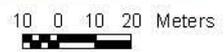




Subject Area  
Lot 4 & Lot 1  
Cnr Sheppard Way & Whiley Road, Marmion



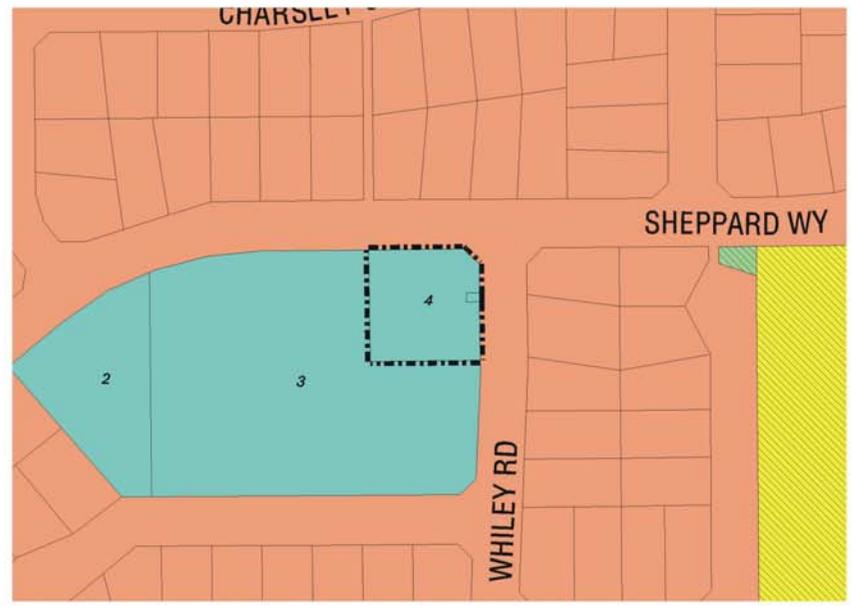
# District Planning Scheme No.2 Amendment No. 33

**LEGEND**  
 BOUNDARY OF AMENDMENT ZONE AREA

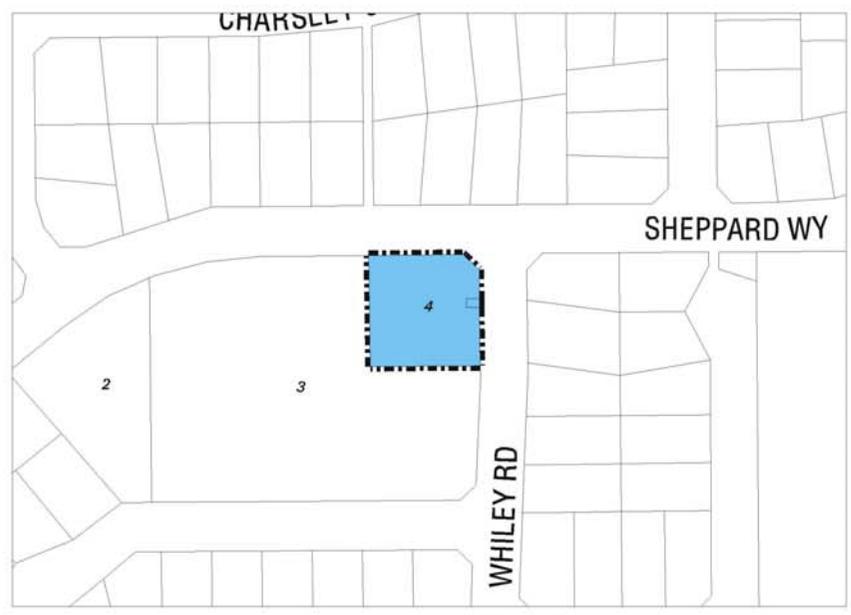
**LOCAL RESERVES**  
 PARKS AND RECREATION  
 PUBLIC USE

**ZONES**  
 RESIDENTIAL  
 COMMERCIAL  
 MIXED USE

SCALE 1: 2000



EXISTING ZONING



SCHEME AMENDMENT



# Residential Density Codes District Planning Scheme No.2 Amendment No. 33

## LEGEND



BOUNDARY OF AMENDMENT  
ZONE AREA

## RCODES



R20



R50

SCALE 1: 2000



EXISTING RESIDENTIAL DENSITY CODE



SCHEME AMENDMENT



# **SHEPPARD WAY STRUCTURE PLAN**

## **STATUTORY PART 1**

***NOTE***

***PART 2 - EXPLANATORY REPORT  
HAS NOT BEEN INCLUDED IN THIS ATTACHMENT.  
COPIES CAN BE OBTAINED UPON REQUEST FROM  
APPROVALS, PLANNING & ENVIRONMENTAL SERVICES***

## **1 SHEPPARD WAY STRUCTURE PLAN - PART 1**

### **1.1 APPLICATION OF SCHEME**

As provided for under the provisions of Clause 9.8.3, and Part 9 of the Scheme, this part of the Structure Plan has the same force and effect as a provision, standard or requirement of the Scheme.

Part 1 of this Structure Plan has been endorsed by the Western Australian Planning Commission (WAPC) as a general guide to future subdivision, zoning and development of the land included in the Sheppard Way Structure Plan area.

If a variation to the Structure Plan criteria is sought, planning approval must be sought by way of a development application to the City of Joondalup.

### **1.2 Subject Area**

The Sheppard Way Structure Plan area comprises the sum of Lot 4 (25) and Lot 1, Sheppard Way and Whiley Road, Marmion, being approximately 2,025 square metres. The Certificate of Title is contained in *Annex A*.

### **1.3 DEFINITIONS**

The terms used in this Structure Plan shall have the interpretations set out hereunder:

“BUILDING HEIGHT” means the vertical distance at any point from natural ground level to the uppermost part of the building above that point (roof ridge, parapet or wall), excluding minor projections above that point. Minor projections include finials, chimneys, vent pipes, aerials or other appurtenance of like scale.

“GROUND FLOOR LEVEL” means the floor level of a building at or nearest to the ground level of the kerb height the dwelling site.

“GROUND LEVEL” means the finished level of the lot relative to the finished Australian Height Datum (AHD) level of the road that it fronts (existing or as established at subdivision stage) and immediately adjacent to the lot. The finished level of the lot shall be +/- 0.5 metres from the AHD level of the midpoint of the road and measured from the midpoint of the frontage of each lot frontage.

“STOREY” shall mean the vertical space extending from one habitable floor of a building to the floor above and for residential properties shall be deemed to be no more than 3.5 metres. The term shall not include any space within a roof, whether used for habitation or not.

“THE SCHEME” shall mean the City of Joondalup District Planning Scheme No 2 (as amended) gazetted 28 November 2000 or such amendments or modifications thereto that may be current.

#### **1.4 RESIDENTIAL DESIGN CODES**

Unless otherwise provided for by the specific requirements of this Structure Plan, all buildings/dwellings are required to comply with the Acceptable Development Provisions (ADP's) of the Residential Design Codes of Western Australia (the Codes). Any proposed development that deviates from the ADP's will be required to address the Performance Criteria of the Codes by way of an application for development approval to the City of Joondalup.

Pursuant to Clause 4.2.5 of the Scheme, Figure 1 - Indicative building footprint plan - identifies the location of the R50 Residential Coding that applies to the site.

#### **1.5 SHEPPARD WAY STRUCTURE PLAN**

##### **1.5.1 Objectives**

Objectives intended for the Structure Plan include:

- a. Encourage a diversity of dwelling types at a maximum density of R50;
- b. To encourage a high standard of building design and landscape.
- c. To provide for efficient vehicular and pedestrian access and onsite carparking.
- d. Encourage a strong sense of architectural identity at the corner site on the junction of Sheppard Way and Whiley Road,
- e. Ensure that development on the site has regard for the amenity of adjacent lots and surrounding areas; and,
- f. Ensure proposed mixed use residential and commercial on Lot 7 and 8 integrates with and addresses the existing shopping centre (refer Figure 1).

### 1.5.2 Criteria

Criteria to be satisfied at Sheppard Way are:

- i. Notwithstanding the provisions of the Residential Design Codes, buildings should achieve a minimum setback from boundaries as follows:  
  
*Front:* building – 3.0 metres;  
  
*Side:* nil setbacks to both boundaries are permitted provided Clause (iv) below is satisfied;  
  
*Rear:* nil setback is permitted subject to fulfilling outdoor living area requirements;
- ii. Notwithstanding the provisions of the Residential Design Codes, garages to the front boundary shall achieve a minimum setback of 3.0 metres;
- iii. A one metre setback shall be permitted to the Whiley Road frontage of the corner site on the junction of Sheppard Way and Whiley Road;
- iv. Zero lot line development to a maximum height of two storeys will be permitted as set out in Clause (i) above, provided that any overshadowing of adjoining lots does not exceed 60% of any adjoining lot.
- v. Buildings to be located adjacent the shopping centre shall have a minimum setback for the second storey of 1.5 metres and shall contain major openings (and preferably balconies) to ensure passive surveillance of the shopping centre;
- vi. Each dwelling shall provide two on site car parking bays of which at least one must be covered;
- vii. Residential parking standards apply to Mixed Use residential commercial buildings and reciprocal parking is permitted on site;
- viii. Notwithstanding the provisions of the Residential Design Codes and the Building Codes of Australia, retaining walls of up to 2 metres in height are permitted and are not required to be setback from any proposed lot boundaries as required under the R-Codes;
- ix. Dwelling sites fronting Sheppard Way may have a slope gradient of greater than 1 in 10;
- x. The buildings on the junction of Sheppard Way and Whiley Road shall address each street frontage and the corner with equal importance;
- xi. Buildings shall be designed to have active frontages with minimal blank facades fronting the street and the shopping centre, particularly at the two storey level;

- xii. Advertising, signage or hoardings will be countenanced on the mixed use residential commercial buildings (proposed Lot 7 and 8) with the required development approval in conformity with the provisions and approvals required in the City of Joondalup District Planning Scheme and Signs Local Law for a residential area;
- xiii. Canopies or awnings to the exterior ground floor level of the mixed use residential commercial buildings (proposed Lot 7 and 8) shall be permitted to within one metre of the boundary;
- xiv. Pitched roofs shall be no less than 22 degrees and no greater than 35 degrees in gradient. Minor projections such as verandahs and canopies may have shallower pitches. Curved roofs and flat roofs concealed by parapets shall also be permitted;
- xv. The maximum Building Height, as measured from existing curb level, shall be: *Wall height* – 7 metres; *Roof ridge* – 9.5 metres;
- xvi. The provisions of the City of Joondalup Policy 3.1.9 “Height and Scale of Buildings within a Residential Area”, shall not apply;
- xvii. Tower elements must contribute to the landmark quality of the building and can take the form of towers, lookouts, and lofts. The tower element can only be located on corner lot at the junction of Sheppard Way and Whiley Road and shall have a maximum building height of: *Roof ridge* – 11 metres and plan dimensions no greater than 4 metres by 4 metres;
- xviii. Electronically lit basement structures are permitted in response to the sloping gradient of the site;
- xix. Notwithstanding the provisions of the Residential Design Codes, open space shall not be less than 40% of each individual lot;
- xx. Utility areas such as bin and service areas and any air conditioning units shall be screened from view from streets and the adjoining shopping centre;
- xxi. Fencing to front boundaries shall be no more than one metre in height and constructed of the same materials as the dwelling and be visually permeable;
- xxii. The landowner shall construct a new dual use path along frontage of Sheppard Way and Whiley Road to the specification and satisfaction of the City of Joondalup. The path will be required as a condition of subdivision and/or strata approval for the proposed development, however a bond may be considered in lieu of construction until such time as dwelling construction upon the land is completed so as to not damage the new dual use path; and

- xxiii. The maximum retail Net Leasable Area (NLA) for the two proposed mixed use residential commercial buildings (proposed Lot 7 and 8) shall be 100m<sup>2</sup> NLA each; this can not be varied by Clause 4.5.1 of the District Scheme.
- xxiv. The landuses permitted in this development are as follows:
- Bank;
  - Chemist;
  - Drycleaning Premises;
  - Hairdresser;
  - Home Occupation Classes 1, 2 and 3.
  - Medical Centre;
  - Newsagent;
  - Office; and

not those listed in the Mixed Use Zone of the Planning Scheme. Excluded uses comprise restaurants, cafes and take-away food outlets and food preparation establishments; these are not permitted.

### ***1.6 Indicative Building Footprint Plan***

An indicative building footprint plan – Figure 1 - is overleaf and demonstrates the area within which buildings may be constructed, in accordance with the design criteria.

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figure 1 indicative building footprint plan  
lot 4, sheppard way, marmion

0 5 10m  
scale 1:500 (A4)

**Scheme Amendment Process**

