

BURNS BEACH STRUCTURE PLAN

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STRUCTURE PLAN NO. 10

This Structure Plan is prepared under the provisions of Part 9 of the City of Joondalup District
Planning Scheme No. 2

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EXECUTIVE SUMMARY

The Burns Beach site is located north of Burns Beach Road, west of Marmion Avenue, immediately north of the existing Burns Beach townsite. The subject land is approximately 290 hectares in area and consists of vegetated coastal land and portions of coastal dune ridges and landforms.

Just less than half of the site (144 hectares), reserved as Parks and Recreation under the Metropolitan Region Scheme, is to be retained for conservation purposes. The remaining portion of the western cell, totalling 147.5316 hectares, is to be developed for urban land uses.

The Burns Beach Structure Plan has determined the overall land use and form of development for the subject land. The Structure Plan has divided the site into the following precincts:

- Residential R20 Precinct;
- Residential R40 Precinct;
- ~~Special-Northern~~ Residential Precinct;
- Local shop precinct;
- Beach kiosk/restaurant precinct; and
- Parks and Recreation Reserve.

The overall vision embraced by the Structure Plan is to create a development which is environmentally, socially and economically sustainable. The design philosophy was to create a high quality residential environment with a strong community focus and a real sense of identity. Burns Beach will be a landmark, leading edge development.

The Structure Plan has emerged from a comprehensive community and stakeholder consultation process. The consultation process provided a range of opportunities for stakeholders input and engaged stakeholders in the preparation on the Structure Plan. The Structure Plan enjoys broad stakeholder support.

This Structure Plan is divided into two parts:

Part 1 – Statutory Planning

Part 2 – Explanatory Report

Part 1 of the report outlines the objectives and provisions for each precinct and reservation. Part 2 provides further explanation about the site and the rationale for the urban design.

PART 1 – STATUTORY PLANNING

As provided for under 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 is a general guide to future subdivision, zoning and development of the land included in the Burns Beach Structure Plan.

1.0 SUBJECT AREA

The Structure Plan area covers approximately 291 hectares of Lot 9017 on Deposited Plan 40143 and described on Certificate of Title Volume 2565 Folio 138 (refer Appendix 1). The land is bound by Marmion Avenue to the east, Burns Beach Road and the existing Burns Beach townsite to then south, the Indian Ocean to the west and vacant land to the north.

2.0 STRUCTURE PLAN PRECINCTS/RESERVATIONS

The Structure Plan divides the land into the following precincts:

- Residential R20 Precinct;
- Residential R40 and R60 Precinct;
- ~~Special-Northern~~ Residential Precinct;
- Local shop precinct;
- Beach shop/lunch bar/restaurant precinct; and
- Parks and Recreation Reserve.

The Burns Beach Structure Plan is shown at Plan 1 attached to this part of the report.

3.0 DEFINITIONS

The terms used in this part of the Structure Plan Report shall be interpreted in accordance with the City of Joondalup District Planning Scheme No.2 and as set out hereunder:

“STOREY” shall mean the vertical space extending from one habitable floor of a building to the floor above (or if there is no floor above, between the floor level and the ceiling) and shall be deemed to be no more than 3.5 metres. A loft space within a roof shall not be defined as a storey, whether habitable or otherwise.

“LOFT” shall mean a habitable or non habitable space contained wholly within the roof of a building including a space served by dormer type windows which may project forward of the main roof pitch. A loft space is not permitted to have a balcony or terrace.

“BUILDING HEIGHT” shall mean 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 LOT LEVEL” shall mean the finished level of the lot relative to the midpoint of the verge that it fronts (existing or established at subdivision stage) and immediately adjacent to the lot. ~~The finished level of the lot shall be $\pm 1/-0.5$ metre from the level of the verge at the front of the lot, measured from the mid point of the frontage of the lots. Lots with rear laneway access that are required to be accessed from the rear lane may be permitted to substitute $\pm 2/-1.5$ metres in lieu of the $\pm 1/-0.5$ metre.~~

–“SINGLE DWELLING” shall mean a dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on Certificates of Titles with areas held in common property.

“R CODES” shall mean the Residential Design Codes of Western Australia, October 2002 or any such amendments or modifications thereto that may be current.

“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.

“PRIMARY STREET”, in the case of a lot located on a corner, shall mean that street which the lesser length boundary faces as demonstrated by Figure 1 below.

“SECONDARY STREET”, in the case of a lot located on a corner, shall mean that street which the greater length boundary faces by Figure 1 below.

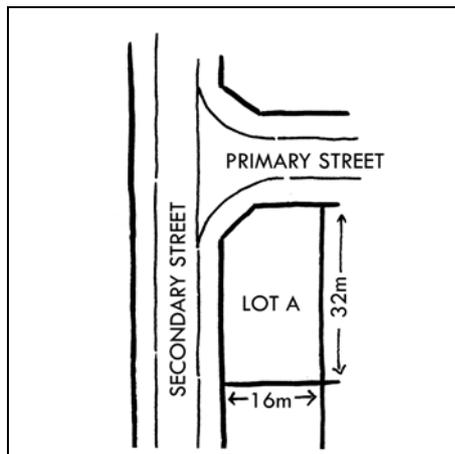


Figure 1: Primary & Secondary Street (not to scale)

“LOCAL SHOP” shall mean land and buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents and operated during hours which may include or may extend beyond normal trading hours.

4.0 THE SCHEME

Unless provided for by specific requirements of this Structure Plan, all requirements shall be in accordance with the provisions of the City of Joondalup District Planning Scheme No.2 or such amendments or modifications thereto that may be current.

5.0 RESIDENTIAL R20 PRECINCT

5.1 Objectives

The objectives for the Residential R20 Precinct are:

- To provide for a variety of lot sizes and single residential dwelling types at a maximum density of R20.
- To provide residential homesites which have the correct solar orientation to facilitate the construction of energy efficient dwellings;
- To provide homesites with coastal proximity that derive benefit from ocean views and access to cooling sea breezes;
- To provide homesites which overlook parkland areas and streets to maximise passive surveillance opportunities and promote attractive streetscapes.
- To maintain a high level of pedestrian connectivity, amenity and safety.
- To ensure that the impact on the visual quality and aesthetics of the area are minimised, air conditioning or cooling units, hot water systems, solar panels, bin storage areas, TV antennae, satellite dishes and radio masts should be located such that they are screened from public view and they are located in a position to minimise noise impacts on neighbouring residences.

5.2 Land Use and General Provisions

Land use permissibility and general provisions in the Residential R20 Precinct shall be the same as those within the Residential zone under the City's District Planning Scheme No 2.

The R20 residential density codes shall apply to future development within the Residential R20 Precinct. All dwellings are required to comply with the Residential Design Codes ~~2002~~ unless otherwise provided for in this Structure Plan.

- I. Dwellings constructed on corner lots must be designed to address both the primary and secondary street. Dwellings should face both the primary and secondary street at the corner and should be design to 'turn the corner' rather than focus visually interesting elevations only on the primary street. This can be achieved by the following:
 - having habitable rooms and major openings facing both the primary and secondary street;
 - by reducing the fencing along the secondary street boundary so that it is located at least 4 metres behind the front building line;
 - having open style fencing along the front portion of the secondary street boundary rather than solid fencing.

Dwellings which address both the primary and secondary street are a superior urban design and streetscape solution and also increase the opportunity for casual surveillance of the street and the security of the area.

- II. The provisions of the City of Joondalup Policy 3.1.9 "Height and Scale of Buildings within a Residential Area" shall not apply.
- III. Dwellings shall be constructed to a maximum height of 2 storeys with loft areas within the roof space permitted.

IV. The maximum building height measured from natural ground level shall be:

Maximum wall height (with pitched roof) – 6.5 metres

Maximum total height to roof ridge – 9.5 metres

Maximum wall and total height (parapet wall with concealed roof) – 7.5 metres

V. The maximum height of non permeable front fencing, inclusive of retaining walls, is limited to 1.3m above the midpoint of the verge that it fronts and immediately adjacent to the lot.

VI. The ground lot level of each lot in this precinct shall be +/-0.5 metres from the level of the verge at the front of the lot, measured from the mid point of the frontage of the lots. Lots with rear lane access that are required to be accessed from the rear lane may be permitted to substitute +/- 1.5 metres in lieu of +/-0.5 metres.

6.0 RESIDENTIAL R40 AND R60 PRECINCT

6.1 Objectives

- To provide for diversity in lot sizes and single dwelling types at a maximum selected sites at densities of R40 and R60 as indicated on the Structure Plan;
- To provide lots that maximise the benefits of good solar orientation and facilitate the construction of energy efficient dwellings;
- To provide for smaller homesites around the parklands areas, adjacent to the coast and the local shop site.
- To provide homesites which overlook parkland areas and streets to maximise passive surveillance opportunities and promote attractive streetscapes.
- To maintain a high level of pedestrian connectivity, amenity and safety.
- To ensure that the impact on the visual quality and aesthetics of the area are minimised, air conditioning or cooling units, hot water systems, solar panels, bin storage areas, TV antennae, satellite dishes and radio masts should be located such that they are screened from public view and they are located in a position to minimise noise impacts on neighbouring residences.
- To promote subdivision and housing development which provides for housing at higher densities as the neighbourhood matures.



Indicative photos of R40 residential development

6.2 Land Use and General Provisions

Land use permissibility and general provisions in the Residential R40 and R60 Precinct shall be the same as those within the Residential zone under the City's District Planning Scheme No 2.

All dwellings are required to comply with the Residential Design Codes ~~2002~~ unless otherwise provided for in this Structure Plan.

~~I. Front setbacks shall be a minimum of 3 metres with an average of 4 metres.~~

- I. To maximise winter solar penetrations, solar accessible courtyards are required. A nil setback onto a nominated side boundary is permitted to facilitate this. For north-south orientated lots the nil setback shall be on the western boundary (Refer Figure 2). For east-west orientated lots the nil setback shall be on the southern boundary (Refer Figure 2).

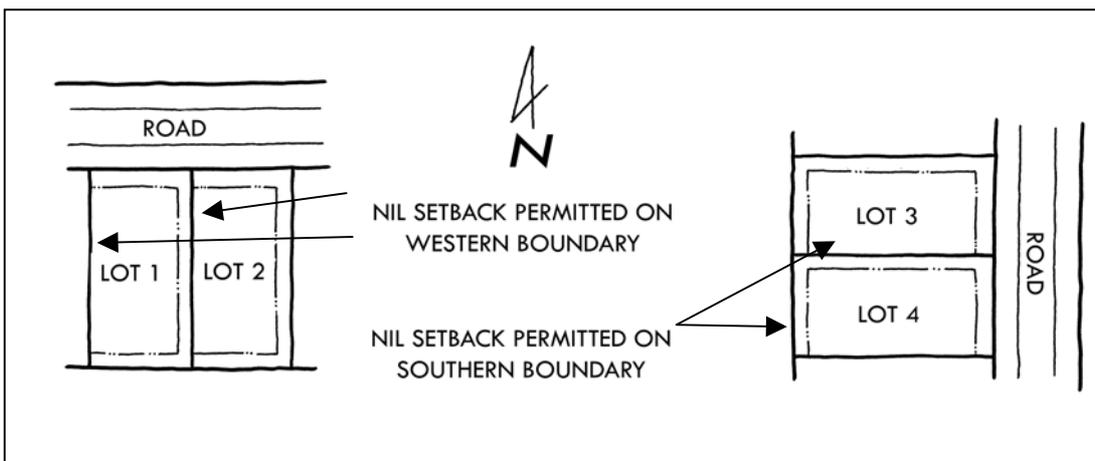


Figure 2: Nil Setback Provision (not to scale)

- II. Walls which have a nil setback shall not be higher than 3.5m for 2/3 of the length of the balance of the boundary behind the front setback permitted.

- III. For side boundaries not subject to a nil setback, and where a side wall contains a major opening to a habitable room (as defined in the R-Codes, but excluding bedroom and fully enclosed swimming pool or patio), the minimum side setback shall be 2 metres in order to maximise solar access.
- IV. Setback to a secondary street shall be a minimum of 1.5 metres.
- V. The ground floor of a dwelling, including the garage, must be setback a minimum of 1.5 metres from the rear boundary where the laneway is less than 7.0m in width. Where the laneway is 7.0m or wider the rear setback may be reduced to 1.0m. A 1.0 1.5m visual truncation to the garage opening must be provided. The first floor is permitted to have a nil setback to the rear boundary.
- VI. Each dwelling must provide a minimum of 2 on site covered car bays
- VII. Where vehicular access is available from a dedicated rear laneway or internal private driveway, vehicular access and garage location ~~is required to~~ must be from the rear laneway or internal access way private driveway.
- VIII. With the exception of corner lots, the dwelling is to be designed to address and face the primary street, with clearly defined pedestrian path to the front of the residence.
- IX. An outdoor living area with a minimum area of 20 sqm for R40 and 16 sqm for R60, and a minimum dimension of 4m which is directly accessed from a living area is to be provided in a location to best facilitate winter solar penetration. This may include space located in front of the street setback.
- X. A minimum of 35% of the lot area is required to be provided as open space.
- XI. The provisions of the City of Joondalup Policy 3.1.9 “Height and Scale of Buildings within a Residential Area” shall not apply.
- XII. Dwellings shall be constructed to a maximum height of 2 storeys with loft areas within the roof space permitted.
- XIII. The maximum building height measured from natural ground level shall be:
Maximum wall height (with pitched roof) – 6.5 metres
Maximum total height to roof ridge – 9.5 metres
Maximum wall and total height (parapet wall with concealed roof) – 7.5 metres
- XIV. The maximum height of non permeable front fencing, inclusive of retaining walls, is limited to 1.3m above the midpoint of the verge that it fronts and immediately adjacent to the lot.
- XIV.XV. Dwellings constructed on corner lots must be designed to address both the primary and secondary street. Dwellings should face both the primary and secondary street at the corner and should be design to ‘turn the corner’ rather than focus visually interesting elevations only on the primary street. This can be achieved by the following:
- having habitable rooms and major openings facing both the primary and secondary street;
 - by reducing the fencing along the secondary street boundary so that it is located at least 4 metres behind the front building line;

- having open style fencing along the front portion of the secondary street boundary rather than solid fencing.

XVI The ground lot level of each lot in this precinct shall be +/-0.5 metres from the level of the verge at the front of the lot, measured from the mid point of the frontage of the lots. Lots with rear lane access that are required to be accessed from the rear lane may be permitted to substitute +/- 1.5 metres in lieu of +/-0.5 metres.

7.0 LOCAL SHOP PRECINCT

7.1 Objective

A local shop precinct is shown on the Structure Plan (refer Plan 1). A local shop precinct has been identified to allow for the development of a small retail facility in the centre of the Estate to cater for the daily needs of the local community. It is envisaged that a small lunch bar and/or restaurant/cafe would also be developed ~~adjacent to~~opposite the local shop to frame the corner and to create a small mainstreet focus that enhances the vitality and vibrancy of the Estate and extends activity beyond the day light hours. Residential development will also be permitted. Shop top housing or shop top office style of development is encouraged.

Any exterior lighting for a shop, lunch bar or restaurant should be configured so as to minimise any detrimental impact on adjoining residential development through light overspill.

The provision of on-street car parking and parking areas within the central POS opposite the site, together with the fact that the site is in a highly accessible area for pedestrians and cyclists, on site car parking for the local shop/lunch bar/restaurant should be minimised. The number of car bays required on site will be determined by Council and assessed against the merits of the specific case as part of a development application. Any car parking provided on site should be located at the rear of the building and be accessed from the rear laneway in order to comply with Mainstreet design principles. Mainstreet design principles encourage active land use-street interfaces with building frontages to streets with minimal setbacks and parking and service areas to the rear of the building.

7.2 Land Uses

The permissible land uses ~~permitted~~ within ~~this e~~ sites are as follows:

- Local Shop
- Shop
- Office
- Single Dwelling
- Group Dwelling
- Caretakers Flat/House
- Lunch Bar
- Restaurant

No other land uses are permissible in this Precinct.

7.3 **General Provisions**

A [small](#) local shop [facility site](#) is required to be provided in this precinct. Wholly residential or office development is not permitted to occupy the entire precinct.

All residential development is required to comply with the Residential Design Codes unless otherwise provided for in this Structure Plan.

- I. Non-residential development proposals within the local shop precinct shall be assessed in accordance with the District Planning Scheme, Council's policies, relevant Local Laws and the Building Codes of Australia, except where they have been varied in the following instances:
- II. Buildings shall be constructed to a maximum height of 2 storeys with loft areas within the roof space permitted.
- III. A minimum of two (2) on site car parking bays shall be provided [for dwellings](#) and shall be accessed from the rear laneway.
- IV. The maximum building height measured from natural ground level shall be:
 - Maximum wall height (with pitched roof) – 6.5 metres
 - Maximum total height to roof ridge – 9.5 metres
 - Maximum wall and total height (parapet wall with concealed roof) – 7.5 metres
- V. Setback from all street boundaries (primary and secondary) shall be a minimum of 2 metres. A larger setback is encouraged to cater for alfresco dining and footpath trading opportunities.
- VI. Setback from a side boundary shall be a minimum of 1 metre for the ground floor and 1.5 metres from the first floor.
- VII. Setback from the rear boundary shall be 1.5 metres for a garage or carport and 6 metres for the main building where the laneway is less than 7.0m in width. Where the laneway is 7.0m or wider the rear setback for the garage may be reduced to 1.0m. A ~~1.5m~~ [1.0 metre](#) visual truncation to the garage opening must be provided.
- VIII. To ensure that the impact on the visual quality and aesthetics of the area are minimised, air conditioning or cooling units, hot water systems, solar panels, bin storage areas, TV antennae, satellite dishes and radio masts should be located such that they are screened from public view and they are located in a position to minimise noise impacts on neighbouring residences.
- IX. Buildings constructed on corner lots must be designed to address both the primary and secondary street. Buildings should face both the primary and secondary street at the corner and should be design to 'turn the corner' rather than focus visually interesting elevations only on the primary street. This can be achieved by the following:
 - having habitable rooms and major openings facing both the primary and secondary street;
 - by reducing the fencing along the secondary street boundary so that it is located at least 4 metres behind the front building line;

- having open style fencing along the front portion of the secondary street boundary rather than solid fencing.
- Residential development within the local shop precinct shall be in accordance with the Mixed-Use Development Requirements of the Residential Design Codes [2002](#).

8.0 BEACH SHOP/LUNCH BAR AND RESTAURANT PRECINCT

8.1 Objective

A beach shop/lunch bar and restaurant are permitted within POS 6 as shown on the Structure Plan. The development of a shop/lunch bar and a restaurant is proposed to provide for opportunities for the local population and visitors to the area to enjoy the coastal environment and to increase the vibrancy of the area as a destination beyond day light hours.

The provision of on-street car parking and parking areas in the vicinity of the precinct, together with the fact that the precinct is in a highly accessible area for pedestrians and cyclists, on site car parking for the beach shop, lunch bar and restaurant should be minimised. The number of car bays required on site will be determined by Council and assessed against the merits of the specific case as part of a development application.

8.2 Land Use

The [permissible land](#) uses ~~permitted~~ within this precinct are as follows:

- Lunch Bar
-  ~~Shop (includes Fish & Chip shop, take away pizza shop)~~
- Restaurant/[Cafecafé](#)

[No other land uses are permissible in this Precinct.](#)

8.3 General Provisions

Development proposals within this precinct shall be assessed in accordance with the District Planning Scheme, Council's policies, relevant Local Laws and the Building Codes of Australia.

9.0 ~~SPECIAL DESIGN~~ NORTHERN RESIDENTIAL PRECINCT

The land in this precinct is naturally very steep. Accordingly, special consideration must be given to the urban design and built form outcomes in the precinct.

9.1 Objectives

- To provide a ~~Special Design~~Northern Residential Precinct within which endeavours will be made to maintain the general landform;
- ~~To provide a Special Design Precinct within which endeavours will be made to accommodate level differences within individual dwelling design~~To provide a variety of lot sizes and dwelling types with selected sites identified at a maximum density of R60 as indicated on the Structure Plan;
- To provide homesites which ~~have encourage~~ the correct solar orientation and facilitate the construction of energy efficient dwellings;
- To provide homesites with ocean proximity that derive benefit from the cooling sea breezes;
- To maintain a high level of pedestrian connectivity, amenity and safety;
- To provide homesites which overlook parkland areas and streets to maximise passive surveillance opportunities and promote attractive streetscapes;

9.2 **Land Use and General Provisions**

Development of all lots within the ~~Special Design~~Northern Residential Precinct shall be in accordance with the R20 residential density code, except where defined on the approved Structure Plan at ~~a higher density~~R40 and R60, and development shall be assessed in accordance with the Residential Design Codes, District Planning Scheme, Council's policies, relevant Local Laws and the Building Codes of Australia, except where they have been varied in the following instances:

Land use permissibility and general provisions in the Northern Residential Precinct shall be the same as those within the Residential zone under the City's District Planning Scheme No 2.

For lots within the Northern Residential Precinct with a R20 residential density code, the provisions of the Residential R20 Precinct apply.

For lots within the Northern Residential Precinct with a R40 or R60 Residential Code, the relevant provisions of the Residential R40 and R60 Precinct apply, except where they have been varied below:

- I. For lots coded R60, the plot ratio shall be 0.85 for both single/grouped dwellings and multiple dwellings.
- II. Dwellings shall be constructed to a maximum height of ~~32~~ storeys with loft areas within the roof space permitted.
- III. The maximum building height measured from natural ground level shall be:

Maximum wall height (with pitched roof) – ~~96.5~~ metres

Maximum total height to roof ridge – ~~129.5~~ metres

Maximum wall and total height (parapet wall with concealed roof) – ~~107.5~~ metres

~~I. Dwellings constructed on corner lots must be designed to address both the primary and secondary street. Dwellings should face both the primary and secondary street at the corner and should be design to ‘turn the corner’ rather than focus visually interesting elevations only on the primary street. This can be achieved by the following:~~

- ~~☐ having habitable rooms and major openings facing both the primary and secondary street;~~
- ~~☐ by reducing the fencing along the secondary street boundary so that it is located at least 4 metres behind the front building line;~~
- ~~☐ having open style fencing along the front portion of the secondary street boundary rather than solid fencing.~~

~~Dwellings which address both the primary and secondary street are a superior urban design and streetscape solution and also increase the opportunity for casual surveillance of the street and the security of the area.~~

~~II. Dwellings shall be constructed to a maximum height of 2 storeys with loft areas within the roof space permitted.~~

~~This precinct will be the subject of further detailed engineering design given the steep nature of the topography in the area. At the completion of this design process, additional provisions will be added to this Structure Plan, if necessary, through a modification to the Structure Plan.~~

IV Retaining walls within the Northern Design Residential Precinct are permitted up to a height of 4.0m in locations shown on Figure 3. Building Licence applications showing all details of the retaining walls are required to be submitted to Council for approval.

Retaining walls in excess of 4.0m may be approved by Council, with a Development Application for walls above 4.0m needing to be submitted for approval prior to the issuing of a Building Licence.

V The ground lot level of each lot in this precinct shall be +1 / -0.5 metres from the level of the verge at the front of the lot, measured from the mid point of the frontage of the lots. Lots with rear lane access that are required to be accessed from the rear lane may be permitted to substitute +/- 2 metres in lieu of +1 / -0.5 metres.”

Access to the swimming beach located to the north of the ~~Special Design~~Northern Residential Precinct will be accommodated from the perimeter road at some stage in the future. A Management Plan will need to be prepared by the relevant State and Local Government authorities in conjunction with the developer of the Burns Beach Structure Plan area for this area of Park and Recreation reserve. The future formal access road to the swimming beach would need to connect at some point to the perimeter road separating the Parks and Recreation reserve and foreshore reserve from the developable area within the “Urban Development” zone proposed as part of this Structure Plan. It has therefore been indicated on Plan 1 of the Structure Plan that a future road providing formal vehicular access to the future northern swimming beach will be constructed in the future. However, the final alignment and form of this road and the facilities to be provided at the beach is subject to the Management Plan prepared by relevant State and Local Government authorities, in conjunction with the developer of the Burns Beach Structure Plan area.

10.0 PARKS AND RECREATION RESERVE

The area depicted on the Structure Plan as “Parks and Recreation” Reserve is Reserved under the Metropolitan Region Scheme. Development of this land shall comply with the provisions applicable to “Parks and Recreation” Reserved land under the Metropolitan Region Scheme and the City of Joondalup District Planning Scheme No.2.

11.0 MODIFICATIONS TO THE STRUCTURE PLAN

All subdivision and development on the subject land must be generally in accordance with the Structure Plan.

