



# Non-residential Development in the Residential Zone Local Planning Policy

## Responsible Directorate: Planning and Community Development

### Objectives:

- To provide development standards for non-residential development in the Residential Zone.
- To ensure that non-residential development is compatible with and complements the character of the surrounding residential area.
- To ensure that non-residential development does not have a negative impact on the surrounding residential amenity.

### 1. Authority:

This policy has been prepared in accordance with Schedule 2, Part 2 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which allows the local government to prepare local planning policies relating to planning and development within the Scheme area.

### 2. Application:

This policy applies to all non-residential development (not covered by other local planning policies) in the 'Residential' and 'Special Residential' zones and the 'Urban Development' zone where the applicable structure plan applies the 'Residential' zone.

### 3. Definitions:

**“non-residential development”** means development to which the *Residential Design Codes* (R-Codes) do not apply.

**“external fixtures”** means utilities, equipment, plant or other structures necessary for a building to achieve efficient, comfortable operating outcomes and may include rainwater storage tanks, air conditioning units, communication, power and water infrastructure, letterboxes or other fixtures necessary for the use of the building.

“**height**” when used in relation to a building, means the maximum vertical distance between natural ground level and the finished roof height directly above.

“**landscape, landscaping or landscaped**” means land developed with garden beds, shrubs and trees, or by the planting of lawns, and includes such features as rockeries or ornamental ponds.

“**small scale renewable energy system**” means a solar energy system of up to 100 kilowatts capacity or a small wind energy system of up to 10 kilowatts capacity.

“**solar energy system**” means a system which converts energy from the sun into useable electrical energy, heats water or produces hot air or a similar function through the use of solar panels.

“**wind energy system**” means equipment that converts and then stores or transfers energy from the wind into usable forms of energy. This equipment includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component used in the system.

#### 4. Details:

##### 4.1. Building Setbacks:

- a. Building setbacks are to be in accordance with Part 5 of the R-Codes, with the exception of the following:

R-Code	Minimum Primary Street Setback Distance	Minimum Secondary Street Setback Distance
R5	12 metres	6 metres
R20 and R25	6 metres	1.5 metres
R30 and above	4 metres	1.5 metres

##### 4.2. Building Height:

- a. The maximum building height as measured from the natural ground level is to be in accordance with the following table:

Land Use	Maximum Building Height		
	Top of external wall	Top of external wall (concealed roof)	Top of pitched roof
Nursing Home, Retirement Village on a lot of 5,000m <sup>2</sup> or more coded R40 or lower	9 metres	10 metres	12 metres
Nursing Home, Retirement Village on a lot of 5,000m <sup>2</sup> or more coded R50 or higher	12 metres	13 metres	15 metres
All other non-residential land uses	6 metres	7 metres	9 metres

### 4.3. Building Design:

- a. Development is to be in accordance with the following requirements:

Design Element	Development Standard
(a) Appearance	(i) The building must be of residential appearance, in keeping with the surrounding environment, and not detract from the amenity of adjoining properties.

### 4.4. Parking and Access:

#### 4.4.1. Car Parking Standard

- a. Car parking bays are to be provided in accordance with the following table:

Use Class	Number of on-site parking bays
Caravan Park	1 bay per site/chalet plus 1 visitor bay per 10 sites
Civic Use	1 per 4 people accommodated
Home Store	1 per 25m <sup>2</sup> NLA
Land Sales Office (Temporary)	5 per Land Sales Office
Nursing Home	1 per 5 beds plus 1 per employee
Park Home Park	1 bay per park home plus 1 visitor bay per 10 park homes
Retirement Village	1 per unit plus 1 visitor bay per 10 units plus 1 per non-resident staff member

#### 4.4.2. Car Parking Location and Design

- a. Car park access and design is to be in accordance with the following requirements:

Design Element	Development Requirement
(a) Car park location	(i) All car parking is to be provided on-site; verge parking is not permitted. (ii) Car parks should, where practicable, be located at the rear of the building and the location clearly sign-posted.
(b) Car park design	(i) Car parks shall be designed in accordance with Australian Standards AS 2890.1 and/or AS 2890.2 as amended from time to time. (ii) Tandem car parking will be considered for employee parking only and must be clearly designated as such.
(c) Vehicle access	(i) The number of crossovers should be kept to the minimum to provide efficient ingress and egress. (ii) Vehicles are required to enter and exit the site in forward gear.
(d) Pedestrian access	(i) A footpath must be provided from the car park and the street to the building entrance.

#### 4.5. Landscaping:

- a. Landscaping is to be in accordance with the following requirements:

Design Element	Development Requirement
(a) % landscaping	(i) A minimum of 8% of the area of a lot shall be landscaped. (ii) The landscaped area shall include a minimum strip of 1.5 metres wide adjacent to all street boundaries.
(b) Size	(i) Any landscaped area shall have a minimum width of 1.0 metre and distributed in areas of not less than 4.0 square metres.
(c) Shade trees	(i) Shade trees shall be provided and maintained in uncovered car parks at the rate of one tree for every four car parking bays.

#### 4.6. Fencing

- a. Any fence located in the street setback is to be in accordance with the requirements of the *Residential Design Codes (R-Codes)* and the City's *Residential Development Local Planning Policy* or any relevant structure plan or local development plan.

#### 4.7. Servicing

- a. Services should be screened from view, and located at the rear of the building where practicable. Servicing is to be in accordance with the following requirements:

Provision	Development Requirement
(a) Bin storage areas	(i) Bin storage areas must be screened from view by a wall not less than 1.8 metres in height, constructed of brick, masonry or other approved material. (ii) Bin storage areas must be accessible to waste collection vehicles and not adversely affect car parking and vehicular or pedestrian access.
(b) External fixtures	(i) External fixtures must be screened from view from the street through building design and located on the roof, basement or at the rear of the building.
(c) Lighting	(i) To minimise the negative impacts of lighting, lighting is to be installed in accordance with Australian Standard AS 4282.

#### 4.8. Sea Containers

The location and use of sea containers should not detract from the amenity, character and streetscape of an area.

- a. The permanent use of a sea container is to be in accordance with the following requirements, demonstrated through an application for development approval:

Provision	Development Requirement
(a) Visibility	(i) The sea container must not be visible from any street. (ii) The sea container must be clad with materials and is a colour that matches, or is complementary to, the materials and colour of the existing buildings on the property.

- b. The temporary use of a sea container can be considered in accordance with the following requirements:
- i. The sea container is only used in conjunction with building construction or subdivision work that is occurring or approved to occur on the subject site, up to a maximum of 12 months; or
  - ii. The sea container is only used for the loading or unloading of goods that is occurring on the subject site up to a maximum of 7 days; and
  - iii. The sea container is positioned so as not to obscure vehicle sightlines.
  - iv. A formal request is received and a letter is issued from the City approving the temporary nature of the sea container, and its period of use, in accordance with the provisions of subclause 61(1)(f) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
  - v. Clause iv. above does not apply if the sea container is in place for less than 48 hours.

#### 4.9. Small scale renewable energy systems

- a. The development of small scale renewable energy systems is encouraged in order to reduce the production of greenhouse gas emissions. Small scale renewable energy systems are to be in accordance with the following requirements:

Provision	Development Requirement
(a) Solar energy system	(i) Solar energy systems must be integrated into the overall design of the building and located on rooftops so as not to detract from the building itself or impose on the existing streetscape.
(b) Wind energy system	(i) The system must be well setback from any overhead power lines. (ii) The turbine system must be fitted with an automatic and manual braking system or an over-speed protection device. (iii) Unless colour-matched to the supporting roof, the wind energy system and any tower structure must remain painted or finished in the colour or finish applied by the manufacturer. (iv) No signage, other than the manufacturer's or installer's identification, shall be attached to the system. (v) Any electrical components and wires associated with a small wind energy system must not be visible from the street. (vi) The system must not be located on a property/building on the City's Heritage List. (vii) A maximum of 1 turbine per lot is permitted. (viii) Turbines are not permitted on lots less than 350m <sup>2</sup> . (ix) The maximum height of a pole mounted system is 5m above natural ground level. (x) The minimum clearance of a pole mounted system is 3m from natural ground level. (xi) The maximum height of a roof mounted system is 3m above the roofline. (xii) The maximum blade diameter is 2m.

	(xiii) Not permitted between the building and street. (xiv) A pole mounted system must be setback from side and rear boundaries not less than the total height of the wind energy system, (xv) A roof mounted system must be setback a minimum of 7.5m from a major opening of an adjoining building.
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**Creation Date:** <mmmm yyyy (adopted by Council)>

**Amendments:**

**Related Documentation:** • *City of Joondalup Local Planning Scheme No. 3*

# Non-residential Development in the Residential Zone Local Planning Policy

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### 2. Application:

This policy applies to all non-residential development (not covered by other local planning policies) in the 'Residential' and 'Special Residential' zones and the 'Urban Development' zone where the applicable structure plan applies the 'Residential' zone.

### 3. Definitions:

**“non-residential development”** means development to which the *Residential Design Codes* (R-Codes) do not apply.

**“external fixtures”** means utilities, equipment, plant or other structures necessary for a building to achieve efficient, comfortable operating outcomes and may include rainwater storage tanks, air conditioning units, communication, power and water infrastructure, letterboxes or other fixtures necessary for the use of the building.

“**height**” when used in relation to a building, means the maximum vertical distance between natural ground level and the finished roof height directly above.

“**landscape, landscaping or landscaped**” means land developed with garden beds, shrubs and trees, or by the planting of lawns, and includes such features as rockeries or ornamental ponds.

“**small scale renewable energy system**” means a solar energy system of up to 100 kilowatts capacity or a small wind energy system of up to 10 kilowatts capacity.

“**solar energy system**” means a system which converts energy from the sun into useable electrical energy, heats water or produces hot air or a similar function through the use of solar panels.

“**wind energy system**” means equipment that converts and then stores or transfers energy from the wind into usable forms of energy. This equipment includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component used in the system.

#### 4. Details:

##### 4.1. Building Setbacks:

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##### 4.2. Building Height:

- a. The maximum building height as measured from the natural ground level is to be in accordance with the following table:

Land Use	Maximum Building Height		
	Top of external wall	Top of external wall (concealed roof)	Top of pitched roof
<a href="#">Nursing Home, Retirement Village Residential Aged Care Facility</a> on a lot of 5,000m <sup>2</sup> or more coded R40 or lower	9 metres	10 metres	12 metres
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Design Element	Development Standard
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### 4.4. Parking and Access:

#### 4.4.1. Car Parking Standard

- a. Car parking bays are to be provided in accordance with the following table:

Use Class	Number of on-site parking bays
Caravan Park	1 bay per site/chalet plus 1 visitor bay per 10 sites
Civic Use	1 per 4 people accommodated
Home Store	1 per 25m <sup>2</sup> NLA
<del>Land Sales Office (Temporary)</del>	<del>5 per Land Sales Office</del>
<del>Nursing Home</del>	<del>1 per 5 beds plus 1 per employee</del>
Park Home Park	1 bay per park home plus 1 visitor bay per 10 park homes
<del>Retirement Village Residential Aged Care Facility</del>	<del>1 per unit plus 1 visitor bay per 10 units plus 1 per non-resident staff member 1 per 5 beds plus 1 per staff member on duty</del>

#### 4.4.2. Car Parking Location and Design

- a. Car park access and design is to be in accordance with the following requirements:

Design Element	Development Requirement
(a) Car park location	(i) All car parking is to be provided on-site; verge parking is not permitted. (ii) Car parks should, where practicable, be located at the rear of the building and the location clearly sign-posted.
(b) Car park design	(i) Car parks shall be designed in accordance with Australian Standards AS 2890.1 and/or AS 2890.2 as amended from time to time. (ii) Tandem car parking will be considered for employee parking only and must be clearly designated as such.
(c) Vehicle access	(i) The number of crossovers should be kept to the minimum to provide efficient ingress and egress. (ii) Vehicles are required to enter and exit the site in forward gear.
(d) Pedestrian access	(i) A footpath must be provided from the car park and the street to the building entrance.

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Design Element	Development Requirement
(a) % landscaping	(i) A minimum of 8% of the area of a lot shall be landscaped. (ii) The landscaped area shall include a minimum strip of 1.5 metres wide adjacent to all street boundaries.
(b) Size	(i) Any landscaped area shall have a minimum width of 1.0 metre and distributed in areas of not less than 4.0 square metres.
(c) Shade trees	(i) Shade trees shall be provided and maintained in uncovered car parks at the rate of one tree for every four car parking bays.

#### 4.6. Fencing

- a. Any fence located in the street setback is to be in accordance with the requirements of the *Residential Design Codes (R-Codes)* and the City's *Residential Development Local Planning Policy* or any relevant structure plan or local development plan.

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- a. Services should be screened from view, and located at the rear of the building where practicable. Servicing is to be in accordance with the following requirements:

Provision	Development Requirement
(a) Bin storage areas	(i) Bin storage areas must be screened from view by a wall not less than 1.8 metres in height, constructed of brick, masonry or other approved material. (ii) Bin storage areas must be accessible to waste collection vehicles and not adversely affect car parking and vehicular or pedestrian access.
(b) External fixtures	(i) External fixtures must be screened from view from the street through building design and located on the roof, basement or at the rear of the building.
(c) Lighting	(i) To minimise the negative impacts of lighting, lighting is to be installed in accordance with Australian Standard AS 4282.

#### 4.8. Sea Containers

The location and use of sea containers should not detract from the amenity, character and streetscape of an area.

- a. The permanent use of a sea container is to be in accordance with the following requirements, demonstrated through an application for development approval:

Provision	Development Requirement
(a) Visibility	(i) The sea container must not be visible from any street. (ii) The sea container must be clad with materials and is a colour that matches, or is complementary to, the materials and colour of the existing buildings on the property.

- b. The temporary use of a sea container can be considered in accordance with the following requirements:
- i. The sea container is only used in conjunction with building construction or subdivision work that is occurring or approved to occur on the subject site, up to a maximum of 12 months; or
  - ii. The sea container is only used for the loading or unloading of goods that is occurring on the subject site up to a maximum of 7 days; and
  - iii. The sea container is positioned so as not to obscure vehicle sightlines.
  - iv. A formal request is received and a letter is issued from the City approving the temporary nature of the sea container, and its period of use, in accordance with the provisions of subclause 61(1)(f) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
  - v. Clause iv. above does not apply if the sea container is in place for less than 48 hours.

#### 4.9. Small scale renewable energy systems

- a. The development of small scale renewable energy systems is encouraged in order to reduce the production of greenhouse gas emissions. Small scale renewable energy systems are to be in accordance with the following requirements:

Provision	Development Requirement
(a) Solar energy system	(i) Solar energy systems must be integrated into the overall design of the building and located on rooftops so as not to detract from the building itself or impose on the existing streetscape.
(b) Wind energy system	<ul style="list-style-type: none"> <li>(i) The system must be well setback from any overhead power lines.</li> <li>(ii) The turbine system must be fitted with an automatic and manual braking system or an over-speed protection device.</li> <li>(iii) Unless colour-matched to the supporting roof, the wind energy system and any tower structure must remain painted or finished in the colour or finish applied by the manufacturer.</li> <li>(iv) No signage, other than the manufacturer's or installer's identification, shall be attached to the system.</li> <li>(v) Any electrical components and wires associated with a small wind energy system must not be visible from the street.</li> <li>(vi) The system must not be located on a property/building on the City's Heritage List.</li> <li>(vii) A maximum of 1 turbine per lot is permitted.</li> <li>(viii) Turbines are not permitted on lots less than 350m<sup>2</sup>.</li> <li>(ix) The maximum height of a pole mounted system is 5m above natural ground level.</li> <li>(x) The minimum clearance of a pole mounted system is 3m from natural ground level.</li> <li>(xi) The maximum height of a roof mounted system is 3m above the roofline.</li> <li>(xii) The maximum blade diameter is 2m.</li> </ul>

	<p>(xiii) Not permitted between the building and street.</p> <p>(xiv) A pole mounted system must be setback from side and rear boundaries not less than the total height of the wind energy system,</p> <p>(xv) A roof mounted system must be setback a minimum of 7.5m from a major opening of an adjoining building.</p>
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**4.10. Public consultation:**

- a. Applications for new non-residential development, or applications where the existing non-residential development is proposed to be intensified, will be advertised for public comment for a period of 14 days by way of letters to adjoining and nearby landowners.

**Creation Date:** <mmmm yyyy (adopted by Council)>

**Amendments:**

**Related Documentation:**

- *City of Joondalup Local Planning Scheme No. 3*

# Small Scale Renewable Energy Systems Policy

## City Policy

### Responsible Directorate: Planning and Community Development

**Objective:** To establish criteria for the development of small scale renewable energy systems on land or buildings within the City.

**1. Authority:**

This Policy has been prepared in accordance with Clause 8.11 of the *City of Joondalup District Planning Scheme No. 2*, which allows Council to prepare local planning policies relating to planning or development within the Scheme area.

**2. Application:**

This Policy shall apply to the installation of all small scale renewable energy systems within the City of Joondalup.

**3. Definitions:**

**“solar energy system”** means a system which converts energy from the sun into useable electrical energy, heats water or produces hot air or a similar function through the use of solar panels.

**“small scale renewable energy system”** means a solar energy system of up to 100 kilowatts capacity or a small wind energy system of up to 10 kilowatts capacity.

**“total height”** means the vertical distance from natural ground level to the tip of a wind generator blade when the tip is at its highest point.

**“wind energy system”** means equipment that converts and then stores or transfers energy from the wind into usable forms of energy. This equipment includes any base, blade, foundation, generator, nacelle, rotor, tower, transformer, vane, wire, inverter, batteries or other component used in the system.

#### **4. Statement:**

The City supports and encourages the use of small scale renewable energy systems on land or buildings within its district in order to reduce the production of greenhouse gas emissions at a household level.

In doing so, it also seeks to balance and protect the quality of the streetscape and amenity (particularly visual and acoustic amenity) of adjoining properties from the impact of these technologies.

#### **5. Details:**

##### **5.1. Solar Energy System:**

###### **5.1.1. Approvals Required:**

- a. An *Application for Planning Approval* is required for a solar energy system installation, except where it is installed on a dwelling in a Residential Zone.
- b. A Building Permit is not required for the installation of a solar energy system. However, it remains the property owner's duty of care to ensure that any installation does not impact on the structural integrity of the building on which it is installed or any other structure.

###### **5.1.2. Development Provisions:**

Where development is not subject to the provisions of the *Residential Design Codes of Western Australia*, solar energy systems should be designed and positioned on rooftops so as not to detract from the building itself or impose on the existing streetscape.

##### **5.2. Wind Energy System:**

###### **5.2.1. Approvals Required:**

- a. An *Application for Planning Approval* is required for all wind energy system installations.
- b. A Building Permit is required for the installation of any wind energy system.

###### **5.2.2. Development Provisions:**

All wind energy systems are to comply with the general provisions listed below and the development standards provided in Table 1.

- a. The system must be well setback from any overhead power lines.
- b. The turbine system must be fitted with an automatic and manual braking system or an over-speed protection device.
- c. Unless colour-matched to the supporting roof, the wind energy system and any tower structure must remain painted or finished in the colour or finish applied by the manufacturer.

- d. No signage, other than the manufacturer's or installer's identification, shall be attached to the system.
- e. Any electrical components and wires associated with a small wind energy system must not be visible from the street.
- f. The system must not be located on a property/building on the City's Heritage List.

#### **5.2.3. Compliance with Other Legislation:**

- a. All wind energy systems are required to comply with the *Environmental Protection (Noise) Regulations 1997*. In addition, wind energy systems that connect to the electric utility supply must comply with the requirements of the relevant public authorities.
- b. Manufacturer's specifications and a statement demonstrating compliance with the *Environmental Protection (Noise) Regulations 1997* must be submitted with the *Application for Planning Approval*.

#### **5.3. Advertising:**

- a. *Applications for Planning Approval* that do not comply with this Policy will require consultation with adjoining property owners likely to be affected by the proposal for a minimum period of 21 days prior to the determination of the Application. Consultation will include neighbours on the opposite side of the street where the structure may be visible from the street and will be undertaken by the City.
- b. Where planning approval is granted for development that complies with this Policy, the owners of adjoining properties will be notified of the approved development in writing.

#### **5.4. Variations:**

Where a proposal does not meet the specific requirements of this Policy, the applicant is to provide appropriate justification, and the proposal will be considered in accordance with the objectives of this Policy.

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<b>Creation Date:</b>	March 2011
<b>Amendments:</b>	CJ041-03/11, CJ112-06/13
<b>Related Documentation:</b>	<ul style="list-style-type: none"><li>• <i>City of Joondalup District Planning Scheme No. 2</i></li><li>• <i>Environmental Protection (Noise) Regulations 1997</i></li><li>• <i>Local Government Act 1995</i></li><li>• <i>Residential Design Codes of Western Australia</i></li></ul>

Table 1. Development Standards

	Applicable Zones	
	<ul style="list-style-type: none"> <li>Residential Zones</li> <li>Special Residential Zones</li> <li>Single and Grouped Dwellings in City North</li> <li>Lakeside District of the Joondalup City Centre</li> </ul>	<ul style="list-style-type: none"> <li>All other Zones</li> </ul>
<b>Number of turbines</b>	max. 1 per lot	max. 1 per 1,000 m <sup>2</sup> of lot area
<b>Minimum lot size</b>	350 m <sup>2</sup>	1,000 m <sup>2</sup>
<b>Nameplate capacity</b>	max. 2 kW	unlimited
<b>Height</b>	<p><b>Pole Mounted</b> max. 5 m total height above natural ground level min 3 m blade clearance from natural ground level</p> <p><b>Roof Mounted</b> max. total height 3 m above roofline if mounted on a single-storey dwelling min. 1 m clearance above roofline not permitted on dwellings 2 storeys or more</p>	<p><b>Pole Mounted</b> max. 10 m total height above natural ground level</p> <p><b>Roof Mounted</b> max. total height 7.5 m above roofline</p>
<b>Diameter</b>	max. blade diameter 2 m	max. blade diameter 5.5 m
<b>Boundary setbacks (street)</b>	not permitted between the building and the street alignment	not permitted between the building and the street alignment
<b>Boundary setbacks (side and rear)</b>	<p><b>Pole Mounted</b> setback from boundaries is not less than the total height of the wind energy system</p> <p><b>Roof Mounted</b> no min. setback from boundary; however, wind energy system to be located a minimum of 7.5 m from major opening of adjoining dwelling</p>	<p><b>Pole Mounted</b> setback from boundaries is not less than half of the total height of the wind energy system</p> <p><b>Roof Mounted</b> no min. setback from boundary; however, wind energy system to be located a minimum of 7.5 m from major opening of adjoining building</p>

# Height of Non-Residential Buildings Local Planning Policy

## City Policy

### Responsible Directorate: Planning and Community Development

#### 1. Purpose:

The purpose of this policy is to set provisions for the height of non-residential buildings in the City of Joondalup.

#### 2. Objective:

The objective of this policy is to ensure that the height of non-residential buildings is appropriate to the context of any development site and sympathetic to the desired character, built form and amenity of the surrounding area.

#### 3. Authority:

This Policy has been prepared under and in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations).

#### 4. Application:

This policy applies to all non-residential buildings, including buildings on local reserves, however does not apply to non-residential buildings on land:

- a. included as a Reserve under the Metropolitan Region Scheme
- b. subject to an approved structure plan (including structure plans for the Joondalup City Centre), activity centre plan, or local development plan, where relevant height provisions are included.

This policy does not apply to buildings, including mixed-use developments, to which the Residential Design Codes of Western Australia (R-Codes) apply.

#### 5. Definitions:

“**Coastal area**” means land within 300 metres of the horizontal shoreline datum of a coast, as defined within State Planning Policy 2.6 State Coastal Planning Policy.

“**Height**” when used in relation to a building, means:

- a. if the building is used for residential purposes, has the meaning given in the Residential Design Codes; or
- b. if the building is used for purposes other than residential purposes, means the maximum vertical distance between the natural ground level and the finished roof height directly above.

**“Minor and incidental development”** for the purposes of this policy includes:

- c. Maintain or improve water quality of surface and groundwater resources.
- d. development for the purpose of allowing access or the provision of services or infrastructure that would not prejudice future development outcomes;
- e. change of use applications;
- f. minor modifications to existing buildings;
- g. minor modifications to car parking;
- h. signage;
- i. changes to landscaping;
- j. patio, verandah, shade sail, portico or outbuilding additions to an existing development.

**“Non-residential building”** means a building to which the R-Codes do not apply.

**“Non-residential coastal sites”** for the purposes of this policy includes the following sites, or lots created from these sites:

- Lot 1436 (59) Beachside Drive, Burns Beach
- Lot 100 (10) Oceanside Promenade, Mullaloo
- Lot 554 (19) Henderson Drive, Kallaroo (portion of site)
- Lot 803 (15) Hocking Parade, Sorrento (portion of site)
- Lot 25 (1) Padbury Circle, Sorrento

Sorrento Local Centre comprising:

- Lot 147 (2) Padbury Circle, Sorrento
- Lots 148 (136A-136B) 149 (134) West Coast Drive, Sorrento
- Lot 2 (130) West Coast Drive, Sorrento
- Lot 153 (128) West Coast Drive, Sorrento
- Lot 154 (1) Raleigh Rd, Sorrento

## 6. Details:

### Maximum height of non-residential buildings

The maximum height of non-residential buildings as measured from the natural ground level is to be in accordance with the following table:

Zone or Reserve or Location	Maximum building height	Exceptions
<ul style="list-style-type: none"> <li>• Residential</li> <li>• Special Residential</li> <li>• Any other lot where building height is not specified elsewhere</li> </ul>	Table 3 – Category B of the R-Codes.	<p>The development of a Nursing Home or Retirement Village on a 'Residential' zoned lot of 5,000m<sup>2</sup> or more coded R40 or lower, the maximum height is not to exceed the maximum height set out in Table 3 – Category C of the R-Codes.</p> <p>The development of a Nursing Home or Retirement Village on a 'Residential' zoned lot of 5,000m<sup>2</sup> or more coded R50 or higher, the maximum height is not to exceed the maximum height for R80 development in Table 4 of the R-Codes.</p>
<ul style="list-style-type: none"> <li>• Private Clubs and Recreation</li> <li>• Local Reserve</li> </ul>	Table 3 – Category B of the R-Codes.	Not applicable.
<ul style="list-style-type: none"> <li>• Mixed Use</li> <li>• Business</li> <li>• Commercial</li> </ul>	Table 4 of the R-Codes for the applicable coding of that lot.	Where a lot abuts a 'Residential' zoned lot, the maximum building height is not to exceed the height set out in Table 3 - Category B of the R-Codes within 6 metres of this common boundary.
<ul style="list-style-type: none"> <li>• Service Industrial</li> <li>• Civic and Cultural</li> <li>• Rural</li> </ul>	Table 3 – Category C of the R-Codes.	Where a lot abuts a 'Residential' zoned lot, the maximum building height is not to exceed the height set out in Table 3 - Category B of the R-Codes within 6 metres of this common boundary.
<ul style="list-style-type: none"> <li>• Non-residential coastal sites</li> </ul>	Table 3 – Category B of the R-Codes	<p>Minor and incidental development which does not increase the height of existing buildings.</p> <p>Greater height that has been approved as part of a structure plan, activity centre plan or local development plan, taking into account:</p> <ol style="list-style-type: none"> <li>a. existing built form, topography and landscape character of the surrounding area;</li> <li>b. building siting and design;</li> <li>c. bulk and scale of buildings and the potential to unreasonably overshadow adjoining properties or the foreshore;</li> <li>d. visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces.</li> <li>e. whether the development is sympathetic to the desired character, built form and amenity of the surrounding area.</li> </ol>

**Creation Date:** December 2015

**Amendments:** N/A

**Related Documentation:**

- *District Planning Scheme No. 2*
- *State Planning Policy 2.6 State Coastal Planning*

Figures taken from Residential Design Codes Tables 3 and 4 (as amended)

Table 3

	Maximum height		
	Category		
	A	B	C
Top of external wall (roof above)	3m	6m	9m
Top of external wall (concealed roof)	4m	7m	10m
Top of pitched roof	6m	9m	12m

Table 4

	Maximum height							
	R-Code							
	R30	R35	R40	R50	R60	R80	R100	R160
Top of external wall (roof above)	6m	6m	6m	9m	9m	12m	12m	15m
Top of external wall (concealed roof)	7m	7m	7m	10m	10m	13m	13m	16m
Top of pitched roof	9m	9m	9m	12m	12m	15m	15m	18m