

**POLICY 3.1.9 - HEIGHT AND SCALE OF BUILDINGS**  
**WITHIN A RESIDENTIAL AREA**

**OBJECTIVE**

1. To ensure that all development within a residential area of significant height and scale is given appropriate consideration with due regard to the protection and enhancement of the amenity and streetscape character of the surrounding area.

**STATEMENT**

**Area**

This planning policy applies to all development in the Residential Zone within the City of Joondalup with the exception of areas in which building height and scale is otherwise addressed in structure plans made in accordance with Part 9 of District Planning Scheme No.2.

**Definitions**

1. “Amenity” shall mean the quality of the environment as determined by the character of an area, its appearance and land use which contributes to its pleasantness and harmony and to its better enjoyment.
2. *“Building Threshold Envelope” shall mean the imaginary-invisible envelope over a building site described by a height above natural ground level of 3.5m at the side and rear boundaries increasing in line with the distance to the closest boundary to a height of 8.5 metres but not extending closer than three metres to the street boundary.*
3. “Natural Ground Level” shall mean:
  - (a) The contour or spot levels (RL) of previously undisturbed land noted on a site plan or site survey plan;
  - (b) *Land within areas having been recontoured with or without retaining walls as part of the approved subdivisional works shall be deemed to have natural ground level coinciding with the recontoured ground;*
  - (c) Where land has been previously disturbed, natural ground level shall be deemed to be based on existing records or where there are no adequate records, an estimate as determined by the Chief Executive Officer.

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**Section 3.1 – Development Services**

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**Policy Statement**

1. Applications for development approval and for building licences for developments which do not exceed the building threshold envelope are deemed to comply with the objectives of this policy and shall be processed by Approval Services in the normal manner. If it is unclear from the application due to lack of detail or complicated design whether the threshold is exceeded or not, the application shall be considered to exceed the building threshold envelope.
2. Applications for development approval and for building licences for developments which exceed the building threshold envelope except as outlined in paragraph 5 of this statement shall be accompanied by:
  - (a) A site contour plan showing natural ground level (as defined in this policy) with 0.5 metre contours prepared by a licensed surveyor;
  - (b) Plans showing finished floor levels, wall heights and roof heights of the proposed building(s);
  - (c) Written justification by the applicant for those aspects of the development which exceed the threshold set out in this policy, including the likely impact of the height and location of the building(s) on the amenity of nearby landowners and the surrounding area generally.
3. In the case of applications referred to in paragraph 3 of this statement, Council will seek written comments on the proposal for a period of 14 days from the date of notification from affected landowners of land within 15 metres of the boundaries of the subject land and on the opposite side of the street.
4. Applications which exceed the building threshold envelope shall be deemed to be non-complying applications for which Council's development approval is required. Non-complying applications shall be processed as follows:
  - (a) In cases in which notified landowners have raised no concerns or objections AND the application is supported by the Manager, Approval Services, the application shall be processed under delegated authority;
  - (b) In cases in which notified landowners have raised concerns or objections OR the application is not supported by the Manager, Approval Services, the application is to be presented to Council for determination.
5. The following may encroach beyond the building threshold envelope without restriction:

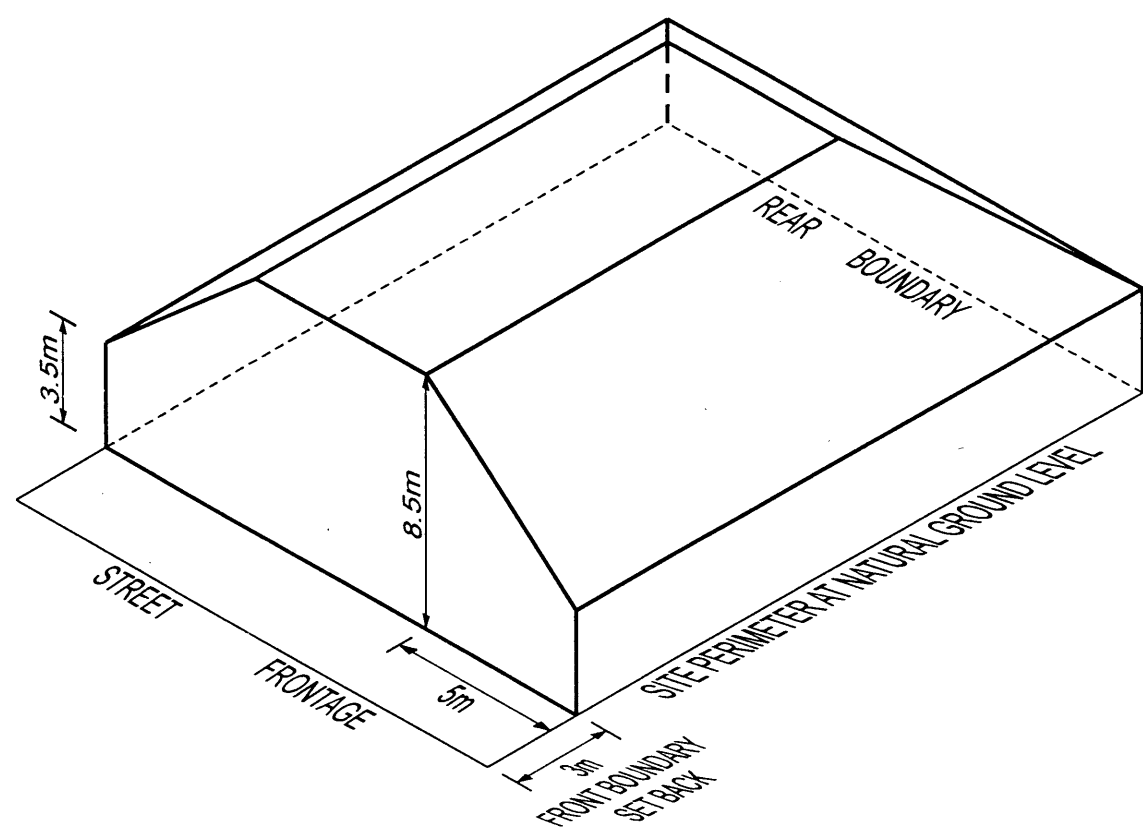
Section 3.1 – Development Services

- (a) Facsias, gutters, downpipes, eaves to a maximum width of 600mm, chimneys, flues, pipes, air conditioning plant, aerials, light fittings, electricity or gas meters or other services;
- (b) Pergolas, screens or sunblinds.

Previous Policy No.	G3-17, DS4
Amendments	CJ213-06/99
Issued	July 1999
Related Documentation:	Delegated Authority Manual

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BUILDING THRESHOLD ENVELOPE



Distance From Boundary	Height Above Natural Ground Level
0m	3.5m
0.5m	4.0m
1.0m	4.5m
1.5m	5.0m
2.0m	5.5m
2.5m	6.0m
3.0m	6.5m
3.5m	7.0m
4.0m	7.5m
4.5m	8.0m
5.0m	8.5m

SCALE 1:250  
DATE 24/11/99

**SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING  
REVIEW OF POLICY 3.1.9  
(CLOSED 30/12/99)**

NO	NAME & ADDRESS OF SUBMITTOR	SUBMISSION SUMMARY	COMMENT AND RECOMMENDATION
1	State Manager The Royal Australian Institute of Architects WA Chapter QV1 Upper Plaza Level 250 St George's Terrace PERTH WA 6000	<ul style="list-style-type: none"><li>The definition of "Building Threshold Envelope" is difficult to comprehend. The words "increasing in line (metre for metre)" seem to be a complicated way for saying "increasing at 45 degrees".</li><li>The second sentence of paragraph 1 in the Policy Statement is a denial of natural justice.</li></ul>	<ul style="list-style-type: none"><li>It is considered that the terminology is equivalent in terms of the description offered.  <b>No change to policy</b></li><li><b>That the words "or complicated design" be deleted from paragraph 1 of the policy.</b></li></ul>
2	Director Hindley & Associates Pty Ltd Building Designers PO Box 199 NEDLANDS WA 6909	<ul style="list-style-type: none"><li>Complying applications should proceed straight to Building Licence without a requirement for development approval. Onus on applicant to prove compliance.</li><li>Affected landowners being directly adjacent or neighbouring lots – (not land within 15 metres).</li></ul>	<ul style="list-style-type: none"><li>Applications for development approval and for building licences for developments, which do not exceed the building threshold envelope, are deemed to comply with the objectives of the policy and are processed by Approval Services in the normal manner.  <b>No change to policy.</b></li><li>It is considered to be more appropriate for all affected landowners of land within 15 meters of the boundaries of the subject land and on the opposite side of the street be notified, as per the existing policy.  <b>No change to policy.</b></li></ul>

NO	NAME & ADDRESS OF SUBMITTOR	SUBMISSION SUMMARY	COMMENT AND RECOMMENDATION
		<ul style="list-style-type: none"><li>Balconies to a width of 1.2 metres at street frontage and associated support columns and roof cover.</li></ul>	<ul style="list-style-type: none"><li>It is not considered appropriate to include this element, being that a feature such as a balcony does provide the potential for overlooking.</li></ul> <p><b>No change to policy.</b></p>
3	Design Manager Dale Alcock Homes Pty Ltd 136 Hasler Road OSBORNE PARK WA 6017	<ul style="list-style-type: none"><li>Building threshold envelope will create no problems on wide blocks, but there are issues with small narrow lots.</li><li>Concern that Council propose to seek written comments from affected landowners within 15m of the boundaries of the subject land and opposite side of street. Request this be amended to <i>“only those adjoining neighbours that are directly affected”</i>.</li><li>Where objections received or Manager, Approval Services does not support the application, report to Council required. Concern expressed relating to the amount of time this might take. Would prefer the application be dealt with under delegated authority based on the performance criteria.</li></ul>	<ul style="list-style-type: none"><li>Part 2(c) of the policy statement enables an applicant to provide justification with respect to the aspects of the development, which exceed the threshold set out in the policy.</li></ul> <p><b>No change to policy.</b></p> <ul style="list-style-type: none"><li>It is considered to be more appropriate for all affected landowners of land within 15 meters of the boundaries of the subject land and on the opposite side of the street be notified, as per the existing policy.</li></ul> <p><b>No change to policy.</b></p> <ul style="list-style-type: none"><li>There are bi-monthly council meetings. On this basis the time taken to process an application is not unduly affected.</li></ul> <p><b>No change to policy.</b></p>

NO	NAME & ADDRESS OF SUBMITTOR	SUBMISSION SUMMARY	COMMENT AND RECOMMENDATION
		<ul style="list-style-type: none"><li>• Suggest inclusion of the following in relation to projections that are allowed to encroach:</li><li>• <i>(a) minor wall projections (to create recesses inside rooms, fireplaces);</i></li><li>• <i>(b) architectural features (hoods for sun protection).</i></li></ul>	<ul style="list-style-type: none"><li>• Wall projections are not considered to be acceptable encroachments. Hoods for sun protection are considered to be screens under part (b) of point 5 under the heading of Policy Statement.</li></ul> <p><b>No change to policy.</b></p>
4	Executive Director Urban Development Institute of Australia 27 Charles Street SOUTH PERTH WA 6151	<ul style="list-style-type: none"><li>• Standard does not appear to address zero lot line development in higher density developments with narrow frontages.</li><li>• To expect a development building plan to be prepared in conjunction with structure plan is not reasonable as planning for small lots occurs at a later stage in the process.</li><li>• Incorporate section that highlights how Council will treat higher density and group housing developments.</li></ul>	<ul style="list-style-type: none"><li>• Part 2(c) of the policy statement enables an applicant to provide justification with respect to the aspects of the development, which exceed the threshold set out in the policy. Policy does not apply to areas covered by structure plans approved under Part 9 of Town Planning Scheme No 1.</li></ul> <p><b>No change to policy.</b></p> <ul style="list-style-type: none"><li>• The subject policy does not make any reference to this matter.</li></ul> <p><b>No change to policy.</b></p> <ul style="list-style-type: none"><li>• It is not unusual for this type of development to be included within structure plans. The policy does not apply to areas in which building height and scale is otherwise addressed in structure plans made in accordance with the Town Planning Scheme.</li></ul> <p><b>No change to policy.</b></p>