of \$1,470 (**July 2025**) shall be available to Elected Members during an annual period for reimbursement of costs incurred as a result of performing their duties as an Elected Member. Other specified expenses include:

- a. business attire, including footwear;

- b. dry-cleaning;
- c. stationery; and
- d. paid tickets to events where the Elected Member has been invited and attendance is approved under the City's Attendance at Events Council Policy, including costs of tickets for accompanying persons to events under 3.2(a)(v) and 3.3(a)(v) of this policy.

The amount allocated for reimbursement of other specified expenses will be inflated annually from 1 July, based on the Consumer Price Index (All Groups Perth) Rate, and rounded to the nearest \$10.

Costs incurred and paid by Elected Members will be reimbursed by the City up to the reimbursement limit in each annual period. When an Elected Member reaches the limit, all claims for reimbursement shall be referred to the Council for approval. All expenses claimed must have been incurred and substantiated with provision of original invoices/receipts attached to the claim form, prior to being reimbursed on a monthly basis.

10.5. Time limit on claims and approval process:

Members electing to receive reimbursement of expenses in accordance with the provisions of this policy should submit the appropriate claim form to the Chief Executive Officer, together with supporting documentation, within two calendar months after the month in which the expenses were incurred, and by 15 July of the next financial year, in order to facilitate the finalisation of the City's annual financial statements.

10.6. Allowances and limits are exclusive of G.S.T:

Unless otherwise specified in this policy, all allowances and limits set out in this policy are exclusive of G.S.T.

Where an Elected Member does not provide appropriate documentary evidence to enable G.S.T to be claimed, the full amount of the expense incurred by the City, inclusive of G.S.T, will be applied to the relevant allocation.

10.7. Supporting documentation:

Documentary evidence is required for all expenses claimed. Original tax invoices and receipts are required for audit purposes and to enable G.S.T to be claimed.

11. Other entitlements:

11.1. Elected Member dinners:

- a. To provide an avenue to facilitate networking possibilities and for Elected Members to undertake discussions with various representatives of the community, the Council has agreed to host Elected Member dinners.
- b. The Mayor is entitled to host six dinners per calendar year, and each Ward a total of 12 each year, based on six dinners per Ward Councillor.
- c. Each table will allow for the Elected Member as host, plus up to a maximum of nine guests. Except for the Elected Member's spouse or partner, all guests invited are to have a relationship with the City or be a stakeholder of the City. Prior to an Elected

Member dinner, Elected Members are to advise the City the details of their invited guests and their relationship with the City. Details of invited guests that attend Elected Member dinners are to be reported to the Audit and Risk Committee on a quarterly basis.

11.2. Acknowledgement of service:

On retirement, Council will acknowledge the service of Elected Members through the provision of an appropriate memento, which will take the form of an engraved plate (or plaque) commemorating the Elected Member's service and a suitable gift.

The value of any gift provided to a retiring Elected Member plus the residual value of any furniture and/or office equipment retained by a retiring Elected Member is limited to the prescribed amount (excluding GST) as set out in regulation 34AC of the *Local Government (Administration) Regulations 1996*.

Creation date:	June 2002 (CJ121-06/02)
Formerly:	<ul style="list-style-type: none">• Elected Member — Allowances• Elected Member Training• Elected Members' Attendance Fees• Issue and Return of Council Related Equipment to Elected Members• Members of Council — Reimbursement of Expenses• Travel/Accommodation — Elected Members and Staff
Amendments:	CJ121-06/02, CJ206-10/05, CJ007-02/07, CJ052-04/08, CJ007-02/09, CJ094-06/10, CJ174-10/10, CJ041-03/11, CJ032-03/12, CJ185-09/13, CJ050-03/15, CJ051-04/17, CJ072-05/21, CJ077-05/22, CJ067-05/23, CJ058-03/24.
Last reviewed:	March 2024 (CJ058-03/24)
Related documentation:	<ul style="list-style-type: none">• Annual Budget• Attendance at Events Council Policy• Code of Conduct for Employees, Elected Members and Committee Members• Information Technology Service Agreement for Elected Members• Local Government Act 1995• Local Government (Administration) Regulations 1996• Public Service Officers Award• Register of Delegation of Authority• Salaries and Allowances Tribunal Determination for Local Government Chief Executive Officers and Elected Members
File reference:	101269

2022-2023 CPI (6.2%)	Existing (July 2022)	New (July 2023)	Rounded (July 2023)
Office Equipment	\$1,411.77	\$1,499.29	\$1,500
Conference	(Mayor) \$17,337.58 (Councillors) \$7,925.73	\$18,412.50 \$8,417.12	\$18,400 \$8,400
Cash Advance	(Interstate) \$148.56 (International) \$235.30	\$157.77 \$249.88	\$160 \$250
Other Specified Exp.	\$1,287.92	\$1,367.77	\$1,370

2023-2024 CPI (4.3%)	Existing (July 2023)	New (July 2024)	Rounded (July 2024)
Office Equipment	\$1,499.29	\$1,563.75	\$1,560
Conference	(Mayor) \$18,412.50 (Councillors) \$8,417.12	\$19,204.23 \$8,779.05	\$19,200 \$8,800
Cash Advance	(Interstate) \$157.77 (International) \$249.88	\$164.55 \$260.62	\$160 \$260
Other Specified Exp.	\$1,367.77	\$1,426.58	\$1,430

2024-2025 CPI (3.0%)	Existing (July 2024)	New (July 2025)	Rounded (July 2025)
Office Equipment	\$1,563.75	\$1,610.66	\$1610
Conference	(Mayor) \$19,204.23 (Councillors) \$8,779.05	\$19,780.35 \$9,042.42	\$19,800 \$9,000
Cash Advance	(Interstate) \$164.55 (International) \$260.62	\$169.48 \$268.43	\$170 \$270
Other Specified Exp.	\$1,426.58	\$1,469.37	\$1,470



WALGA Template

Council Member

Continuing Professional

Development Policy

WALGA Note:

*WALGA provides this template policy as a **guide** for Local Governments. It includes suggested components and wording only. Local Governments should review this policy content and consider, develop and implement policy suitable to their operational requirements. Detailed commentary is provided to outline possible options, and should be deleted before policy adoption.*

Remember:

Policy implementation is given effect through appropriate induction, ongoing training and operational procedures that evidence Council Members and Employees have been made aware of and are accountable for their obligations and responsibilities.

Template Policy Commentary

As there is scope for a range of approaches to Continuing Professional Development, the following comments outline the approach taken in this Template Policy, and discusses matters for further consideration by Local Governments.

Part 1 - Budget Allocations

Local Governments should consider how the budget for Continuing Professional Development will be structured. This Template Policy proposes an allocation for Council as a whole, as well as individual allocations for each Council Member. This ensures that each Council Member has equitable access to funding, and that the expenditure of funds on individual Continuing Professional Development is not to the detriment of Council Member Induction and Council Capacity Building. Local Governments may wish to consider whether to specify the allocation \$value amounts in the policy (subject to CPI increments annually).

This Template Policy is drafted on the basis that Mandatory Training will be funded from the group allocation, rather than from an individual Council Member's allocation. Local Governments may choose to take a different approach.

Part 2 – Council Member Induction

The Department of Local Government, Sport and Cultural Industries (DLGSC) has produced an [Elected Member Induction Operational Guideline](#) that outlines the types of information that should be included in a Council Member induction program. Local Governments may wish to include further details of their induction program in this policy.

During the induction, Council Members could be informed of the Mandatory Council Member Training requirements and the options available for their participation in and completion of the training and assessments. Council Members could also be introduced to the Continuing Professional Development Policy, advised of the budgeted allocation, and invited to begin identifying their collective and individual development priorities.

An induction follow up session could be an opportunity for Council Members to provide feedback on the induction program, and identify collective priorities for further training, which can be addressed through Council Capacity Building. Local Governments may also wish to invite all Council Members to undertake a self-assessment to identify priorities for their individual Continuing Professional Development.

Part 3 - Mandatory Council Member Training

This Template Policy is drafted to allow for two different approaches to Mandatory Council Member Training, and Local Governments should review and delete as applicable.

Local Governments may choose to conduct a procurement process to identify the most suitable/best value training provider and direct Council Members to nominate a delivery mode and time/date that is suitable. Local Governments may wish to arrange onsite delivery where a sufficient number of Council Members wish to complete training face to face. If considered relevant to Council as a whole, this could form part of the Council Capacity Building program.

Alternatively, Local Governments may allow Council Members to select their preferred training provider from the Department's approved providers.

Part 4 - Council Capacity Building

This Template Policy uses the term Council Capacity Building to refer to training and development completed by Council as a group. While each Council Member will have individual development needs and priorities, much training and development may be relevant to all Council Members. Training completed as a group allows Council Members to discuss and apply learning as they go, have a shared point of reference and build communication and relationships. In addition, it may be more cost effective and efficient for training to be delivered to Council as a whole.

WALGA recommends that Council Capacity Building becomes part of the regular informal meetings of Council held by many Local Governments. Depending on the resources and priorities of the Local Government, this could take the form of a presentation by a Planning Officer, a team building session delivered by an external facilitator, or a workshop on meeting procedures.

This Template Policy proposes that a Council workshop is held to develop a Capacity Building program, the delivery of which will be facilitated by the CEO. This workshop is an opportunity for Council to consider their collective strengths and weaknesses, and prioritise the areas for improvement in order to better function as a governing body, and better serve the community. This workshop may also be an opportunity to commence policy review (see Part 9 of this Template Policy), in order to ensure that it is fit for purpose, and aligns with the professional development needs and priorities of the Council.

Part 5 – Continuing Professional Development

This section of the Template Policy provides example generic criteria to define eligible continuing professional development. Based on their own resources and priorities, Local Governments may wish to modify these criteria, or include a list of specific topics or types of training that will be eligible.

5.1 – Application and Approval

A two tier system of approvals is provided in this section. Local Governments may wish to modify the circumstances in which a request may be approved by Council or the CEO. For example, Local Governments may wish to remove the reference New Zealand, so that any request to attend training outside of Australia is referred to Council for approval. Local Governments may also choose to address non-attendance or non-completion of Continuing Professional Development in this section. For example, by specifying that approval may be granted by resolution of Council where the Council Member has not completed requirements for previously approved Continuing Professional Development, or has failed to do so within a reasonable period.

5.2 – Sharing of knowledge

This Template Policy includes a requirement that Council Members who attend individual training or continuing professional development provide a report on their attendance. This allows insights and benefits gained through the training to be shared with all Council Members. In addition, the process of reviewing the training and considering its application to the Council Member role may

be helpful for the Council Member who attended the training. Local Governments may wish to specify the format and timing for the provision of attendee reports.

Part 6 – Registration, Travel and Expenses

Expenses

This Template Policy provides a possible approach to expenses. Local Governments may wish to revise with reference to their resources and any existing policies or processes dealing with travel, expenses and reimbursement.

The current WA Salaries and Allowances Tribunal Determination for Local Government CEOs and Elected Members can be accessed via the Tribunal [website](#). The 2020 Determination prescribes the application of the [Local Government Officers' \(Western Australia\) Interim Award 2011](#) in relation to reimbursement for use of a private vehicle, and the [Public Service Award 1992](#) in relation to other travel costs and accommodation expenses.

Insurance

This Template Policy includes a section based on generic information from LGIS regarding the standard inclusions of Local Government Corporate Travel Protection. Local Governments should contact LGIS to confirm the conditions of their protection policy, and for specific advice. In addition, as specified in the Template Policy, Council Members should ensure they are familiar with the conditions of the policy before travelling.

Part 7 – Report on Training

This section of the Template Policy is based on the requirements specified in s.5.127 of the *Local Government Act 1995*, as well as advice from DLGSC on the format and content of this report. If Local Governments choose to modify this section, they should confirm that the minimum requirements of s.5.127 are met.

Part 8 – Council Member Commitment

The Council Member Commitment is intended to emphasise the positive approach to Continuing Professional Development, and commit Council Members to ensuring that they and the Local Government get the best possible value from all training. This section also addresses communication of availability and cancellation.

Local Governments may wish to give further consideration to the way in which Council Members are supported to complete Continuing Professional Development, and management of situations where completion is not achieved within a reasonable period. This is also discussed in relation to 5.1 – Application and Approval, above.

Part 9 – Policy Review

As this Policy must be reviewed following each election, Council has the opportunity to ensure it reflects the needs, priorities, strengths and weaknesses of the current Council and the strategic direction of the Local Government.

While the policy should retain sufficient flexibility to deal with changing circumstances, it may be helpful to modify Part 6 to include particular examples of training or professional development that would be considered eligible.

Council Member Continuing Professional Development Policy

Policy Objective

To give effect to the <<Shire/ Town / City>>'s commitment to facilitate continuing professional development of Council Members, which enhances their knowledge and develops their skills, thus augmenting Council's capacity for well-informed decision-making and the provision of good government for our community.

This policy provides a framework to assist Council Members to identify and access relevant training and defines the expenses that will be paid by the <<Shire/ Town / City>>.

This policy supports compliance with sections 5.127 and 5.128 of the *Local Government Act 1995* (the Act), which require Local Governments to prepare and adopt a policy in relation to the continuing professional development of Council Members, and to provide annual reports on training.

Policy Scope

This policy applies to Council Member training and continuing professional development, including mandatory training required under s.5.126 of the Act.

Policy Statement

1. Budget Allocations

The <<Shire/ Town / City of XXXX>>Annual Budget will include:

a. Whole of Council Training and Development

An allocation for Council as a whole, to be used for:

- Council Member Induction, dealt with under Part 2 of this Policy;
- Mandatory Council Member Training, dealt with under Part 3 of this Policy, and
- Council Capacity Building, dealt with under Part 4 of this Policy.

b. Council Member Professional Development

An allocation for each Council Member to be used for individual Continuing Professional Development, as specified under Part 5 of this Policy. Council Members may select training and professional development to be funded from this allocation, subject to approval in accordance with this Policy.

Unexpended allocations at the end of a financial year will not be carried forward to the next financial year.

Any professional development proposal that exceeds an individual Council Member's allocation will be referred for Council decision. Alternatively, the Council Member

may choose to privately fund any shortfall. This will not be eligible for reimbursement from a future budget allocation.

2. Council Member Induction

Following each election, the <<Shire/ Town / City of XXXX>> will conduct a comprehensive induction program, providing newly elected Council Members with information that will support them to understand Council Member roles and responsibilities; legislative obligations; personal responsibilities; and strategic direction of the Local Government. Continuing/previously elected Council Members are encouraged to participate in nominated elements of the induction program, to assist in fostering a team culture and to refresh their understanding.

3. Mandatory Council Member Training

Council Members are required to complete the Council Member Essentials Course within 12-months from the day on which they are elected, unless exempt under Regulation 36 of the *Local Government (Administration) Regulations 1996*. Council Members should confirm with the Chief Executive Officer whether they are eligible for an exemption.

The <<Shire/ Town / City of XXX>>'s preferred provider is [specify provider], and course delivery is available [delivery modes, options]. Council Members will be provided with enrolment options and the <<Shire/ Town / City>> will coordinate bookings and arrangements to implement their selection.

[OR

The <<Shire/ Town / City >> will provide newly elected Council Members with information on training options from which the Council Member may select according to their preferred delivery mode and availability. The <<Shire/ Town / City>> will make the necessary arrangements for enrolment.]

Where a majority of Council Members would prefer face to face training, the <<Shire/ Town / City>> may arrange on-site delivery and may coordinate this in cooperation with neighbouring Local Governments to achieve cost savings.

Council Members who are not yet required to complete the Mandatory Training may still choose to participate, with associated costs attributed to the Whole of Council Training and Development budget allocation.

4. Council Capacity Building

Within [a reasonable period/3 months/6 months] after an election, a Council Workshop will be convened to enable Council Members to collaboratively develop a program of Council Capacity Building.

The program developed at the workshop will form the basis for regular training provided to all Council Members as a group, to encourage Council to focus on continuous improvement in its function as a governing body and to address the outcomes set out in Part 6 of this policy.

The CEO will coordinate training in accordance with the agreed program, with details of dates and delivery modes to be determined in consultation with Council Members.

5. Continuing Professional Development

Formats

Eligible Continuing Professional Development formats include, but are not limited to:

- Short courses;
- Training courses;
- Workshops;
- Seminars;
- Conferences;
- Formal qualifications, or individual units or modules as components of formal qualifications; and
- Membership of professional development organisation, where the membership incorporates access to Continuing Professional Development.

Providers

Continuing Professional Development should be delivered by industry recognised training providers, peak bodies or professional organisations.

Outcomes

In order to be eligible for approval under this policy, Continuing Professional Development must be relevant to the role of a Council Member, and offer demonstrable benefit to the Council as a governing body, the <<Shire/ Town / City >> as an organisation, and the broader community.

This includes Continuing Professional Development that:

- Enhances the understanding of Council Member roles and responsibilities, and/or the role and function of Local Government;
- Assists Council Members to develop knowledge and skills in relation to the strategic objectives of the <<Shire/ Town / City >>;
- Enables Council Members to further develop personal and professional skills necessary for excellence in performance of the Council Member role; or
- Supports Council Members in developing and maintaining positive and healthy communication, team culture and relationships, to facilitate excellent teamwork to achieve outcomes that deliver good government for the <<Shire/ Town / City >> community.

Eligible Continuing Professional Development activities include:

- WA Local Government Association Council (WALGA) and Australian Local Government Association (ALGA) conferences.
- Special 'one off' conferences called for or sponsored by WALGA and/or ALGA on important Local Government issues.
- Annual conferences of the major professions in Local Government and other institutions of relevance to Local Government activities.
- Other Local Government-specific training courses, workshops and forums, relating to the outcomes listed above.
- Training relevant to the outcomes listed above offered by accredited organisations.
- Conferences, training, workshops or seminars that address the initiatives and projects identified in the <<Shire/ Town / City >>'s Strategic Community Plan, Corporate Business Plan or other strategic documents.

Council Members are encouraged to identify and share relevant Continuing Professional Development opportunities with Council and the CEO. The CEO will also identify and inform Council Members of relevant opportunities.

5.1 Application and Approval

Request for approval

Council Members who wish to attend training or professional development may make application by providing the following details to the CEO in writing:

- a) Course or event title, provider or organiser name, location and date;
- b) Copy of, or link to program, course outline or other summary of content;
- c) An outline of the anticipated benefits of attendance, with reference to the eligibility criteria in this policy; and
- d) Total estimated costs including accommodation, travel and sundry expenses.

Applications, including all required details, are to be submitted in reasonable time for registration. Where possible, the <<Shire/ Town / City >> will seek to take advantage of reduced prices for early registration.

Approval

Approval for Council Member attendance may be granted by:

- (a) the Chief Executive Officer where the:
 - (i) application complies with this policy;
 - (ii) event is to be held within Australia or New Zealand; and
 - (iii) the Council Member has sufficient funds available in their professional development allocation to meet all costs of attendance.
- (b) resolution of Council where the:
 - (i) application has been refused by the Chief Executive Officer;
 - (ii) application does not comply with this policy;
 - (iii) estimated costs of attendance exceed the available balance of the Council Member's annual professional development allocation; or
 - (iv) event is to be held outside of Australia or New Zealand.

Limitations

Training and continuing professional development is for the purpose of enhancing a Council Member's performance of their role. Therefore, in some instances, approval may not be granted where attendance conflicts with scheduled Council or Committee meetings (i.e. a meeting where important strategic decisions are required or where the meeting may lack a quorum), unless Council has otherwise resolved.

Where attendance at a particular training or professional development event would require an extended absence, no more than two Council Members may attend, unless Council has otherwise resolved.

Approval will not be granted for training or continuing professional development that is scheduled to occur in the last six months of a Council Member's term of office.

5.2 Sharing of knowledge

In order to realise the maximum benefit for the <<Shire/ Town / City >>, Council Members will provide a report on their attendance, key features and benefits of the training or professional development within [one month/a reasonable period] after completion. Council Members may include ideas and innovations identified through the professional development for discussion at future Council Member workshops, where the matter relates to the <<Shire/ Town / City >>'s strategic objectives.

Knowledge sharing may be provided as a presentation or verbal update to an informal Council workshop, or a written report provided to the Chief Executive Officer and circulated to all Council Members. Where relevant, copies of resources obtained at the event may also be provided to the Chief Executive Officer for circulation to all Council Members.

6. Registration, travel and expenses

The <<Shire/ Town / City >> will be responsible for the costs associated with training or professional development approved in accordance with this policy, as detailed in this section.

Event Registration and Bookings

Travel, registration fees and accommodation are to be arranged directly by the <<Shire/ Town / City >> administration.

Council Members are not to pay such costs and seek reimbursement, except in the case of an emergency or unique circumstances and subject to the Chief Executive Officer's prior approval.

Travel

Where travel is involved, the actual costs of travel to and from the event venue are to be met by the <<Shire/ Town / City >> in accordance with the current WA Salaries and Allowances

Tribunal Determination for Local Government CEOs and Elected Members (the Determination).

Travel arrangements are to be by the most cost effective and reasonably convenient mode.

Air travel is to be by Economy Class at a time that is convenient to the Council Member. As far as is practicable, tickets will be purchased well in advance, and take advantage of available discount fares.

A Council Member may seek approval to travel within Western Australia by private motor vehicle and be reimbursed for vehicle costs in accordance with the Determination. Approval may only be granted where the cost is approximately equivalent to the most cost effective mode of travel.

A Council Member may choose to upgrade the mode of travel, however additional costs incurred are to be paid to the <<Shire/ Town / City >> by the Council Member before the <<Shire/ Town / City >> confirms the booking/s.

Registration

Registration fees may include, where applicable, event registration, conference program dinners, technical tours and accompanying workshops identified within the event program.

Accommodation

Reasonable accommodation will be booked for the Council Member for a room at or in close proximity to the event venue and within the expenditure limitations prescribed in the Determination.

If it is not reasonable to expect travel to occur on the day of the event, the booking may allow for arrival the day prior to commencement, and departure the day following the close of the event.

A Council Member may choose to upgrade their accommodation standard or extend their visit for personal reasons, however additional costs are to be paid to the <<Shire/ Town / City >> by the Council Member (including any additional associated or travel costs) prior to the <<Shire/ Town / City >> confirming the booking.

Loyalty Program and Reward Points

Council Members are not to obtain personal benefit from expenditure of <<Shire/ Town / City >> funds and must not claim personal frequent flyer or accommodation loyalty points for air travel or accommodation paid for by the <<Shire/ Town / City >>.

Meals and Incidental Expenses

Funding for meals and incidental expenses is to be provided in accordance with the Determination.

Meal expenses are to be interpreted as reasonable expenses incurred for the purchase of breakfast, lunch and dinner where these meals are not provided at the event or in travel. When meals are included and have been paid for as part of the registration fee or accommodation costs, claims for alternative meals at venues other than the event will not to be paid by the <<Shire/ Town / City >>.

Incidental taxi, economy ride share or public transport modes of transport (i.e. to / from airport, event venue) may be claimed for reimbursement on submission of receipts.

In lieu of reimbursement, Council Members may request a cash advance prior to departure. This is conditional upon the Council Member providing a written acquittal and supporting receipts to the CEO within 7 days of return from travel. If a Council Member fails to provide a reasonable and satisfactory acquittal inclusive of unspent funds, the value of the un-acquitted funds will be incurred as a debt invoiced to the Council Member.

Travel Insurance – Intrastate, Interstate and International

Subject to policy wording and conditions, Council Members are covered by the <<Shire/ Town / City >>'s corporate travel protection for the duration of their travel relevant to attendance at the approved event, including any incidental private travel taken either side or during the event.

Council Members should review the conditions of the <<Shire/ Town / City >>'s corporate travel protection policy and member certificate to determine whether it is adequate for their personal needs and circumstances, and so that the <<Shire/ Town / City >> and/or the Council Member can make any necessary alternative arrangements.

Accompanying persons/entertainment costs

Council Members are responsible and will be required to pay all costs associated with an accompanying person attending an event (including conference dinners and functions).

The <<Shire/ Town / City >> may coordinate accompanying person bookings and registrations for travel, accommodation and the event / function, with costs incurred to be paid to the <<Shire/ Town / City >> by the Council Member prior to the <<Shire/ Town / City >> confirming the booking/s.

Booking Change / Modification Costs

Costs incurred for changing or modifying a booking for travel or accommodation, where the change or modification is:

- a. At the request of the Council Member, are to be paid by the Council Member; or
- b. A requirement or for the convenience of the <<Shire/ Town / City >>, are to be paid by the <<Shire/ Town / City >>.

Cancellations

Costs incurred for cancellation of registration, travel or accommodation, where the cancellation is:

- a. At the request of the Council Member, are to be attributed to the Council Member's individual allocation; or
- b. A requirement or for the convenience of the <<Shire/ Town / City >>, are to be paid by the <<Shire/ Town / City >>.

7. Report on training

The <<Shire/ Town / City>> is required to produce a report detailing the training completed by Council Members during each financial year, in accordance with s.5.127 of the Act.

The report will include the following details of both mandatory training and continuing professional development completed by Council Members:

- Name of Council Member;
- Date of election;
- Whether the Council Member is required to complete Mandatory Training, and if applicable, the due date for completion and date of completion;
- Title of each training course or module completed or event/conference attended;
- The date attended or completed;
- The training provider or event/conference organiser;
- The cost of attendance; and
- Location of the training or event.

The report will be provided to Council Members for their information, before being published on the <<Shire/ Town / City>>'s website within one month of the end of the financial year.

8. Council Member Commitment

Council Members are committed to:

- a. Take a positive approach to identifying opportunities for improvement and professional development.
- b. Prepare for, participate in and complete professional development and training approved/booked under this policy.
- c. Apply the benefits of professional development to fulfilling their Council Member role, including by sharing their knowledge with other Council Members.
- d. Make reasonable efforts to confirm their availability, or otherwise, to the CEO before booking deadlines.
- e. When requested, advise the CEO of alternative dates / times that they would be available to facilitate their participation in training.
- f. Advise the CEO, at the earliest opportunity, if they are unable to attend planned / booked training. Where training costs are unable to be refunded, applicable costs will be debited to the individual Council Member's allocation.

9. Policy Review

In accordance with s.5.128 of the Act, this policy will be provided for Council's review following each ordinary election. The <<Shire/ Town / City>> will ensure the policy review occurs within the first 12-months following each ordinary election.

Document Control Box							
Document Responsibilities:							
Owner:	[insert Position Title]			Owner Business Unit:	[insert Unit Title]		
Reviewer:	[insert Position Title]			Decision Maker:	Council		
Compliance Requirements:							
Legislation:	Sections 5.126, 5.127 and 5.128, Local Government Act 1995 Regulation 36, Local Government (Administration) Regulations 1996 .						
Other:							
Organisational:							
Document Management:							
Risk Rating:		Review Frequency:	[Biennial-following election]	Next Due:	[20##]	Records Ref:	[CP####]
Version #	Decision Reference:		Synopsis:				
1.	[decision date / TRIM Ref]		[brief description of the adoption / changes approved]				
2.							



Elected Members' Entitlements Council Policy

Responsible directorate: Governance and Strategy

Objective: To set out the support and allowances available to the City's Elected Members.

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1. Definitions:

“**annual period**” means the third Saturday in October to the third Saturday in October in the following year.

“**conferences and training**” means conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training sessions and events related to the industry of local government and held within Australia.

“**fair value**” means the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date (AASB 13).

“**ICT expenses**” means:

- a. rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the *Local Government (Administration) Regulations 1996*; or
- b. any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the *Local Government (Administration) Regulations 1996*.

2. Statement:

This policy has been prepared to comply with the provisions relevant to Elected Members' entitlements under the *Local Government Act 1995* and supporting Regulations.

3. Provision of support:

3.1. Objective:

To provide Elected Members with appropriate facilities, equipment, material and information to support them in performing their duties of Office.

3.2. Mayor:

- a. The Mayor shall, in carrying out the duties and responsibilities of that Office, be entitled to receive the benefit of the following facilities without the reduction of the fees and allowances approved by Council under section 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995*:
 - i. The provision of a luxury sedan type motor vehicle with unrestricted use for all official and civic duties connected to the Office of Mayor and for personal private use. This vehicle will be changed over in accordance with the City's general management of its light vehicles fleet. The Mayor may elect to have City of Joondalup vehicle licence number plates fitted to the vehicle at the City's expense for their term of Office (i.e. COJ 1, COJ 001, COJ 001 etc.).
 - ii. Where the Mayor is provided with a vehicle as detailed in 3.2(a)(i) above, the costs associated with the Mayor's private use of the vehicle are to be reimbursed by the Mayor.

The calculation of the reimbursement for the private use is by way of a Log Book in accordance with the requirements of the Australian Taxation Office.

- iii. Membership of the Qantas Club.
 - iv. The registration cost or ticket cost for the Mayor to attend a pre-approved event or non-approved event under the City's Attendance at Events Council Policy, provided the event does not fall into the category of a conference and training event (as defined in section 1 of this policy).
 - v. The registration cost or ticket cost of the Mayor's accompanying person (such as a spouse, family member or relative) to an event, where the Mayor is attending, or been invited to attend in an official capacity (as prescribed in clause 4(a) of the City's Attendance at Events Council Policy).
 - vi. Suitable contemporary office accommodation within the Civic Centre.
 - vii. Administrative support associated with the role of Mayor in accordance with the provisions of the *Local Government Act 1995*.
 - viii. Access to the Elected Member Lounge and refreshments.
- b. All equipment and facilities subject of this policy are provided to the Mayor on the absolute understanding that they will not be used for any election purposes.

3.3. Deputy Mayor and Councillors:

- a. The Deputy Mayor and Councillors shall, in carrying out the duties and responsibilities of their Office, be entitled to receive the benefit of the following facilities without the reduction of the fees and allowances under section 5.98, 5.98A, 5.99 and 5.99A of the *Local Government Act 1995*:
- i. Access to the Elected Member Lounge and refreshments.
 - ii. Access to suitably equipped shared office accommodation, reading room, ward meeting and conference rooms within the Civic Centre with photocopying, printing, facsimile, internet and telephone facilities.
 - iii. Some secretarial support as resources allow, including limited word processing, photocopying, and postage.
 - iv. The registration cost or ticket cost for the Deputy Mayor or Councillor to attend a pre-approved event or non-approved event under the City's Attendance at Events Council Policy provided the event does not fall into the category of a conference and training event (as defined in section 1 of this policy).
 - v. The registration cost or ticket cost of the Deputy Mayor's or Councillor's accompanying person (such as a spouse, family member or relative) to an event, where the Deputy Mayor or Councillor is attending, or been invited to attend in an official capacity (as prescribed in clause 4(a) of the City's Attendance at Events Council Policy).
- b. All equipment and facilities subject of this policy are provided to the Deputy Mayor and Councillors on the absolute understanding that they will not be used for any election purposes.

4. Issue and return of Council equipment:

4.1. Objective:

To enable Elected Members to be accessible to the community, their colleagues and the City's staff.

4.2. Equipment:

The following equipment, documents, stationery and other items will be issued to Elected Members:

- a. Either a Macbook Air, Macbook Pro or an iMac (or similar Microsoft Windows based device); an Apple iPhone; an Apple iPad; and all-in-one printer.
- b. A file backup device and a Wi-Fi capable broadband modem (such as a Time Capsule device for Mac, or an external USB device and a Wi-Fi modem for non-Mac).
- c. Elected Member Lounge key.
- d. Security card/building access card.
- e. Satchel or briefcase (optional).

Computer equipment supplied (if required) will be issued new and replaced following each local government election where the Elected Member is elected (that is every four years). Apple iPhones will be issued new and replaced following each local government election (that is every two years). Notwithstanding, equipment issued under 4.2(a) and 4.2(b) will be replaced on failure if this occurs prior to its scheduled replacement.

At the end of each two and four year period (for mobile phones and computer equipment respectively), Elected Members will have the option to either return or purchase the devices provided by the City, at fair value. The Chief Executive Officer is authorised to approve the purchase of devices at a value to be determined by the Chief Executive Officer.

The specification of the equipment supplied under 4.2(a) and 4.2(b) shall be the highest specification for the model proposed. Elected Members will be consulted prior to the provision of the equipment and have the opportunity to make requests for changes to the equipment supplied.

4.3. Other items:

- a. The following items will be issued to Elected Members:
 - i. Two name badges, and one name badge for their partner.
 - ii. Business cards.
 - iii. City of Joondalup Elected Members' letterhead.
 - iv. Christmas cards or a Christmas e-card.
 - v. Elected Member uniform (optional) (one jacket, two trousers/skirts and three shirts/blouses) and two casual City of Joondalup polo-shirts (or similar).

- b. Each Elected Member is entitled to be reimbursed to a maximum amount of \$1,610 (**July 2025**) following their inaugural election and every second ordinary election thereafter in which they are elected, or where an Elected Member is elected as a result of an extraordinary election, for the purchase of relevant home office furniture/equipment to assist them to perform their role as an Elected Member and to be used for Council-related purposes.

The amount allocated for reimbursement will be inflated annually as from 1 July based on the Consumer Price Index (All Groups Perth) Rate, rounded to the nearest \$10.

4.4. Return of equipment issued:

- a. An Elected Member must return the following equipment to the City within 14 days of ceasing to be an Elected Member:
 - i. Any mobile phone or computer equipment issued by the City (unless otherwise negotiated to purchase, at fair value). The Chief Executive Officer is authorised to approve the purchase of devices at a value to be determined by the Chief Executive Officer.
 - ii. All equipment leased by the City and provided to the Elected Member.
 - iii. Security card/building access card.
 - iv. Elected Member Lounge key.
 - v. City of Joondalup vehicle licence number plates (to be returned and exchanged at the Department of Transport Licensing Centre at the cost of the City).
- b. The value of any equipment retained by an Elected Member on retirement cannot be more than the limits set under regulation 34AC of the *Local Government (Administration) Regulations 1996*. This value will also be deducted from the value of any retirement gift given by the City under 11.2 of this policy.

5. Payment of fees and allowances:

5.1. Objective:

To detail the amount of fees and allowances to be paid to Elected Members and the conditions under which those fees and allowances shall be paid.

5.2. Annual meeting attendance fees in lieu of Council meeting and committee meeting attendance fees:

- a. In lieu of paying the Mayor and Councillors a meeting attendance fee for each prescribed meeting, the City will pay the maximum amount within the range set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid annually for meeting attendance fees for the Mayor and Councillors (see Item CJ128-07/13).
- b. Payments will be made monthly in arrears on a pro-rata basis throughout the annual period.

5.3. Annual local government allowances — Mayor and Deputy Mayor:

- a. The City will pay the maximum annual local government allowance within the range set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid to the Mayor and Deputy Mayor (see Item CJ128-07/13).
- b. Payments will be made monthly in arrears on a pro-rata basis throughout the annual period.

5.4. Annual allowance for ICT expenses:

- a. The City will pay all Elected Members the maximum annual allowance for ICT expenses as set by the Salaries and Allowances Tribunal through a determination published from time to time that may be paid to Elected Members (see Item CJ128-07/13). Additional to the annual allowance for ICT expenses, a mobile telephone is provided to Elected Members under 4.2 of this policy.
- b. Any claims by Elected Members for expenses incurred over the maximum annual allowance for ICT expenses detailed in 5.4(a) above are to be submitted on the form provided for the purpose. Additional claims above the maximum limit must be supported by receipted invoices for the maximum limit plus the additional amounts claimed. Where an Elected Member reaches the limit, all claims for reimbursement shall be referred to Council for approval.
- c. Subject to 5.4(d) full payment of the annual allowance for ICT expenses will be made in advance at the commencement of the financial year.
- d. Where an Elected Member's term of Office ceases at a local government election in a financial year, the Elected Member will be paid the annual allowance for ICT expenses on a pro-rata basis up until the local government election day. Should that Elected Member be re-elected at the local government election the remainder of the annual allowance for ICT expenses will be paid following the local government election day.
- e. Where an Elected Member commences their term of Office at a local government election, the annual allowance for ICT expenses will be paid on a pro-rata basis following the local government elections (end of October) and for the period between the local government election day and the end of the financial year in which the local government election occurred.

5.5. Conditions of payment:

- a. All allowances and fees shall be paid automatically unless an Elected Member has advised the Chief Executive Officer, in writing, that he/she does not want to claim any or part of those fees and allowances.
- b. If an Elected Member advises that he/she does not want all or part of the fees and allowances to which he/she is entitled, any subsequent request for full or additional payment will not be back paid but accrue from the date of the Chief Executive Officer receiving such a request.
- c. The taxation liability arising from these payments is the individual responsibility of each Elected Member.

6. Mandatory Elected Member Training:

Elected Members are required to complete the Council Member Essentials Course within 12 months from the day on which they are elected, unless exempt under regulation 36 of the *Local Government (Administration) Regulations 1996*. Elected Members should confirm with the Chief Executive Officer whether they are eligible for an exemption.

All costs associated with mandatory Elected Member training will be paid for by the City. The Annual Budget will include an allocation for Council as a whole, to be used for this purpose.

The City of Joondalup will provide new Elected Members with information on training options from which the Elected Member may select according to their preferred delivery mode and availability. The City will make the necessary arrangements for enrolment.

7. Continuing Professional Development within Australia:

7.1. Objective:

To enable Elected Members to develop and maintain skills and knowledge relevant to either their role as an Elected Member or the Council's role as defined under the Act.

7.2. Statement:

Elected Members are encouraged to attend conferences and training relating to the business of the City and to enable them to be more informed and better able to fulfil their duties of Office. In accordance with regulation 37(2) of the *Local Government (Administration) Regulations 1996*, Continuing Professional Development must be relevant to the Elected Member's role as defined under the Act, or the Council's role as defined under the Act.

7.3. Annual conference and training expense allocation:

- a. The following conference and training expense allocation shall be made available to Elected Members during an annual period:
 - i. The Mayor shall be entitled to \$19,800 (**July 2025**) inflated by the Consumer Price Index (All Groups Perth) Rate on 1 July each year and rounded to the nearest \$100.
 - ii. All Councillors shall be entitled to \$9,000 (**July 2025**) inflated by the Consumer Price Index (All Groups Perth) Rate on 1 July each year and rounded to the nearest \$100.
- b. In addition to the conference and training expense allocation detailed in 7.3(a) above, the Mayor shall be entitled to attend the following conferences, at the City's cost:
 - i. Annual Western Australian Local Government Association.
 - ii. Annual National Australian Local Government Association.
 - iii. Annual National Congress of the Local Government Professionals Australia.

- c. In addition to the conference and training expense allocation detailed in 7.3(a) above, Councillors shall be entitled to attend the Annual Western Australian Local Government Association conference, at the City's cost.

7.4. Approval:

Subject to section 8 of this policy for overseas travel, Elected Members may attend conferences and training:

- a. following approval by the Council where such approval is required; and
- b. by informing the Chief Executive Officer in advance of attendance.

In accordance with regulation 37(3) of the *Local Government (Administration) Regulations 1996*, approval will not be granted for training or continuing professional development that is scheduled to occur within the last three (3) months of an Elected Member's term of office or upon delivery of a notice of resignation to the Chief Executive Officer.

7.5. Conferences and training that may be attended:

The conferences and training to which this policy applies shall generally be limited to the following:

- a. Western Australian Local Government Association and Australian Local Government Association conferences.
- b. Special 'one off' conferences called for or sponsored by the Western Australian Local Government Association and/or Australian Local Government Association on important issues.
- c. Annual conferences of the major professions in local government and other institutions of relevance to local government activities.
- d. Australian Sister Cities conferences.
- e. Western Australian Local Government Association Elected Members' training and development.
- f. Training relating to the role of Elected Members.
- g. Other local government-specific training courses, workshops and forums, relating to such things as understanding the roles/responsibilities of Elected Members, meeting procedures, etc.

7.6. Payment of conference and training expenses:

7.6.1. Payment from conference and training expense allocation:

The City will pay conference or training expenses where the Elected Member has been authorised to attend and there are sufficient funds remaining within the Elected Member's annual conference and training expense allocation. Should sufficient funds be unavailable, the Elected Member may meet the difference between the actual cost and their remaining conference and training expense allocation themselves.

7.6.2.Booking arrangements:

Registration, travel and accommodation for Elected Members will normally be arranged by the City, with the appropriate City discount for travel and accommodation being provided. In general, all costs including airfares, registration fees and accommodation will be paid direct by the City. Alternatively, Elected Members may make their own booking arrangements.

7.6.3.Support activities:

The City will pay all costs for Elected Members that are charged by organisers for support activities, including those costs relating to official luncheons, dinners and tours/inspections that are relevant to the conference and training event.

7.6.4.Accommodation:

- a. The City will pay reasonable accommodation costs for Elected Members including the night before and/or after the conference and training event where this is necessary because of travel and/or the conference and training event timetables which make it unreasonable to arrive at or return home in normal working hours.
- b. Accommodation shall normally be booked at the conference and training venue or, where unavailable, at a similar-rated accommodation in the vicinity of the conference and training venue.
- c. Only accommodation costs for hotels, motels or accommodation of a similar type will be paid utilising an Elected Member's annual conference and training expense allocation. Accommodation provided by relatives or friends at a private address will not be reimbursed by the City although a meal and refreshment costs can be offered in return to the hosts under 7.6.6(e).

7.6.5.Travel:

- a. Where travel is involved, the travel is to be undertaken with all due expedition, by the shortest most practical route, to and from the conference and training venue. All reasonable travel costs for Elected Members to and from the venue/accommodation will be met by the City.
- b. Where air travel is involved, approval to attend should ideally be sought two months prior to departure to facilitate booking arrangements.
- c. All air travel within Australia shall be by Economy Class.
- d. If accommodation is at the conference or training venue, or in close proximity, taxis (or similar type service) should be used for reasonable travel requirements. Where necessary, a hire car may be arranged for the conduct of Council business. Costs of taxi fares (or similar type service), vehicle hire and parking, which are reasonable, required and incurred in attending conferences and training, will be reimbursed by the City.
- e. Where, in particular circumstances, Elected Members desire to travel interstate or intrastate by private motor vehicle, they will be reimbursed for vehicle costs in accordance with the local government kilometre allowance up to an equivalent amount that would have been expended had arrangements been made to travel by air.

7.6.6. Extent of expenses to be reimbursed:

- a. An Elected Member attending a conference and training event is entitled to be reimbursed for 'normally accepted' living costs while travelling. Such living costs would include, but are not limited to:
 - i. meals and refreshments for the Elected Member (that are not covered by the conference and training registration costs);
 - ii. dry-cleaning and laundry expenses; and
 - iii. reasonable telephone, internet and facsimile charges.
- b. Elected Members will generally not be reimbursed for the cost of meals or refreshments for other people. The main exception is where it is indicated that the meal or refreshment provided to another person is in response to a meal or refreshments previously received.
- c. Expenses will generally be reimbursed from the time an Elected Member leaves home to attend an event to the time the Elected Member returns home. Should an Elected Member extend a visit by leaving prior to the time necessary to arrive for the event or return after the time at which the Elected Member could have returned following the event, reimbursements will be paid:
 - i. for the days of the conference and training event only; and
 - ii. for the cost of travel to and from the airport to the accommodation to be used for the conference and training.
- d. Where a visit is extended, as discussed in 7.6.6(c), an Elected Member may stay for the period of the extension in different accommodation to that used for the attendance at the conference and training event. In such situations, the reimbursement of taxi fares (or similar type service) will be to the estimated cost of travel between the conference and training event's accommodation and the airport. The Elected Member will be required to pay any greater amount.
- e. Where an Elected Member does not require paid accommodation for a conference and training event because the Elected Member is able to source accommodation from another party (the hosts), the Elected Member is entitled to be reimbursed for meal and refreshment costs provided to the hosts up to the amount that would have been incurred had paid accommodation been used.
- f. Where an Elected Member attends two conference and training events and there is a gap of no more than three days between the conclusion of the first event and the start of the second event, the Elected Member shall be entitled to reasonable accommodation expenses and the reimbursement of 'normally accepted' living costs during that 'gap' period. If the gap is greater than three days, only three days reimbursement can be claimed.

7.6.7. Payment of expense reimbursements:

- a. The extent to which an Elected Member can be reimbursed for intrastate and interstate travel and accommodation costs incurred in any of the circumstances referred to in regulation 32(1) of the Regulations is as set by the Salaries and Allowances Tribunal through a determination published from time to time.

- b. Nothing prevents an Elected Member from being reimbursed expenses for intrastate and interstate travel and accommodation costs above the levels set in 7.6.7(a) where an Elected Member produces receipts or other sufficient information for the total cost to support their claim.

7.6.8. Cash advances associated with interstate and overseas travel:

- a. A cash advance of \$170 per day (**July 2025**) for interstate travel and \$270 per day (**July 2025**) for overseas travel shall be made available to Elected Members for each day the Elected Member is travelling. The cash advances per day will be inflated annually from 1 July based on the Consumer Price Index (All Groups Perth) Rate and rounded to the nearest \$10.
- b. Payments will be made by Electronic Funds Transfer into the Elected Member's nominated bank account. Any other administrative arrangements for managing this will be the most appropriate to the circumstances in the view of the Chief Executive Officer.
- c. The cash advance shall be paid to cover all reasonable incidental expenses associated with attending conference and training events attendance such as:
 - i. hotel/motel charges other than accommodation, such as dry-cleaning and laundry expenses;
 - ii. reasonable telephone, or facsimile or internet use;
 - iii. meals and refreshments for the Elected Member that are not covered by the conference and training registration cost; and
 - iv. any optional activity in a conference and training program.
- d. Documentary evidence, in the form of original invoices and receipts, must be provided for the acquittal of all cash advances. All cash advances must be acquitted within two weeks of the Elected Member returning to Perth. Amounts not acquitted shall be refunded to the City or, where agreed by the Elected Member, deducted from their annual attendance meeting fee.

7.7. Elected Member / delegate accompanying person:

- a. Subject to 7.7(d) where an Elected Member is accompanied at a conference and training event, all costs for or incurred by the accompanying person, including, but not limited to, travel, breakfast, meals, registration and/or participation in any event programs, are to be borne by the Elected Member/accompanying person and not by the City. The exception to the above being the cost of attending any official conference and training event dinner where partners would normally attend as well as accommodation costs associated with a shared room with the Elected Member where such costs are not above a room rate for the Elected Member alone.
- b. An accompanying person's registration, or accompanying person's program fee, is to be paid to the conference organiser, at time of registration. The City will administer the registration and payment process for the accompanying person if the relevant forms and payment are made to the City in advance for the accompanying person.
- c. Where the City meets an account containing any expenditure or cost incurred on behalf of an accompanying person attending, such expenditure must be repaid to the

City by the Elected Member/accompanying person within 30 days of being invoiced for such expenditure following the conclusion of the conference and training event.

- d. Where an Elected Member is attending a conference and training event and has a 'disability' as defined in the *Disability Services Act 1993*, the City will meet the travel, accommodation, and registration costs for a carer (as defined by section 3A of the *Disability Services Act 1993*) to accompany that Elected Member where that carer is a person who provides ongoing care or assistance. Costs paid by the City will not be deducted from the relevant Elected Member's annual conference and training expense allocation.

7.8. Guidelines for conference and training attendance:

Subject to the provisions of 7.3 of this policy the guidelines detailed in this section shall apply to all conference and training under this policy:

- a. An Elected Member is only entitled to attend up to two interstate conference and training events per financial year.
- b. Generally, no more than two Elected Members may attend a particular conference or training event outside Western Australia at the same time. The Chief Executive Officer or Council may, however, approve attendance by more than two Elected Members if a particular purpose or need arises.
- c. All unspent funds within an Elected Member's conference and training expense allocation shall be carried forward at the completion of each annual period.
- d. Following each ordinary local government election, Elected Members will forfeit any unspent funds, and commence their annual Elected Member's conference and training expense allocation as detailed in 7.3 of this policy.
- e. Elected Members will only be registered for conference and training events itemised in this policy if the Elected Member has sufficient funds in their annual conference and training expense allocation to meet the costs.
- f. The cost of training that is specifically arranged for attendance by all Elected Members (e.g. team-building) shall be paid from a separate allocation for the purpose and not considered as part of, and debited to, the individual Elected Member's conference and training expense allocation referred to in this policy.

8. Attendance at overseas conferences:

- a. An Elected Member may, with Council approval, attend an overseas conference. The Council report must include details of the anticipated benefits to the City and the Elected Member in attending the requested overseas conference. The specific Council resolution must state the authorised travel period that would include sufficient time to travel to and from the conference location (including a reasonable acclimatisation period) and attendance at the conference; and
- b. An Elected Member may attend an overseas conference if the Elected Member has sufficient funds in their annual conference and training expense allocation to meet the costs. Where there are insufficient funds to meet the cost of the registered overseas conference or training in the Elected Member's conference and training expense allocation, Council approval must be obtained before costs are incurred in keeping with 7.8(d) above or the Elected Member agrees to meet the additional costs personally.

- c. Air travel overseas may be by Business Class, except where an Elected Member chooses to travel at a cheaper rate. If Business Class is not available, Economy Class is to be used.
- d. Cash advances are payable for overseas conferences (see 7.6.8).

9. Report:

Upon return from any interstate or overseas conference and training event as detailed within this policy, where registration and other associated costs are met by the City of Joondalup, the attending Elected Member is required to:

- a. prepare a detailed written report on their attendance and benefits to them and the City, to be circulated to all Elected Members within one month; or
- b. present a verbal report on their attendance and benefits to them and the City, at the next available Strategy Session.

10. Reimbursement of expenses:

10.1. Objective:

To provide for the reimbursement of expenses necessarily incurred by Elected Members while performing their duties so that no Elected Member should be unreasonably disadvantaged financially due to meeting the requirements of their Office.

10.2. Child care:

- a. In accordance with regulation 31 of the *Local Government (Administration) Regulations 1996*, child care costs will be paid at the rate set by the Salaries and Allowances Tribunal through a determination published from time to time for an Elected Member's attendance at a Council meeting or a meeting of a committee of which he or she is a member and the expense is to be claimed on the form provided.
- b. Where an Elected Member attends any other meeting, reception, citizenship or other Council function, or Council-related activity and incurs child care costs, such costs may be claimed at the rate set by the Salaries and Allowances Tribunal through a determination published from time to time, provided they are substantiated with details of the date, activity attended, the actual costs incurred and original receipts being provided and attached to the claim form.
- c. Child care costs are applicable for children, either of natural birth or guardianship determined by legal process.
- d. Child care costs will not be paid for where the care is provided by a relative living in the same premises as the Elected Member. For this purpose "relative" means a spouse, de facto partner, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, cousin, lineal descendant of the Elected Member or a relative of the Elected Member's spouse or de facto partner.
- e. Child care costs shall be debited to a separate account in the budget and not be debited to or form part of an Elected Member's annual expense reimbursement limit as referred to in 10.4 of this policy.

10.3. Travel:

- a. The payment of travel costs is covered under regulations 31 and 32 of the *Local Government (Administration) Regulations 1996*.
- b. Travel costs incurred and paid by Elected Members will be reimbursed for the following:
 - i. Travel and parking expenses incurred by an Elected Member using a private motor vehicle or bicycle to, from and attending:
 - meetings of the Council or a committee of the Council and civic or Council-related functions;
 - as a delegate of the Council to statutory and other boards and committees, community organisations, conferences, local government association or industry groups or committees of them;
 - a specific request or instruction of the Council and/or including inspection, ratepayer/electors' requests or other Council duty; and
 - social functions where the Elected Member is representing the Mayor or is attending by resolution of Council or where the function is an otherwise authorised activity.
 - ii. The amount payable in respect of travelling expenses shall be paid from when a Councillor-Elect makes their declaration of Office.
 - iii. Travel expenses claimed for motor vehicles under this policy are to be calculated in accordance with the rate set by the Salaries and Allowances Tribunal through a determination published from time to time.
 - iv. Travel expenses claimed for bicycles under this policy are to be calculated in accordance with the rate of \$0.10 per kilometre.
 - v. A claim for reimbursement of expenses form indicating the date, particulars of travel, nature of business, distance travelled, vehicle displacement and total travelled in kilometres, is to be completed by members to ensure that the transport expense can be verified.
- c. Where an Elected Member deems it is more appropriate to attend a Council-related commitment without a motor vehicle or bicycle, a taxi or similar type service may be used and the costs incurred reimbursed.
- d. Should an Elected Member travel by a motor vehicle or bicycle which is not his or her own, the reimbursement will be calculated in accordance with 10.3(b) above.

10.4. Other specified expenses:

Outside of child care and travel costs an annual reimbursement limit of \$1,470 (**July 2025**) shall be available to Elected Members during an annual period for reimbursement of costs incurred as a result of performing their duties as an Elected Member. Other specified expenses include:

- a. business attire, including footwear;

- b. dry-cleaning;
- c. stationery; and
- d. paid tickets to events where the Elected Member has been invited and attendance is approved under the City's Attendance at Events Council Policy, including costs of tickets for accompanying persons to events under 3.2(a)(v) and 3.3(a)(v) of this policy.

The amount allocated for reimbursement of other specified expenses will be inflated annually from 1 July, based on the Consumer Price Index (All Groups Perth) Rate, and rounded to the nearest \$10.

Costs incurred and paid by Elected Members will be reimbursed by the City up to the reimbursement limit in each annual period. When an Elected Member reaches the limit, all claims for reimbursement shall be referred to the Council for approval. All expenses claimed must have been incurred and substantiated with provision of original invoices/receipts attached to the claim form, prior to being reimbursed on a monthly basis.

10.5. Time limit on claims and approval process:

Members electing to receive reimbursement of expenses in accordance with the provisions of this policy should submit the appropriate claim form to the Chief Executive Officer, together with supporting documentation, within two calendar months after the month in which the expenses were incurred, and by 15 July of the next financial year, in order to facilitate the finalisation of the City's annual financial statements.

10.6. Allowances and limits are exclusive of G.S.T:

Unless otherwise specified in this policy, all allowances and limits set out in this policy are exclusive of G.S.T.

Where an Elected Member does not provide appropriate documentary evidence to enable G.S.T to be claimed, the full amount of the expense incurred by the City, inclusive of G.S.T, will be applied to the relevant allocation.

10.7. Supporting documentation:

Documentary evidence is required for all expenses claimed. Original tax invoices and receipts are required for audit purposes and to enable G.S.T to be claimed.

11. Other entitlements:

11.1. Elected Member dinners:

- a. To provide an avenue to facilitate networking possibilities and for Elected Members to undertake discussions with various representatives of the community, the Council has agreed to host Elected Member dinners.
- b. The Mayor is entitled to host six dinners per calendar year, and each Ward a total of 12 each year, based on six dinners per Ward Councillor.
- c. Each table will allow for the Elected Member as host, plus up to a maximum of nine guests. Except for the Elected Member's spouse or partner, all guests invited are to have a relationship with the City or be a stakeholder of the City. Prior to an Elected

Member dinner, Elected Members are to advise the City the details of their invited guests and their relationship with the City. Details of invited guests that attend Elected Member dinners are to be reported to the Audit and Risk Committee on a quarterly basis.

11.2. Acknowledgement of service:

On retirement, Council will acknowledge the service of Elected Members through the provision of an appropriate memento, which will take the form of an engraved plate (or plaque) commemorating the Elected Member's service and a suitable gift.

The value of any gift provided to a retiring Elected Member plus the residual value of any furniture and/or office equipment retained by a retiring Elected Member is limited to the prescribed amount (excluding GST) as set out in regulation 34AC of the *Local Government (Administration) Regulations 1996*.

Creation date:	June 2002 (CJ121-06/02)
Formerly:	<ul style="list-style-type: none">• Elected Member — Allowances• Elected Member Training• Elected Members' Attendance Fees• Issue and Return of Council Related Equipment to Elected Members• Members of Council — Reimbursement of Expenses• Travel/Accommodation — Elected Members and Staff
Amendments:	CJ121-06/02, CJ206-10/05, CJ007-02/07, CJ052-04/08, CJ007-02/09, CJ094-06/10, CJ174-10/10, CJ041-03/11, CJ032-03/12, CJ185-09/13, CJ050-03/15, CJ051-04/17, CJ072-05/21, CJ077-05/22, CJ067-05/23, CJ058-03/24.
Last reviewed:	March 2024 (CJ058-03/24)
Related documentation:	<ul style="list-style-type: none">• Annual Budget• Attendance at Events Council Policy• Code of Conduct for Employees, Elected Members and Committee Members• Information Technology Service Agreement for Elected Members• Local Government Act 1995• Local Government (Administration) Regulations 1996• Public Service Officers Award• Register of Delegation of Authority• Salaries and Allowances Tribunal Determination for Local Government Chief Executive Officers and Elected Members
File reference:	101269

2022-2023 CPI (6.2%)	Existing (July 2022)	New (July 2023)	Rounded (July 2023)
Office Equipment	\$1,411.77	\$1,499.29	\$1,500
Conference	(Mayor) \$17,337.58 (Councillors) \$7,925.73	\$18,412.50 \$8,417.12	\$18,400 \$8,400
Cash Advance	(Interstate) \$148.56 (International) \$235.30	\$157.77 \$249.88	\$160 \$250
Other Specified Exp.	\$1,287.92	\$1,367.77	\$1,370

2023-2024 CPI (4.3%)	Existing (July 2023)	New (July 2024)	Rounded (July 2024)
Office Equipment	\$1,499.29	\$1,563.75	\$1,560
Conference	(Mayor) \$18,412.50 (Councillors) \$8,417.12	\$19,204.23 \$8,779.05	\$19,200 \$8,800
Cash Advance	(Interstate) \$157.77 (International) \$249.88	\$164.55 \$260.62	\$160 \$260
Other Specified Exp.	\$1,367.77	\$1,426.58	\$1,430

2024-2025 CPI (3.0%)	Existing (July 2024)	New (July 2025)	Rounded (July 2025)
Office Equipment	\$1,563.75	\$1,610.66	\$1610
Conference	(Mayor) \$19,204.23 (Councillors) \$8,779.05	\$19,780.35 \$9,042.42	\$19,800 \$9,000
Cash Advance	(Interstate) \$164.55 (International) \$260.62	\$169.48 \$268.43	\$170 \$270
Other Specified Exp.	\$1,426.58	\$1,469.37	\$1,470