

Omnibus Amendment

Proposal 1 – Responsible Authority

1. Modifying clause 1.2 by adding ‘or “local government”’ after “Council”.

Proposal 2 – Application for Planning Approval

2. Delete Clause 6.1.3 and replace with:
 - 6.1.3 Except as otherwise provided in the Scheme, for the purposes of the Scheme the following development does not require the planning approval of local government:
 - (a) the carrying out of any building or work which affects only the interior of a building and which does not materially affect the external appearance of the building except where the building is:
 - (i) located in a place that has been entered in the Register of Heritage Places under the *Heritage of Western Australia Act 1990*;
 - (ii) the subject of an order under Part 6 of the *Heritage of Western Australia Act 1990*; or
 - (iii) included on the Heritage List under clause 5.2 of the Scheme;
 - (b) the erection on a lot of a single house including any extension, ancillary outbuildings and swimming pools, except where:
 - (i) the proposal does not comply with the acceptable development standards of the Residential Design Codes; or
 - (ii) included on the Heritage List under clause 5.2 of the Scheme; or
 - (iii) the lot is less than 350m²; or
 - (iv) the development does not satisfy the requirements of a Local Planning Policy;
 - (c) the demolition of any building or structure except where the building or structure is:
 - (i) located in a place that has been entered in the Register of Places under the *Heritage of Western Australia Act 1990*;
 - (ii) the subject of an order under Part 6 of the *Heritage of Western Australia Act 1990*;
 - (iii) included on the Heritage List under clause 5.2 of the Scheme; or

- (iv) located in an area that will in the opinion of Council affect a place included on the Heritage List pursuant to clause 5.2;
- (d) additions to a grouped dwelling, where they are in accordance with the requirements of the Scheme, any relevant Structure Plan, Local Planning Policy and the acceptable development standards of the Residential Design Codes;
- (e) an outbuilding to a single house or grouped dwelling that is less than 10m² in area which complies with the acceptable development standards of the Residential Design Codes with the exception that it may abut two boundaries (excluding street boundaries);
- (f) a patio to a single house or grouped dwelling where:
 - (i) the posts and roof/eaves are setback a minimum of 500mm from any boundary (with the exception of a street boundary);
 - (ii) the wall/post height is no greater than 3.5m above natural ground level; and
 - (iii) the cumulative length of all structures (including the proposed patio) located less than one metre from the boundary or boundaries adjacent to the location of the proposed patio does not exceed 9m in length;
- (g) a satellite dish, aerial or antenna where it complies with the provisions of the relevant Local Planning Policy;
- (h) the parking of one commercial vehicle on a lot containing a single house in accordance with clause 4.15 and in respect of subclause 4.15(b)(iii) there is no requirement to present to council the information referred to in the subclause. However, if council requests the owner or occupier of the lot on which a commercial vehicle is being parked to provide the information referred to in clause 4.1.5(iii) and that information is not provided within the period required by the request or such further period as council may allow the exemption from the requirement for planning approval shall cease;
- (i) the parking of one recreational vehicle, in accordance with clause 4.16.1;
- (j) the erection of a boundary fence where it:
 - (i) replaces an existing estate fence of the same height, and with same or similar construction and materials; or
 - (ii) is constructed in accordance with the *Dividing Fences Act 1961*; and
 - (iii) with the exception of estate fencing to which clause 6.1.3(j)(i) applies, complies with the requirements of the Scheme, any relevant Structure Plan, Local Planning Policy

and the acceptable development standards of the Residential Design Codes;

- (k) cubby houses constructed in accordance with the provisions of the relevant Local Planning Policy;
- (l) the carrying out of any works on, in, or under a street or road by a public authority acting pursuant to the provisions of any statute;
- (m) the carrying out of works urgently necessary in the public safety or for the safety or security of plant or equipment or for the maintenance of essential services;
- (n) the conducting of a Home Business – Category 1 in zones other than those zones in which this use is prohibited in Table 1;
- (o) any works which are temporary and in existence for less than 48 hours or such longer time as the local government agrees;
- (p) any of the exempted classes of advertisements listed in Schedule 4 except in respect of a place included in the Heritage list or in a heritage area;
- (q) signage where it complies with the provisions listed in Table 1 of the relevant Local Planning Policy.
- (r) In the case of land within the Central Core district, City Fringe district, Mixed Use Corridor district, Business Boulevard district, Business Support district, and Arena district of the Joondalup City Centre Structure Plan, a change of land use from a permitted or 'P' use to another permitted or 'P' use within the district where the land is situated, where:
 - (i) The minimum car parking standard is the same; and
 - (ii) There are no changes to the land, building or use of the site which would change the required provision of car parking for the site.

Proposal 3 – Table 1 (clause 3.2) – The Zoning Table

3. Inserting the use class 'Betting Agency' to Table 1 and allocate a 'D' use within the Business, Commercial and Private Clubs and Recreation zones and an 'X' use within all remaining zones.
4. Inserting the use class 'Industry – Service' to Table 1 and allocate a 'P' use within the Service Industrial zone and an 'X' use within all remaining zones.
5. Inserting the use class 'Self Storage Facility' to Table 1 and allocate a 'P' use within the Service Industrial zone, a 'D' use within the Business zone and an 'X' use within all remaining zones.
6. Inserting the use class 'Small Bar' to Table 1 and allocate a 'P' use within the Commercial and Private Clubs/Recreation zones, a 'D' use in the Business and Mixed Use zones and an 'X' use in all remaining zones.

7. Inserting the use class 'Tattoo Studio' to Table 1 and allocate a 'D' use within the Business, Commercial, Service Industrial, Mixed Use zones and an 'X' use within all remaining zones.
8. Modifying the use class 'Cinema' in Table 1 by adding the word '/Theatre' after 'Cinema'.
9. Deleting the use class 'Beauty Parlour' from Table 1.
10. Deleting the use class 'Cinema Complex' from Table 1.
11. Deleting the use class 'Department Store' from Table 1.
12. Deleting the use class 'Hairdresser' from Table 1.
13. Deleting the use class 'Hall' from Table 1.
14. Deleting the use class 'Park' from Table 1.
15. Deleting the use class 'Sports Ground' from Table 1.
16. Deleting the use class 'Theatre' from Table 1.

Proposal 4 – Table 2 (clause 4.8) – Car Parking Standards

17. Deleting the use class 'Car sales premises' from Table 2.
18. Inserting 'Betting Agency' under the use class 'Aged or dependent persons dwelling' in the use class column and allocating '1 per 50m² NLA' under the Number of Onsite Car Parking Bays column in Table 2.
19. Inserting 'Cinema/Theatre' under the use class 'Child Care Centre' in the use class column and allocating '1 per 4 seats' under the Number of Onsite Car Parking Bays column in Table 2.
20. Inserting 'Convenience Store' under the use class 'Consulting Rooms' in the use class column and allocating '4 per 100m² NLA' under the Number of Onsite Car Parking Bays column in Table 2.
21. Inserting 'Educational Establishment (other)' under the use class 'Drive Through Food Outlet' in the use class column and allocating '1 per 3 persons accommodated' under the Number of On-site Car Parking Bays column in Table 2.
22. Inserting 'Hardware Store' under the use class 'Grouped Dwelling' in the use class column and allocating 1 per 30m² NLA' under the Number of Onsite Car Parking Bays column in Table 2.
23. Inserting 'Landscape Supplies' under the use class 'Land Sales Office' in the use class column and allocating '1 per 500m² display area plus 1 per employee' under the Number of Onsite Car Parking Bays column in Table 2.

24. Inserting 'Small Bar' under the use class 'Single House' in the use class column and allocating '1 per 4 persons accommodated' under the Number of Onsite Car Parking Bays column in Table 2.
25. Inserting 'Self Storage Facility' under the use class 'Secondary School' in the use class column and allocating '1 per 100m² NLA' under the Number of Onsite Car Parking Bays column in Table 2.
26. Inserting 'Transport Depot' under the use class 'Tertiary College' in the use class column and allocating '1 per employee' under the Number of Onsite Car Parking Bays column in Table 2.
27. Inserting 'Vehicle Panel Beating/Spray Painting & Vehicle Repairs' under the use class 'Transport Depot' in the use class column and Inserting '1 per 50m² NLA' under the Number of On-site Car Parking Bays column in Table 2.
28. Inserting 'Warehouse' under the use class 'Veterinary Consulting Rooms or Hospital' in the use class column and Inserting '1 per 50m² NLA' under the Number of On-site Car Parking Bays column in Table 2.
29. Modifying the use class 'Office' in Table 2 by substituting '30' with '50' in the Number of On-site Car Parking Bays column.
30. Modifying the use class 'Place of Assembly' in Table 2 by substituting 'seats' with 'persons accommodated' in the Number of On-site Car Parking Bays column.
31. Modifying the use class 'Public Worship' in Table 2 by deleting the word 'Public' and inserting the word 'Place of' and by substituting 'seats' with 'persons accommodated' in the Number of On-site Car Parking Bays column.
32. Modifying the use class 'Shopping Centres under 10,000m²' in Table 2 by inserting the use class 'Shop' in front of 'Shopping Centres under 10,000m²' and by deleting the number '10,000' and replacing with the number '30,000' and by substituting '7' with '5' in the Number of On-site Car Parking Bays column.
33. Deleting the use class 'Shopping Centres from 10,000m² to 30,000m²' from Table 2.
34. Modifying the use class 'Shopping Centres from 30,000m² to 50,000m²' in Table 2 by deleting the number '1950' and replacing with the number '1500' and by deleting the number '5.25' and replacing with the number '4.5' in the Number of On-site Car Parking Bays column.
35. Modifying the use class 'Shopping Centres from 30,000m² to 50,000m²' in Table 2 by deleting the number '3000' and replacing with the number '2400' and by deleting the number '5.25' and replacing with the number '4' in the Number of On-site Car Parking Bays column.
36. Modifying the use class 'Showrooms' in Table 2 by substituting '30' with '50' in the Number of On-site Car Parking Bays column.

Proposal 5 – Schedule 1 (clause 1.9) – Interpretations

37. Inserting the following new definitions into Schedule 1;

betting agency : means an office or totalisator agency established under the *Racing and Wagering Western Australia Act 2003*;

cinema/theatre : means premises where the public may view a motion picture or theatrical production.

Joondalup City Centre Structure Plan : means a structure plan by that name adopted under the provisions of Part 9 of the Scheme.

self storage facility : means premises where customers rent space in which to store possessions and are provided with their own access to this space.

small bar : means premises licensed as a small bar under the Liquor Control Act 1988 and used to sell liquor for consumption on the premises, but not including the sale of packaged liquor; and with the number of persons who may be on the licensed premises limited to a maximum of 120.

38. Deleting the following definitions from Schedule 1;

beauty parlour : means any land or buildings used for beauty therapy purposes.

cinema : means any land or building containing a single cinema screen where the public may view a motion picture.

cinema complex : means any land or building where the public may view a motion picture, and many include more than one cinema screen, and may include other minor and subsidiary amusements.

department store : means a shop which consists of a substantial number of different departments carrying a significant range of goods in each department.

theatre : mean any land or buildings where the public may view a theatrical production.

39. Modifying the following definitions in Schedule 1:

Modifying the 'shop' definition in Schedule 1 by deleting the definition and inserting the Model Scheme Text definition as follows;

shop : means premises used to sell goods by retail, hire goods, or provide services of a personal nature (including a hairdresser or beauty therapist) but does not include a showroom or take away food outlet or drive through food outlet;

Modifying the 'showroom' definition in Schedule 1 by deleting the definition and inserting the State Planning Policy 4.2 definition as follows;

showroom : means large premises used to display, sell by wholesale or retail, or hire: automotive parts and accessories, camping and recreation equipment, electrical light fittings, animal and pet supplies, floor coverings, furnishings, bedding and manchester, furniture, home entertainment goods, household appliances, office equipment supplies, swimming pools and supplies, hardware, garden supplies, goods of a bulky nature that require a large area for handling, display or storage; or direct vehicle access to the site of the premises by the public for the purpose of loading goods into a vehicle after purchase or hire.

Modifying the 'home business – category 1' definition by:

inserting after 'does not entail employment of any other person' the words 'except a member of the household' to paragraph (d).

deleting the words '.....20m² or where more than one resident is involved not cause the area used for home business within the dwelling to occupy an area greater than 30m²' and replacing with '30m²' to paragraph (e).

Proposal 6 – Landscaping Requirements for Non Residential Buildings

40. Delete Clause 4.12 and replace with:

'A minimum of 8% of the area of a development site shall be designed, developed and maintained as landscaping. In addition, the owner of the lot on which the development is located shall landscape the road verge(s) adjacent to that lot. Prior to occupation of a development, the owner of the lot on which the development is located shall landscape the development site and the road verge(s) adjacent to the lot and thereafter maintain the landscaping and keep the road verge in a clean and tidy condition to the satisfaction of the Council.'

Scheme amendment process flowchart

Scheme Amendment Process

