

COPY NO
FORM 1C

TOWN PLANNING AND DEVELOPMENT ACT, 1928 (AS AMENDED)
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME
CITY OF JOONDALUP
DISTRICT PLANNING SCHEME NO 2 - AMENDMENT NO 10

Resolved that the Council, in pursuance of Section 7 of the Town Planning and Development Act, 1928 (as amended) amends the above Town Planning Scheme by implementing the recommendations of the Centres Strategy and other associated matters.

DATED THIS 23RD DAY OF OCTOBER 2001

.....
CHIEF EXECUTIVE OFFICER

COPY NO

TOWN PLANNING AND DEVELOPMENT ACT, 1928 (AS AMENDED)

CITY OF JOONDALUP

DISTRICT PLANNING SCHEME NO 2 - AMENDMENT NO 10

The Council of the City of Joondalup under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended), and the Metropolitan Region Town Planning Scheme Act, 1959 (as amended), hereby amends the above Town Planning Scheme by:

1

- (i) Rezoning Portion Lot 9000 (157) Kinross Drive, Kinross from ‘Mixed Use’ to ‘Commercial’;
- (ii) Recoding Portion Lot 9000 (157) Kinross Drive from R40 to R20

and amend the Scheme Maps accordingly;

2 SCHEDULE 1

- (i) Delete the item ‘**animal husbandry**’.

- (ii) Delete the item ‘**bakery**’ and replace with :

‘**bakery**’ : means any land or buildings used to make and/or display and sell bread and pastry products, but excludes “hot bread” shops.

- (iii) Delete the item ‘**road house**’.

- (iv) Delete the item ‘**shop**’ and replace with :

‘**shop**’ : means premises where goods are kept, exposed or offered for sale by retail or hire, but the term does not include a Showroom, Drive Through Food Outlet or a Restricted Premises.

- (v) Delete the item **‘showroom’** and replace with :

‘showroom’ : means premises providing large floor space used for the displaying of goods and which may involve the sale by wholesale or retail, or hire of such goods, being goods generally of a bulky nature and without limiting the generality of the forgoing including automotive parts and accessories, camping equipment, electrical light fittings, equestrian supplies, floor coverings, furnishings, furniture, household appliances, party supplies and second hand goods. The term does not include the sale of foodstuff, liquor or beverages, items of personal adornment, magazines, books, newspapers, paper products and medicinal or pharmaceutical products.

3 TABLE 1

- (i) Delete the use classes of **‘road house’** and **‘animal husbandry’**.

4 PART 3

- (i) Renumber Clause 3.5 sub-clause 3.5.1
- (ii) after Clause 3.5.1 add the following:

3.5.2 A shop may be permitted in the Mixed Use Zone, subject to Council’s discretion after giving notice in accordance with Clause 6.7, and provided the following conditions have been met:

- (a) Shopping floor space does not exceed 200m² NLA;
- (b) The parcel of land is on a separate green title lot of not less than 1000m²;
- (c) The aggregate shopping NLA on any group of adjoining or adjacent lots in the Business and Mixed Use Zones must not exceed 1000m²; and
- (d) The direct street frontage of any lot containing a shop must be at least 20 metres in width.

(iii) after Clause 3.6.3 add the following:

3.6.4 A shop may be permitted in the Business Zone, subject to Council's discretion after giving notice in accordance with Clause 6.7, and provided the following conditions have been met:

- (a) Shopping floor space does not exceed 200m² NLA;
- (b) The parcel of land is on a separate green title lot of not less than 1000m²;
- (c) The aggregate shopping NLA on any group of adjoining or adjacent lots in the Business and Mixed Use Zones must not exceed 1000m²; and
- (d) The direct street frontage of any lot containing a shop must be at least 20 metres in width.

(iv) In table 1, insert the symbol '*' against the use class 'Shop' under the Business and Mixed Use Zones, to read 'X*'.

(v) At the end of Table 1, include the following footnote:

* - refer to Clause 3.5.2 and/or Clause 3.6.4 for further information.

ATTACHMENT NO.2

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DATED THIS 23RD DAY OF OCTOBER 2001

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CHIEF EXECUTIVE OFFICER

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CITY OF JOONDALUP

DISTRICT PLANNING SCHEME NO 2 - AMENDMENT NO 10

The Council of the City of Joondalup under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended), and the Metropolitan Region Town Planning Scheme Act, 1959 (as amended), hereby amends the above Town Planning Scheme by:

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- (i) Rezoning Portion Lot 9000 (157) Kinross Drive, Kinross from ‘Mixed Use’ to ‘Commercial’;
- (ii) Recoding Portion Lot 9000 (157) Kinross Drive from R40 to R20

and amend the Scheme Maps accordingly;

2 SCHEDULE 1

- (i) Delete the item ‘**animal husbandry**’.
- (ii) Delete the item ‘**bakery**’ and replace with :

‘**bakery**’ : means any land or buildings used to make and/or display and sell bread and pastry products, but excludes “hot bread” shops.

~~(iii) After the definition of the term “**cattery**” insert the following :~~

~~‘**Centres Strategy**’ : means the City of Joondalup ‘Centres Strategy’ Policy 3.2.8.~~

~~(iv)(iii) Delete the item ‘**road house**’.~~

~~(v)~~(iv) Delete the item **'shop'** and replace with :

'shop' : means premises where goods are kept, exposed or offered for sale by retail or hire, but the term does not include a Showroom, Drive Through Food Outlet or a Restricted Premises.

~~(vi)~~(v) Delete the item **'showroom'** and replace with :

'showroom' : means premises providing large floor space used for the displaying of goods and which may involve the sale by wholesale or retail, or hire of such goods, being goods generally of a bulky nature and without limiting the generality of the forgoing including automotive parts and accessories, camping equipment, electrical light fittings, equestrian supplies, floor coverings, furnishings, furniture, household appliances, party supplies and second hand goods. The term does not include the sale of foodstuff, liquor or beverages, items of personal adornment, magazines, books, newspapers, paper products and medicinal or pharmaceutical products.

~~(vii)~~Delete the item **'take away food outlet'**.

3SCHEDULE 3

~~(i)Delete Schedule 3 and replace with the attached Schedule.~~

4 TABLE 1

- (i) Delete the use classes of **'road house'** and **'animal husbandry'** and **'take away food outlet'**.
- (ii) Insert the symbol **'D'** against the use class **'Dry Cleaning Premises'** under the Mixed-Use zone.
- (iii) Insert the symbol **'AS'** against the use class **'shop'** under the Business and Mixed-Use zone.

5 TABLE 2

- (i) Delete the use class **'take away food outlet'**.

6 PART 3

(i) in Clause 3.2.2 after the symbol “A” insert the following :

‘AS’ = A shop use may be permitted subject to Councils discretion after giving notice in accordance with Clause 6.7 and provided the following conditions have been met:

- (a) Shopping floor space does not exceed 200m² NLA on any separate lot of not less than 1000m².
- (b) The aggregate shopping NLA in the Business and Mixed-Use Zones in any Centre must not exceed 1000m².
- (c) The direct street frontage of any lot containing a shop must be at least 20 metres.

~~(ii) renumber Clause 3.5 sub-clause 3.5.1 and add the following sub-clause:~~

~~**3.5.2** All land contained in the Mixed Use zone is located in a Centre which has specified a maximum shopping net lettable area (NLA) which relates to shopping floor area. The maximum NLA for each Centre shall be included in Schedule 3 of this Scheme and shall bind the development of the land within the Centre to no more shopping floor space than the area specified.~~

~~(iii) after Clause 3.6.2 add the following:~~

~~**3.6.3** All land contained in the Business zone is located in a Centre which has specified a maximum shopping net lettable area (NLA) which relates to shopping floor area. The maximum NLA for each Centre shall be included in Schedule 3 of this Scheme and bind the development of the land within the Centre to no more shopping floor space than the area specified.~~

~~(iv) Delete Clause 3.7.2 and replace with:~~

~~‘All land contained in the Commercial Zone is located in a Centre which has specified a maximum shopping net lettable area (NLA) which relates to shopping floor area. The maximum NLA shall be included in Schedule 3 of this Scheme and shall bind the development of the land within each Centre to no more shopping floor space than that area specified.’~~

~~(v) Delete Clause 3.11.4 and replace with:~~

~~‘With the exception of the Centre Zone containing the Joondalup City Centre, all land contained in Centre Zones is contained in a Centre which has specified a maximum shopping net lettable area which relates to shopping floor area. The maximum NLA shall be included in Schedule 3 of this Scheme and shall bind the~~

~~development of the land within each Centre to no more shopping floor space than that area specified?~~

~~7 PART 4~~

~~(i) After clause 4.15 (e) insert the following:~~

~~4.16 DEVELOPMENT OF CENTRES~~

~~4.16.1 Table 1 of the City of Joondalup Centres Strategy Policy 3.2.8 lists the functions that apply to each centre in the hierarchy of centres. Those functions are intended to apply as a strategic guide to the development of all centres identified in Schedule 3 of the scheme.~~

~~4.16.2 Subject to subclause 4.16.3, no new centre is to be developed or an existing centre redeveloped until a Structure Plan has been approved in accordance with Part 9 of the scheme. The Structure Plan is intended to guide decision making for the development or redevelopment of the subject centre. Built form will be promoted in the form of 'main street' style development using design principles outlined in the Western Australian Planning Commission's Liveable Neighbourhoods (2001) Statement of Planning Policy or any amendment or replacement of that Policy from time to time.~~

~~4.16.3 If the Council is of the opinion that a proposed expansion or partial redevelopment of an existing centre is of such a small scale as to excuse the preparation of a Structure Plan, such expansion or partial redevelopment may be approved in the absence of an Agreed Structure Plan. In any such case the built form will be encouraged where possible to adopt a 'main street' style. Development should contribute significantly to the improvement of amenity in the area and should promote a safe, convenient and attractive environment for the community. The following development standards will apply:~~

~~(a) Any building should have a zero setback to front and side boundaries with attention drawn to the improvement of the streetscape.~~

~~Building height is to be no greater than two storeys, however that constraint may be relaxed for buildings situated at prime locations and designed of landmark quality.~~

~~Car parking may be provided up to 20% less than the requirement under Table 2. Where possible car parking may be provided in the form of embayed parking within the road reserve, using the cash in lieu provisions contained in Clause 4.11.~~

~~Where any small scale expansion or part redevelopment of an existing centre is proposed in the absence of an Agreed~~

~~Structure Plan, and not in accordance with subclause 4.16.3, normal development standards under the Scheme will apply.~~

~~**Modified by resolution of the Council at the Ordinary meeting of 26 March 2002.**~~
Modified by resolution of the Council at the Ordinary meeting of 23 July 2002