

# Commercial, Mixed Use and Service Commercial Zone Local Planning Policy

## Responsible Directorate: Planning and Community Development

### Objectives:

- To provide development standards for commercial buildings that assist in facilitating appropriate built form and functional commercial centres.
- To facilitate the development or redevelopment of commercial centres that respond to the local context.
- To ensure the design and siting of commercial development provides a high standard of amenity, no blank facades visible from the street and activation of external areas.
- To encourage high quality, pedestrian friendly, street-orientated development that integrates with surrounding areas.
- To create vibrant mixed use commercial centres that are the focal point for the community by locating housing, employment and retail activities together.
- To establish a framework for the assessment of applications for development within these zones.

### 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 on 'Commercial', 'Mixed Use' and 'Service Commercial' zoned land in the City of Joondalup. Where equivalent development provisions are contained within an approved activity centre plan or local development plan, those provisions shall prevail.

### 3. Definitions:

In addition to the definitions contained within the City of Joondalup *Local Planning Scheme No. 3* (the Scheme), the following definitions apply:

**“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*.

**“commercial frontage”** means the portion of the building that fronts the street, car park (if located in front of the building) or key pedestrian route.

**“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. Statement:

The City of Joondalup supports the creation of vibrant mixed use commercial centres. Appropriately designed and located commercial centres provide economic and social benefits to the community in which they are situated. They should be a focal point for the community and provide housing, employment and retail opportunities.

This policy provides development provisions for non-residential development that aim to create high quality mixed use commercial centres. It should be read in conjunction with the Scheme and any relevant structure plans, activity centre plans or local development plans.

### 5. Details:

#### 5.1. Building Setbacks:

- a. Buildings shall be setback from property boundaries as follows:

## Commercial and Mixed Use Zone

Boundary	Minimum Setback distance
(a) Street setback (includes secondary street)	(i) 3.5 metres, with the exception of an awning which may be setback at 1.5 metres.
(b) Side/rear setbacks	(i) 3.0 metres
(c) Right of way/laneway setback	(i) Nil

## Service Commercial zone

Boundary	Minimum Setback distance
(a) Street setback (includes secondary street)	(i) 3.5 metres, with the exception of an awning which may be setback at 1.5 metres.
(b) Side/rear setbacks	(i) Nil, or where a lot abuts the Residential zone, a minimum of 3.0 metres.
(c) Right of way/laneway setback	(i) Nil

### 5.2. Building Height:

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

Zone	Maximum Building Height		
	Top of external wall	Top of external wall (concealed roof)	Top of pitched roof
Commercial R40	6 metres	7 metres	9 metres
Commercial R80*	12 metres	13 metres	15 metres
Mixed Use R40	6 metres	7 metres	9 metres
Mixed Use R80*	12 metres	13 metres	15 metres
Service Commercial	6 metres	7 metres	9 metres

\* Where a lot abuts the Residential zone, the maximum building height within 6 metres of the common boundary shall be in accordance with Commercial R40.

### 5.3. Coastal Area Building Height

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

Zone	Maximum Building Height		
	Top of external wall	Top of external wall (concealed roof)	Top of pitched roof
Commercial	6 metres	7 metres	9 metres
Mixed Use	6 metres	7 metres	9 metres
Service Commercial	6 metres	7 metres	9 metres

- b. Notwithstanding clause 5.3(a), the building height in activity centre plans and local development plans must take into account:
- i. existing built form, topography and landscape character of the surrounding area;
  - ii. building siting and design;

- iii. bulk and scale of buildings and the potential to unreasonable overshadow adjoining properties or the foreshore;
- iv. visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces; and
- v. whether the development is sympathetic to the desired character, built form and amenity of the surrounding area.

#### 5.4. Built Form and Design:

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

Design Element	Development Requirement
(a) Materials	<ul style="list-style-type: none"> <li>(i) Buildings must be constructed of high quality materials including but not limited to stone, concrete, brick, timber and glass.</li> <li>(ii) Concrete walls that are visible from an adjoining property or public realm must be painted and provided with an articulated or detailed finish.</li> </ul>
(b) Articulation	<ul style="list-style-type: none"> <li>(i) Buildings must incorporate appropriate design features to enhance appearance, create visual interest and reduce blank walls, including a combination of the following: <ul style="list-style-type: none"> <li>• Varied colours, textures, finishes and materials;</li> <li>• Varied roof forms and design;</li> <li>• Balconies and balustrades;</li> <li>• Windows, screens and sun shading devices.</li> </ul> </li> </ul>
(c) Windows and glazing	<ul style="list-style-type: none"> <li>(i) The ground floor commercial frontage must have a minimum of 50% clear glazed windows.</li> <li>(ii) The ground floor commercial frontage windows must have a maximum sill height of 700mm above finished floor level.</li> <li>(iii) Where window security devices are provided, they must be installed on the inside of a window and be 75% visually permeable.</li> <li>(iv) Windows in an external wall which faces north, east or west must be protected from direct summer sun.</li> </ul>
(d) Commercial frontage	<ul style="list-style-type: none"> <li>(i) Ground floor external tenancies must have an entrance onto the commercial frontage and be outward facing to facilitate activation of the commercial frontage.</li> </ul>
(e) Building Entrances	<ul style="list-style-type: none"> <li>(i) Building entrances must be clearly defined and easily identifiable from the street and public realm.</li> <li>(ii) Building entrances must directly front the street, car park and key pedestrian routes.</li> </ul>
(f) Pedestrian Shelter	<ul style="list-style-type: none"> <li>(i) Buildings must provide a continuous pedestrian shelter along all commercial frontages to a minimum height of 3 metres and a minimum depth of 1.5 metres.</li> </ul>

#### 5.5. Retaining walls

Provision	Development Requirement
(a) Retaining walls	<ul style="list-style-type: none"> <li>(i) Retaining walls visible from a street or car park greater than 1 metre in height must be tiered so no tier is greater than 1 metre in height. A landscaping area of no less than 1 metre in width shall be provided between tiers.</li> </ul>

## 5.6. Parking and Access:

### 5.6.1. Car Parking Standards

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

Use Class	Number of on-site parking bays
Amusement Parlour, <del>Auction Room</del> , Cinema/Theatre, Civic Use, Club Premises, Funeral Parlour, Night Club, <del>Place of Assembly</del> , Place of Worship, Reception Centre, Recreation – Private, Restaurant/Cafe, Small Bar	1 per 4 people accommodated
<del>Bakery</del> , Betting Agency, Bulky Goods Showroom, Community Purpose, <del>Dry Cleaning Premises</del> -Exhibition Centre, <del>Hardware Store, Laundrette, Laundry</del> , Liquor Store – large, Motor Vehicle Repairs, Office, <del>Tattoo Studio</del>	1 per 50m <sup>2</sup> NLA
Bed and Breakfast	1 per guest room
Caretaker's Dwelling	1 per dwelling
Consulting Rooms, Medical Centre, Veterinary Centre	5 bays per practitioner
Convenience Store, Home Store, Market	1 per 25m <sup>2</sup> NLA
<del>Display Home, Land Sales Office</del>	<del>5 per Display Home/Land Sales Office</del>
Motor Vehicle Wash	1 per employee
Educational Establishment Primary School Secondary School Tertiary College	1 per 3 students accommodated 2 per classroom but not less than 10 2 per classroom but not less than 10 1 per 3 students accommodated
Fast Food Outlet	1 per 4 people in seated areas plus 1 per 15m <sup>2</sup> for non seating serving areas
Garden Centre	1 per 500m <sup>2</sup> of site area used for display plus 1 per 10m <sup>2</sup> NLA internal display area
Hospital	1 per 3 beds plus 1 <del>space for each</del> per staff member on duty
Hotel, Motel	1 per bedroom/unit plus 1 per 5m <sup>2</sup> of bar and dining area
<del>Kindergarten</del>	<del>1 per staff member plus 1 per 7 children</del>
Motor Vehicle, Boat or Caravan Sales	1 per 200m <sup>2</sup> display area and 1 bay per employee
<del>Nursing Home</del>	<del>1 per 5 beds plus 1 space for each staff member on duty</del>
Residential Building	1 per 2 people accommodated
<del>Retirement Village Residential Aged Care Facility</del>	1 per <del>unit plus 1 visitor bay per 10 dwellings</del> 5 beds plus 1 per <del>non-resident staff member</del> staff member on duty
Service Station	5 per service bay plus 1 per 20m <sup>2</sup> NLA of sales/display area
Shop/ Shopping Centres* under 30,000m <sup>2</sup> , Liquor Store – small, Lunch Bar, Restricted Premises	1 per 20m <sup>2</sup> NLA
Shopping Centres* from 30,000 to 50,000m <sup>2</sup>	1500 bays for the first 30,000m <sup>2</sup> NLA plus 4.5 per 100m <sup>2</sup> NLA thereafter
Shopping Centres* greater than 50,000m <sup>2</sup>	2400 bays for the first 50,000m <sup>2</sup> NLA plus 4 per 100m <sup>2</sup> NLA thereafter

Use Class	Number of on-site parking bays
Tavern	1 per 5m <sup>2</sup> of bar and dining area
Trade Supplies, Warehouse/Storage	1 per 100m <sup>2</sup> NLA

\* The shopping centre parking standard applies to all non-residential land uses located within a shopping centre, regardless of the specific land use.

### 5.6.2. Car Park 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 design	(i) Car parks should be consolidated where practicable. (ii) Car parks shall be designed in accordance with Australian Standards AS 2890.1 and/or AS 2890.2 as amended from time to time.
(b) Vehicle Access	(i) The number of crossovers should be kept to the minimum to provide efficient ingress and egress. (ii) The location of crossovers should minimise traffic or pedestrian hazards and not conflict with pedestrian/cyclist paths. (iii) Vehicles are required to enter and exit the site in forward gear.
(c) Pedestrian Access	(i) A footpath must be provided from the car park and the street to the building entrance and along all street frontages.
(d) Reciprocal car parking and access	(i) Where car parking and access is approved on neighbouring properties that relies on the reciprocal movement of vehicles and pedestrians across those properties, the necessary reciprocal access and parking shall be allowed at all times to the local government's satisfaction.

### 5.6.3. Scooter and Motorbike Parking Standards

a. For every 30 car bays required, the 30<sup>th</sup> car bay shall be replaced with two scooter/motorcycle parking bays to be designed in accordance with relevant Australian standards. The car parking bays required under 6.6.1 shall be reduced accordingly.

### 5.6.4. Bicycle Parking Standards

a. Bicycle parking is to be provided in accordance with the following table and relevant Australian standards. Bicycle parking is only required to be provided for new buildings; however it is encouraged to be provided for existing developments and additions to existing developments.

Use Class	Employee Bicycle Parking	Visitor Bicycle Parking
Amusement Parlour, <a href="#">Auction Room</a> , Cinema/Theatre, Community Purpose, Civic Use, Club Premises, Fast Food Outlet, <a href="#">Place of Assembly</a> , Place of Worship, Reception Centre, Recreation – Private, Restaurant/Cafe, Small Bar	N/A	1 per 50 people accommodated

Use Class	Employee Bicycle Parking	Visitor Bicycle Parking
Betting Agency, Convenience Store, Home Store, Liquor Store – small, Lunch Bar, Market	1 per 100m <sup>2</sup> NLA	1 per 50m <sup>2</sup> NLA
Consulting Rooms, Medical Centre, Veterinary Centre	1 per 8 practitioners	1 per 4 practitioners
<del>Bakery, Dry Cleaning Premises, Laundrette,</del> Liquor Store – large, Restricted Premises, Shop, <del>Tattoo Studio</del>	1 per 300m <sup>2</sup> NLA	1 per 500m <sup>2</sup> NLA
Educational Establishment Primary School Secondary School Tertiary College	N/A	1 per 20 students 5 per classroom 5 per classroom 1 per 20 students
Hospital, Nursing Home	1 per 15 beds	1 per 30 beds
Hotel, Motel, Tavern	1 per 150m <sup>2</sup> of bar and dining area	1 per 100m <sup>2</sup> of bar and dining area
<del>Retirement Village</del> Residential Aged Care Facility	1 per 10 units	N/A
Bulky Goods Showroom, Exhibition Centre, <del>Hardware Store, Laundry,</del> Trade Supplies	1 per 750m <sup>2</sup> NLA	1 per 1000m <sup>2</sup> NLA
Office	1 per 200m <sup>2</sup> NLA	1 per 1000m <sup>2</sup> NLA
Shopping Centres under 30,000m <sup>2</sup>	1 per 1500m <sup>2</sup> NLA	1 per 3000m <sup>2</sup> NLA
Shopping Centres from 30,000 to 50,000m <sup>2</sup>	1 per 1500m <sup>2</sup> NLA	1 per 3000m <sup>2</sup> NLA
Shopping Centres greater than 50,000m <sup>2</sup>	1 per 3000m <sup>2</sup> NLA	1 per 5000m <sup>2</sup> NLA

### 5.6.5. End of Trip Facilities

All developments that are required to provide 6 or more employee bicycle parking bays must provide end of trip facilities, designed in accordance with the following criteria:

- a. A minimum of one female and one male shower, located in separate change rooms or a minimum of two separate unisex showers and change rooms.
- b. Additional shower facilities to be provided at a rate of one shower for every 10 additional bicycle parking bays.
- c. A locker for every bicycle parking bay provided.
- d. The end-of-trip facilities are to be located as close as possible to the bicycle parking facilities.

### 5.7. 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.

## 5.8. Fencing

- a. Any fence located between the street alignment and 6 metres from the street alignment, or the street alignment and a building, whichever is the lesser distance, must be visually permeable above 0.75 metres from natural ground level, and must have a maximum height of 2.0 metres from natural ground level.

## 5.9. Servicing

- a. Servicing, deliveries, lighting and waste collection should be considered as part of the integral design of the building. 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) Service access	(i) Service access must be provided to all commercial buildings to cater for the loading and unloading of goods, and waste collection.
(b) Service yards	(i) Service yards must be screened from view and located at the rear of a building. (ii) Service yards must not be located directly adjacent to a Residential zoned lot.
(c) 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.
(d) 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.
(e) Lighting	(i) To minimise the negative impacts of lighting, lighting is to be installed in accordance with Australian Standard AS 4282.

## 5.10. 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 sea containers is to be in accordance with the following requirements:

Provision	Development Requirement
(a) Visibility	(i) The sea container is not visible from any street or adjoining property. (ii) Where visible from an area internal to the site, the sea container is painted or clad with material in a colour that

	matches, or is complementary to, the colour of the existing buildings on the property.
(b) Location	(i) The sea container is not located within any approved car park, access way or landscaped area.

- 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.

#### 5.11. 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	<ol 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 1000m<sup>2</sup> of lot area is permitted.</li> <li>(viii) Turbines are not permitted on lots less than 1000m<sup>2</sup>.</li> </ol>

	<ul style="list-style-type: none"> <li>(ix) The maximum height of a pole mounted system is 10m above natural ground level.</li> <li>(x) The maximum height of a roof mounted system is 7.5m above the roofline.</li> <li>(xi) The maximum blade diameter is 5.5m.</li> <li>(xii) Not permitted between the building and street.</li> <li>(xiii) A pole mounted system must be setback from side and rear boundaries not less than half the total height of the wind energy system,</li> <li>(xiv) A roof mounted system must be setback a minimum of 7.5m from a major opening of an adjoining building.</li> </ul>
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**Creation Date:** 18 April 2017

**Amendments:** Not applicable

**Related Documentation:** • *Local Planning Scheme No. 3*

# Consulting Rooms Local Planning Policy

## Responsible Directorate: Planning and Community Development

### Objectives:

- To provide development standards for consulting rooms that assist in facilitating appropriate development in close proximity to local users of the facility.
- To ensure the location, design and siting of consulting rooms does not have a negative impact on residential amenity by way of inappropriate built form, parking or traffic.
- To prevent the conglomeration of consulting rooms in residential areas.

### 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 consulting rooms in the 'Residential' ~~and 'Special Residential'~~ zones and the 'Urban Development' zone where the applicable structure plan applies the 'Residential' zone.

### 3. Definitions:

**“consulting rooms”** as defined by *Local Planning Scheme No. 3* means premises used by no more than 2 health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care;

**“health practitioner”** as defined by *Local Planning Scheme No. 3* means a medical doctor, dentist, physiotherapist, radiologist, podiatrist, chiropractor, acupuncturist, naturopath or any other health care staff generating their own independent patient load.

#### 4. Statement:

The location of consulting rooms within a residential area provides the opportunity for services to be located close and accessible to the users of those facilities.

In considering applications for consulting rooms within residential areas, the location, siting and design of the consulting room will be taken into consideration to ensure the development does not have an adverse impact on the residential character and amenity of surrounding areas.

#### 5. Details:

In assessing an application for development approval for consulting rooms, the following will be considered.

##### 5.1. Location:

- a. In order to avoid the adverse cumulative impacts of non-residential development in a residential area, a consulting room that would contribute to the concentration of these uses along a street or located in close proximity to another consulting room will generally not be supported.
- b. Battle-axe lots or sites located at the head of cul-de-sacs should be avoided as they limit the opportunity for the provision of car parking and can cause traffic issues due to the concentration of activity.

##### 5.2. Building Setbacks and Fencing:

- a. Building setbacks and fencing are 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.

##### 5.3. Building Height:

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

Maximum Building Height		
Top of external wall	Top of external wall (concealed roof)	Top of pitched roof
6 metres	7 metres	9 metres

##### 5.4. Building Design:

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

Design Element	Development Standard
(a) Appearance	<ol style="list-style-type: none"><li>(i) Although the use is a non-residential land use, the building must be of residential appearance, in keeping with the surrounding environment, and not detract from the amenity of adjoining properties.</li><li>(ii) The building and any additions must be:<ul style="list-style-type: none"><li>• consistent in style with any existing development on site; and/or</li><li>• maintains and enhances the character of the local area; and</li></ul></li></ol>

	<ul style="list-style-type: none"> <li>• is compatible with the existing and/or desired streetscape character</li> </ul> <p>This can be by way of:</p> <ul style="list-style-type: none"> <li>• scale</li> <li>• material and colours</li> <li>• roof design</li> <li>• detailing</li> <li>• window size</li> </ul>
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## 5.5. Parking and Access:

### 5.5.1. 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
Consulting Rooms	5 bays per practitioner

### 5.5.2. 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. Car parking in front of the consulting rooms should be minimised in order to maintain a residential streetscape.
(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) Vehicles are required to enter and exit the site in forward gear. (ii) A maximum of two 3 metre wide crossovers or one 6 metre wide crossover is permitted.
(d) Pedestrian access	(i) A footpath must be provided from the car park and the street to the building entrance.

### 5.5.3. Bicycle Parking Standards

a. Bicycle parking is to be provided in accordance with the following table and relevant Australian standards.

Use Class	Employee / Visitor Bicycle Parking
Consulting Rooms	2 spaces

## 5.6. 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.
(d) Verge	(i) The verge areas of all consulting rooms are required to be suitably landscaped, reticulated and maintained to discourage patrons from parking on the verge. The verge is not permitted to be paved or sealed as this would encourage its use for parking.

## 5.7. Hours of Operation:

- a. The days and hours of operation are to be in accordance with the following:

Days	Operating hours
Monday to Friday	8.00 am to 6.00 pm
Saturday	9.00 am to 5.00 pm
Sunday	Not permitted

## 5.8. Public consultation:

- a. Applications for new consulting rooms, or applications where the existing consulting room use 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.

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

**Amendments:**

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

# Home-based Business Local Planning Policy

## Responsible Directorate: Planning and Community Development

### Objective:

- To provide criteria and standards for home-based businesses to operate without compromising the residential character of an area, or adversely affecting the amenity of adjoining and nearby residential properties.

### 1. Authority

This Policy has been prepared in accordance with [Division 2 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 the whole of the City of Joondalup.

### 3. Definitions

“**amenity**” means all those factors which combine to form the character of the area to residents and passers-by and shall include the present and likely future amenity.

“**home business**” as defined by *Local Planning Scheme No. 3* means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession:

- does not involve employing more than 2 people who are not members of the occupier's household; and
- will not cause injury to or adversely affect the amenity of the neighbourhood; and
- does not occupy an area greater than 50 m<sup>2</sup>; and
- does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and

- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
- (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

**“home occupation”** as defined by *Local Planning Scheme No. 3* means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out an occupation if the carrying out of the occupations that:

- (a) does not involve employing a person who is not a member of the occupier’s household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 20 m<sup>2</sup>; and
- (d) does not involve the display on the premises of a sign with an area exceeding 0.2 m<sup>2</sup>; and
- (e) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and
- (f) does not
  - (i) require a greater number of parking spaces than normally required for a single dwelling; or
  - (ii) result in an increase in traffic volume in the neighbourhood;
- (g) does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and
- (h) does not include provisions for the fuelling, repair or maintenance of motor vehicles; and
- (i) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located;

**“home office”** as defined by *Local Planning Scheme No. 3* means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupation:

- (a) is solely within the dwelling;
- (b) does not entail clients or customers travelling to and from the dwelling; and
- (c) does not involve the display of a sign on the premises; and
- (d) does not require any change to the external appearance of the dwelling;

#### 4. Statement

The City of Joondalup recognises that working from home is an expanding area of employment. The City, in addition, recognises that the amenity of residential areas should be protected by minimising potential impacts to maintain residential areas as primarily a place to live, not primarily a place to work.

To protect the amenity and character of residential areas, impacts associated with home-based businesses such as noise, traffic, parking, pollution, people and advertising signs should be minimised.

## 5. Details

In assessing ~~a~~ [an application for Development Application approval](#) for a home-based business the following will be considered:

### 5.1 Criteria applying to all home-based businesses:

- a. The applicant must use the dwelling as the principal place of residence.
- b. Only one home-based business category may be undertaken on the site at one time.
- c. The home-based business must not result in a substantial and/or inappropriate modification to the dwelling.
- d. Any appliances or machinery used for the purpose of the home-based business must be of a domestic scale. Large industrial appliances are prohibited.
- e. Applicants must demonstrate that the proposal will not have an undue impact on amenity of the surrounding area and land uses.

### 5.2 Additional Criteria Applying to Home Occupations and Home Businesses:

#### 5.2.1 Car Parking and Customers:

- a. One on-site car parking bay is required per customer and per employee. The total number of on-site car parking bays shall be equal to the maximum number of employees and customers that are permissible at the home-based business at any one time. On-site car parking is to be designed and provided in accordance with the *Residential Design Codes of Western Australia*.
- b. All car parking bays associated with the home-based business are to be made available and maintained for the parking of customer and employee vehicles only, during the approved home business operating hours. Resident parking is not permitted in customer bays during the approved home-based business operating hours. No verge parking for the business is permissible.
- c. The home based-business must not require the provision of car parking bays in a manner that would detract from the residential appearance of the dwelling or dominate the streetscape.

#### 5.2.2 Operating Hours:

- a. The days and hours of operation shall be limited to the following:
  - i. 8.00 am to 6.00 pm, Monday to Friday
  - ii. 9.00 am to 5.00 pm, Saturday.
- b. When determining an application, the number of hours and/or days of operation may be increased, or further restricted through conditions of development approval where it is deemed necessary to protect the amenity of the surrounding area.

### 5.2.3 Signage:

- a. One advertising sign, not exceeding 0.2 square metres in area, is permitted on the front facade of the dwelling for a Home Occupation or Home Business in accordance with the City's *Signs Local Planning Policy*.

## 5.3 Additional Criteria Applying to a Home Business with two external employees:

### 5.3.1 Location

Where this type of Home Business is proposed in ~~either~~ a 'Residential' zone ~~or Special Residential zone~~, the location of the proposal shall be where it abuts or is directly opposite one of the commercial centres listed in the City of Joondalup Local Planning Strategy, unless the applicant can demonstrate to the satisfaction of the City that the proposal will not have an undue impact on the amenity of the surrounding area as a result of noise, traffic, parking, pollution, people and advertising.

### 5.3.2 Management Plan

A Management Plan is required to be submitted as part of any application for this type of Home Business. As a minimum, the Management Plan is to include the following information:

- a. A car parking plan.
- b. Measures to minimise and control noise.
- c. Measures to minimise vehicle loading and unloading and traffic movements.
- d. The proposed hours of operation.
- e. Details of any poisonous, flammable or harmful chemicals or other hazardous materials proposed to be stored or used and measures to ensure that no polluting or harmful substances will escape from the site.
- f. Measures to minimise emissions of odours, dust or vapours from the site.
- g. Ways to limit the number of people visiting the house at any one time in relation to the business.
- h. A plan showing any proposed outdoor storage areas.
- i. Measures to ensure that no detrimental impact occurs to the character of the neighbourhood.
- j. Measures to manage the impact of the Home Business on any building or place listed on the municipal inventory of heritage places.
- k. Details of all appliances or machinery to be used in the Home Business.

#### 5.4 Public Consultation:

- a. ~~All new a~~Applications for a [new](#) Home Occupation or [new](#) Home Business will be advertised for public comment for a period of 21 days by way of letters to adjoining and nearby landowners.
- b. For an application for renewal of a home-based business, if any changes are proposed to the operation of the business, or if complaints have been received within the previous 12 months, advertising of the application may be required in accordance with 5.4a.
- c. ~~Planning-related concerns received from consulted owners will be considered as a relevant factor in the assessment of development applications.~~

#### 5.5 Approval Period:

Where an applicant is not able to demonstrate to the satisfaction of the City that a home-based business will be able to operate without detriment to adjoining or nearby landowners, the City may elect to grant a time limited approval. Following the initial approval period, should it be demonstrated that the home business can operate without detrimentally impacting on adjoining or nearby landowners, a permanent approval may be granted.

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<b>Creation Date:</b>	September 1999
<b>Amendments:</b>	CJ213-06/99, CJ297-09/99, CJ020-02/02, CJ238-11/05
<b>Related Documentation:</b>	<ul style="list-style-type: none"><li>• <i>City of Joondalup Local Planning Scheme No. 3</i></li><li>• <i>Home Business Fact Sheet</i></li><li>• <i>Residential Design Codes</i></li></ul>

# Light Industry Zone Local Planning Policy

## Responsible Directorate: Planning and Community Development

### Objectives:

- To provide development standards for light industry buildings that assist in facilitating appropriate built form and functional light industrial areas.
- To ensure the design and siting of light industry development provides a high standard of amenity and does not impact on adjoining residential properties.
- To encourage high quality, street-orientated development that integrates with surrounding areas.
- To establish a framework for the assessment of applications for development within this zone.

### 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 development on 'Light Industry' zoned land in the City of Joondalup.

### 3. Definitions:

In addition to the definitions contained within the City of Joondalup *Local Planning Scheme No. 3* (the Scheme), the following definitions apply:

**“commercial frontage”** means the portion of the building that fronts the street, car park (if located in front of the building) or key pedestrian route.

**“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, or other fixtures necessary for the use of the building.

“**frontage**” means the line where a road reserve and the front of a lot meet and, if a lot abuts two or more road reserves, the one to which the building is proposed to face

“**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.

“**visually permeable**” means a wall, gate, door or fence that the vertical surface has:

- Continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area.
- Continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or
- A surface offering equal or lesser obstruction to view; as viewed from the street.

“**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:

In considering applications for development on land zoned Light Industry, a variety of criteria will be taken into consideration that aim to ensure that such developments are compatible with, and avoid adverse impacts on, the amenity of the adjoining and surrounding areas.

#### 5. Details:

##### 5.1. Building Setbacks:

- a. Buildings shall be setback from property boundaries as follows:

Boundary	Minimum Setback distance
(a) Street setback	(i) 3.5 metres, with the exception of an awning which may be setback at 1.5 metres.
(b) Side/rear setbacks	(i) Nil, or where a lot abuts the Residential zone, a minimum of 3.0 metres.

## 5.2. Building Height:

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

Maximum Building Height*		
Top of external wall	Top of external wall (concealed roof)	Top of pitched roof
9 metres	10 metres	12 metres

\* Where a lot abuts the Residential zone, the maximum building height within 6 metres of the common boundary shall be 6 metres.

## 5.3. Built Form and Design:

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

Design Element	Development Standard
(a) Materials	<p>(i) Buildings must be constructed of high quality materials including but not limited to stone, concrete, brick, timber and glass.</p> <p>(ii) Concrete walls that are visible from an adjoining property or public realm must be painted and provided with an articulated or detailed finish.</p>
(b) Articulation	<p>(i) Buildings must incorporate appropriate design features to enhance appearance, create visual interest and reduce blank walls, including a combination of the following:</p> <ul style="list-style-type: none"> <li>• Varied colours, textures, finishes and materials;</li> <li>• Varied roof forms and design;</li> <li>• Balconies and balustrades;</li> <li>• Windows, screens and sun shading devices.</li> </ul>
(c) Windows and glazing	<p>(i) The ground floor commercial frontage must have clear glazed windows for a minimum of 40% of the building frontage</p> <p>(ii) Where window security devices are provided, they must be installed on the inside of a window and be 75% visually permeable.</p> <p>(iii) Windows in an external wall which faces north, east or west must be protected from direct summer sun.</p>
(d) Building Entrances	<p>(i) Building entrances must be clearly defined and easily identifiable from the street and public realm.</p> <p>(ii) Building entrances must directly front the street, car park and key pedestrian routes.</p> <p>(iii) Pedestrian shelter must be provided at the entrances to the buildings.</p>

## 5.4. Retaining walls

Provision	Development Requirement
(a) Retaining walls	<p>(i) Retaining walls visible from a street or car park greater than 1 metre in height must be tiered so no tier is greater than 1 metre in height. A landscaping area of no less than 1 metre in width shall be provided between tiers.</p>

## 5.5. Parking and Access:

### 5.5.1 Car Parking Standards

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

Use Class	Number of on-site parking bays
Club Premises, Funeral Parlour, Place of Worship, Recreation – Private	1 per 4 people accommodated
Bulky Goods Showroom, <del>Dry-Cleaning Premises</del> , Industry, Industry – Light, <del>Industry – Service, Laundrette</del> , Motor Vehicle Repairs	1 per 50m <sup>2</sup> NLA
Caretaker's Dwelling	1 per dwelling
Veterinary Centre	5 bays per practitioner
Convenience Store	1 per 25m <sup>2</sup> NLA
<del>Land Sales Office</del>	<del>5 per Display Home/Land Sales Office</del>
Motor Vehicle Wash	1 per employee
Educational Establishment	1 per 3 students accommodated
Fuel Depot, Transport Depot	1 per staff member but not less than 5
Garden Centre	1 per 500m <sup>2</sup> of site area used for display plus 1 per 10m <sup>2</sup> NLA internal display area
Motor Vehicle, Boat or Caravan Sales, Trade Display	1 per 200m <sup>2</sup> display area and 1 bay per employee
Service Station	5 per service bay plus 1 per 20m <sup>2</sup> NLA of sales/display area
Lunch Bar	1 per 20m <sup>2</sup> NLA
Trade Supplies, Warehouse/Storage	1 per 100m <sup>2</sup> NLA

### 5.5.2 Car Park 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 design	(i) Car parks should be consolidated where practicable. (ii) Car parks shall be designed in accordance with Australian Standards AS 2890.1 and/or AS 2890.2 as amended from time to time.
(b) Vehicle Access	(i) The number of crossovers should be kept to the minimum to provide efficient ingress and egress. (ii) The location of crossovers should minimise traffic or pedestrian hazards and not conflict with pedestrian/cyclist paths. (iii) Vehicles are required to enter and exit the site in forward gear.
(c) Pedestrian Access	(i) A footpath must be provided from the car park and the street to the building entrance.
(d) Reciprocal car parking and access	(i) Where car parking and access is approved on neighbouring properties that relies on the reciprocal movement of vehicles and pedestrians across those properties, the necessary reciprocal access and parking shall be allowed at all times to the local government's satisfaction.

### 5.5.3 Scooter and Motorbike Parking Standards

- a. For every 30 car bays required, the 30<sup>th</sup> car bay shall be replaced with two scooter/motorcycle parking bays to be designed in accordance with relevant Australian standards. The car parking bays required under 6.6.1 may be reduced accordingly.

### 5.5.4 Bicycle Parking Standards

- a. Bicycle parking is to be provided in accordance with the following table and relevant Australian standards. Bicycle parking is only required to be provided for new buildings; however it is encouraged to be provided for existing developments and additions to existing developments.

Use Class	Employee Bicycle Parking	Visitor Bicycle Parking
Club Premises, Funeral Parlour, Place of Worship, Reception Centre, Recreation – Private	2 per 10 car parking bays	1 per 50 people accommodated
Convenience Store, Lunch Bar	1 per 100m <sup>2</sup> NLA	1 per 50m <sup>2</sup> NLA
Veterinary Centre	1 per 8 practitioners	1 per 4 practitioners
<a href="#">Dry Cleaning Premises, Laundrette</a>	<a href="#">1 per 300m<sup>2</sup> NLA</a>	<a href="#">1 per 500m<sup>2</sup> NLA</a>
Educational Establishment	1 per 20 employees	1 per 20 students
Bulky Goods Showroom, Industry, Industry – Light, <a href="#">Industry – Service</a> , Trade Supplies, Warehouse/Storage	1 per 750m <sup>2</sup> NLA	1 per 1000m <sup>2</sup> NLA
Fuel Depot, Transport Depot	1 per 5 car parking bays	1 per 10 car bays

### 5.5.5 End of Trip Facilities

All developments that are required to provide 6 or more employee bicycle parking bays must provide end of trip facilities, designed in accordance with the following criteria:

- A minimum of one female and one male shower, located in separate change rooms or a minimum of two separate unisex showers and change rooms.
- Additional shower facilities to be provided at a rate of one shower for every 10 additional bicycle parking bays.
- A locker for every bicycle parking bay provided.
- The end-of-trip facilities are to be located as close as possible to the bicycle parking facilities.

### 5.6. 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.
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## 5.7. Fencing

- a. Any fence located between the street alignment and 6 metres from the street alignment, or the street alignment and a building, whichever is the lesser distance, must be visually permeable above 0.75 metres from natural ground level, and must have a maximum height of 2.0 metres from natural ground level.

## 5.8. Servicing

- a. Servicing, deliveries, lighting and waste collection should be considered as part of the integral design of the building. 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) Service access	(i) Service access must be provided to all commercial buildings to cater for the loading and unloading of goods, and waste collection.
(b) Service yards	(i) Service yards must be screened from view and located at the rear of a building. (ii) Service yards must not be located directly adjacent to a Residential zoned lot.
(c) 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.
(d) 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.
(e) Lighting	(i) To minimise the negative impacts of lighting, lighting is to be installed in accordance with Australian Standard AS 4282.

## 5.9. 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 sea containers is to be in accordance with the following requirements:

Provision	Development Requirement
(a) Visibility	(i) The sea container is not visible from any street or adjoining residential property (ii) Where visible from an area internal to the site, the sea container is painted or clad with material in a colour that matches, or is complementary to, the colour of the existing buildings on the property.
(b) Location	(i) The sea container is not located within any approved car park, access way or landscaped area.

- 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.

### 5.10. 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 1000m <sup>2</sup> of lot area is permitted. (viii) Turbines are not permitted on lots less than 1000m <sup>2</sup> . (ix) The maximum height of a pole mounted system is 10m above natural ground level. (x) The maximum height of a roof mounted system is 7.5m above the roofline. (xi) The maximum blade diameter is 5.5m. (xii) Not permitted between the building and street.

	<p>(xiii) A pole mounted system must be setback from side and rear boundaries not less than half the total height of the wind energy system,</p> <p>(xiv) 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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**Creation Date:** <mmmm yyyy (adopted by Council)>

**Amendments:** Not applicable

**Related Documentation:** • *Local Planning Scheme No. 3*

# Private ~~Clubs, Institutions and Places of Worship~~ Community Purposes Zone Local Planning Policy

## Responsible Directorate: Planning and Community Development

### Objectives:

- To create good quality built form and functional development that contributes towards a sense of place and community.
- To provide for a range of privately owned community facilities, and uses that are incidental and ancillary to the provision of those facilities, which are compatible with surrounding development.
- To ensure that the standard of development is in keeping with surrounding development and does not negatively affect the amenity of the locality.
- To establish a framework for the assessment of applications for development within this zone.

### 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 on 'Private ~~Clubs, Institutions and Places of Worship~~ Community Purposes' zoned land in the City of Joondalup. Where equivalent development provisions are contained within an approved activity centre plan or local development plan, those provisions shall prevail.

### 3. Definitions:

In addition to the definitions contained within the City of Joondalup *Local Planning Scheme No. 3* (the Scheme), the following definitions apply:

“**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*.

**“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, 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.

**“outbuilding”** means an enclosed non-habitable structure that is detached from any dwelling.

**“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.

**“visually permeable”** means a wall, gate, door or fence that the vertical surface has:

- Continuous vertical or horizontal gaps of 50mm or greater width occupying not less than one third of the total surface area.
- Continuous vertical or horizontal gaps less than 50mm in width, occupying at least one half of the total surface area in aggregate; or
- A surface offering equal or lesser obstruction to view;

as viewed from the street.

**“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 of Joondalup supports the development of a range of private community infrastructure such as schools, places of worship, and club premises. This policy provides development provisions for non-residential development that aim to create high quality built form outcomes. It should be read in conjunction with the Scheme and any relevant structure plans, activity centre plans or local development plans.

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

##### 5.1. **Building Setbacks:**

- a. Buildings shall be setback from property boundaries as follows:

Provision	Minimum Setback distance
(a) Primary street setback	(i) 6.0 metres
(b) Secondary street setback	(ii) 3.0 metres
(c) Side/rear setbacks	(iii) 3.0 metres
(d) Rear setbacks	(iv) 3.0 metres
(e) Right of way/laneway setback	(v) Nil

## 5.2. Building Height:

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

Maximum Building Height		
Top of external wall	Top of external wall (concealed roof)	Top of pitched roof
6 metres	7 metres	9 metres

## 5.3. Coastal Area Building Height:

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

Maximum Building Height		
Top of external wall	Top of external wall (concealed roof)	Top of pitched roof
6 metres	7 metres	9 metres

- b. Notwithstanding clause 5.3(a), the building height in an activity centre or local development plan must take into account:
- i. existing built form, topography and landscape character of the surrounding area;
  - ii. building siting and design;
  - iii. bulk and scale of buildings and the potential to unreasonable overshadow adjoining properties or the foreshore;
  - iv. visual permeability of the foreshore and ocean from nearby residential areas, roads and public spaces; and
  - v. whether the development is sympathetic to the desired character, built form and amenity of the surrounding area.

## 5.4. Built Form and Design:

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

Design Element	Development Standard
(a) Materials	(i) Buildings (with the exception of outbuildings that are not visible from the street) must be constructed of high quality materials including but not limited to stone, concrete, brick, timber and glass.

	(ii) Concrete walls that are visible from an adjoining property or public realm must be painted and provided with an articulated or detailed finish.
(b) Articulation	(i) Buildings must incorporate appropriate design features to enhance appearance, create visual interest and reduce blank walls, including a combination of the following: <ul style="list-style-type: none"> <li>• Varied colours, textures, finishes and materials;</li> <li>• Varied roof forms and design;</li> <li>• Balconies and balustrades;</li> <li>• Windows, screens and sun shading devices.</li> </ul>
(c) Windows and glazing	(i) Where window security devices are provided, they must be installed on the inside of a window and be 75% visually permeable. (ii) Windows in an external wall which faces north, east or west must be protected from direct summer sun.
(d) Building Entrances	(i) Building entrances must be clearly defined and easily identifiable from the street and public realm. (ii) Building entrances must directly front the street, car park and key pedestrian routes.

### 5.5. Retaining walls:

Provision	Development Requirement
(a) Retaining walls	(i) Retaining walls visible from a street or car park greater than 1 metre in height must be tiered so no tier is greater than 1 metre in height. A landscaping area of no less than 1 metre in width shall be provided between tiers.

### 5.6. Parking and Access:

#### 5.6.1. Car Parking Standards

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 per 10 sites
Caretaker's Dwelling	1 per dwelling
<del>Child Care Premises</del>	<del>In accordance with the relevant local planning policy</del>
<del>Cinema/Theatre, Civic Use, Club Premises, Place of Worship, Reception Centre, Recreation – Private, Restaurant/Café, Small Bar</del>	<del>1 per 4 people accommodated</del>
<del>Civic Use</del>	<del>1 per 4 people accommodated</del>
<del>Club Premises</del>	<del>1 per 4 people accommodated</del>
Community Purpose, Exhibition Centre	1 per 50m <sup>2</sup> NLA
Consulting Rooms, Medical Centre	5 bays per health consultant
Convenience Store, Market	1 per 25m <sup>2</sup> NLA
<del>Display Home</del>	<del>5 per Display Home</del>
Educational Establishment	1 per 3 students accommodated
Primary School	2 per classroom but not less than 10
Secondary School	2 per classroom but not less than 10
Tertiary College	1 per 3 students accommodated
<del>Exhibition Centre</del>	<del>1 per 50m<sup>2</sup> NLA</del>

Use Class	Number of on-site parking bays
Hospital	1 per 3 <del>patients accommodated</del> beds plus 1 <del>space for each</del> per staff member on duty
Hotel, <del>Motel</del>	1 per bedroom/ <del>unit</del> plus 1 per 5m <sup>2</sup> of bar and dining area
<del>Market</del>	<del>1 per 25m<sup>2</sup> NLA</del>
<del>Medical Centre</del>	<del>5 per health consultant</del>
<del>Motel</del>	<del>1 per unit plus 1 per 5m<sup>2</sup> of bar and dining area</del>
<del>Nursing Home</del>	<del>1 per 5 beds plus 1 per employee</del>
Park Home Park	1 per 10 park homes
<del>Place of Worship</del>	<del>1 per 4 people accommodated</del>
<del>Reception Centre</del>	<del>1 per 4 people accommodated</del>
<del>Recreation – Private</del>	<del>1 per 4 people accommodated</del>
<del>Residential Building</del>	<del>1 per 2 people accommodated</del>
<del>Restaurant/Cafe</del>	<del>1 per 4 people accommodated unless part of a shopping centre in which case the shopping centre standard applies</del>
<del>Retirement Village</del> <del>Residential Aged Care Facility</del>	<del>1 per 5 beds plus 1 per staff member on duty</del> <del>1 per unit plus 1 visitor bay per 10 dwellings plus 1 per non resident staff member</del>
<del>Small bar</del>	<del>1 per 4 people accommodated</del>
Tavern	1 per 5m <sup>2</sup> of bar and dining area
Tourist Development	1 per unit

### 5.6.2. Car Park 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 design	(i) Car parks should be consolidated where practicable. (ii) Car parks shall be designed in accordance with Australian Standards AS 2890.1 and/or AS 2890.2 as amended from time to time.
(b) Vehicle Access	(i) The number of crossovers should be kept to the minimum to provide efficient ingress and egress. (ii) The location of crossovers should minimise traffic or pedestrian hazards and not conflict with pedestrian/cyclist paths. (iii) Vehicles are required to enter and exit the site in forward gear.
(c) Pedestrian Access	(i) A footpath must be provided from the car park and the street to the building entrance.
(d) Reciprocal car parking and access	(i) Where car parking and access is approved on neighbouring properties that relies on the reciprocal movement of vehicles and pedestrians across those properties, the necessary reciprocal access and parking shall be allowed at all times to the local government's satisfaction.

### 5.6.3. Scooter and Motorbike Parking Standards

- a. For every 30 car bays required, the 30<sup>th</sup> car bay shall be replaced with two scooter/motorcycle parking bays to be designed in accordance with relevant Australian standards. The car parking bays required under 6.6.1 may be reduced accordingly.

### 5.6.4. Bicycle Parking Standards

- a. Bicycle parking is to be provided in accordance with the following table and relevant Australian standards. Bicycle parking is only required to be provided for new buildings;

however it is encouraged to be provided for existing developments and additions to existing developments.

Use Class	Employee Bicycle Parking (ratios are part thereof)	Visitor Bicycle Parking (ratios are part thereof)
Cinema/Theatre, Community Purpose, Civic Use, Club Premises, Place of Worship, Reception Centre, Recreation – Private, Restaurant/café, Small Bar	N/A	1 per 50 people accommodated
Convenience Store, Lunch Bar, Market	1 per 100m <sup>2</sup> NLA	1 per 50m <sup>2</sup> NLA
Consulting Rooms, Medical Centre	1 per 8 practitioners	1 per 4 practitioners
Educational Establishment Primary School Secondary School Tertiary College	N/A	1 per 20 students 5 per classroom 5 per classroom 1 per 20 students
Hospital, <a href="#">Residential Aged Care Facility</a> , <a href="#">Nursing Home</a>	1 per 15 beds	1 per 30 beds
Hotel, Motel, Tavern	1 per 150m <sup>2</sup> of bar and dining area	1 per 100m <sup>2</sup> of bar and dining area
<a href="#">Retirement Village</a>	<a href="#">1 per 10 units</a>	<a href="#">N/A</a>
Exhibition Centre	1 per 750m <sup>2</sup> NLA	1 per 1000m <sup>2</sup> NLA

### 5.6.5. End of Trip Facilities

All developments that are required to provide 6 or more employee bicycle parking bays must provide end of trip facilities, designed in accordance with the following criteria:

- a. A minimum of one female and one male shower, located in separate change rooms or a minimum of two separate unisex showers and change rooms.
- b. Additional shower facilities to be provided at a rate of one shower for every 10 additional bicycle parking bays.
- c. A locker for every bicycle parking bay provided.
- d. The end-of-trip facilities are to be located as close as possible to the bicycle parking facilities.

### 5.7. 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.
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### 5.8. Fencing:

- a. Any fence located between the street alignment and 6 metres from the street alignment, or the street alignment and a building, whichever is the lesser distance, must be visually permeable above 0.75 metres from natural ground level, and must have a maximum height of 2.0 metres from natural ground level.

### 5.9. Servicing:

- a. Servicing, deliveries, lighting and waste collection should be considered as part of the integral design of the building. 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) Service access	(i) Service access must be provided to all buildings to cater for the loading and unloading of goods, and waste collection.
(b) Service yards	(i) Service yards must be screened from view and located at the rear of a building. (ii) Service yards must not be located directly adjacent to a Residential zoned lot.
(c) 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.
(d) 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.
(e) Lighting	(i) To minimise the negative impacts of lighting, lighting is to be installed in accordance with Australian Standard AS 4282.

### 5.10. 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 sea containers is to be in accordance with the following requirements:

Provision	Development Requirement
(a) Visibility	(i) The sea container is not visible from any street or adjoining property (ii) Where visible from an area internal to the site, the sea container is painted or clad with material in a colour that matches, or is complementary to, the colour of the existing buildings on the property.
(b) Location	(i) The sea container is not located within any approved car park, access way or landscaped area.

- 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.

**5.11. 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 1000m<sup>2</sup> of lot area is permitted.</li> <li>(viii) Turbines are not permitted on lots less than 1000m<sup>2</sup>.</li> <li>(ix) The maximum height of a pole mounted system is 10m above natural ground level.</li> <li>(x) The maximum height of a roof mounted system is 7.5m above the roofline.</li> <li>(xi) The maximum blade diameter is 5.5m.</li> </ul>

	<p>(xii) Not permitted between the building and street.</p> <p>(xiii) A pole mounted system must be setback from side and rear boundaries not less than half the total height of the wind energy system,</p> <p>(xiv) 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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**Creation Date:** <mmmm yyyy (adopted by Council)>

**Amendments:** Not applicable

**Related Documentation:** • *Local Planning Scheme No. 3*

# Short-term Accommodation Local Planning Policy

## Responsible Directorate: Planning and Community Development

### Objectives:

- To encourage good quality, well managed short-term accommodation for use by visitors that does not compromise the amenity of residential areas or nearby residents.
- To provide guidance and development provisions for operators seeking to establish short-term accommodation within the City of Joondalup.
- To establish a clear framework for the assessment and determination of applications for short-term accommodation.

### 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 'Bed & Breakfast', 'Holiday House', 'Holiday Accommodation' and 'Serviced Apartment' [land](#) uses in all zones.

### 3. Definitions:

**"Bed & Breakfast"** as defined by *Local Planning Scheme No. 3* means a dwelling –

- used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than four (4) adult persons or one family; and
- containing not more than two (2) guest bedrooms.

**"Dwelling"** as defined by the Residential Design Codes means a building or portion of a building being used, adapted, or designed or intended to be used for the purpose of human habitation on

a permanent basis by a single person, a single family, or no more than six persons who do not comprise a single family.

“**Holiday House**” as defined by *Local Planning Scheme No. 3* means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.

“**Holiday Accommodation**” as defined by *Local Planning Scheme No. 3* means two (2) or more dwellings on one lot used to provide short term accommodation for persons other than the owner of the lot.

“**R-Codes**” means the Residential Design Codes.

“**Serviced Apartment**” as defined by *Local Planning Scheme No. 3* means a group of units or apartments providing –

- (a) self-contained short stay accommodation for guests; and
- (b) any associated reception or recreational facilities.

“**Short-term Accommodation**” as defined by *Local Planning Scheme No. 3* means temporary accommodation provided either continuously or from time to time with no guest accommodated for periods totalling more than three (3) months in any 12 month period.

**4. Statement:**

The City of Joondalup supports diversity of accommodation types to facilitate tourism and other activities within its district. In considering applications for short-term accommodation, the City will take into consideration the siting, design and management of the short-term accommodation to ensure such accommodations are compatible with, and avoid adverse impacts on, the amenity of adjoining and surrounding areas.

**5. Details:**

**5.1 General requirements for all short-term accommodation:**

**5.1.1 ~~Car parking~~Car Parking Standards:**

- a. Car parking bays are to be provided in accordance with the following ~~Table 1~~table:

~~Table 1 – Onsite Car Parking Requirements for Short-term accommodation~~

Use Class	Number of on-site parking bays
Bed & Breakfast	One car parking bay per guest bedroom. In addition, car parking for permanent residents is to be in accordance with the R-Codes.
Holiday House	In accordance with the R-Codes clause 5.3.3 Location B requirements.
Holiday Accommodation	In accordance with the R-Codes clause 5.3.3 Location B requirements.
Serviced Apartment	In accordance with the R-Codes clause 5.3.3 or 6.3.3 Location B requirements.

**5.1.2 Car Parking Location and Design:**

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

Design Element	Development Requirement
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<u>(a) Car park location</u>	<u>(i) All car parking is to be provided on-site; verge parking is not permitted.</u> <u>(ii) In the 'Residential' zone, the provision of car parking bays must not detract from the residential appearance of the dwelling or dominate the streetscape.</u>
<u>(b) Car park design</u>	<u>(i) Car parks shall be designed in accordance with the R-codes.</u>
<u>(c) Vehicle access</u>	<u>(i) Vehicles access is to be provided in accordance with the R-Codes.</u>

~~b. All parking is to be provided on-site; no verge parking is permissible.~~

~~c. On-site car parking is to be designed and vehicular access provided in accordance with the R-Codes.~~

~~d. Where the provisions of the 'Residential' zone are applicable, the short-term accommodation must not require the provision of car parking bays in a manner that would detract from the residential appearance of the dwelling or dominate the streetscape.~~

#### **5.1.2 Management plan:**

a. A management plan is required to be submitted at the time of lodging an [application for development application approval](#) for short-term accommodation. The requirement for the operation of the short-term accommodation in accordance with the management plan will be included as a condition of any development approval issued.

b. The management plan is to include, but not be limited to the following matters:

- i. a code of conduct detailing the expected behaviour and obligations of guests. The code of conduct shall be displayed in a prominent position within the premises;
- ii. management of complaints, in the form of a Complaints Management Procedure (which must include the provision of the short-term accommodation owners/managing agents contact telephone number for adjoining neighbours);
- iii. control of anti-social behaviour and the potential conflict between guests and permanent residents of the area, detailing the expected behaviour of guests and control of noise;
- iv. details regarding guest check-in and check-out procedures;
- v. management of car parking;
- vi. details regarding waste management which must include specifying the expectations on guests with regard to general rubbish and bin collection (if applicable);
- vii. compliance with Strata By-Laws (if applicable) in the form of a Statement of Compliance.

#### **5.1.3 Guest register:**

- a. A register of all persons occupying the short-term accommodation is required to be kept on the premises of the short-term accommodation or at such other place as agreed by the City, and shall be open to inspection on demand by an authorised City Officer.
- b. The register shall:
  - i. show the name and address of every occupant staying within the accommodation and the unit occupied; and
  - ii. include the date of arrival and date of departure of the occupants of the accommodation.

#### **5.1.4 Signage:**

- a. Any signage associated with short-term accommodation is to be in accordance with the City of Joondalup *Signs Policy*.

#### **5.1.5 Application information**

- a. In addition to the management plan referred to above and the normal development application submission requirements, the following additional information is required to be submitted with an application for development approval for short-term accommodation:
  - i. justification as to how and why the proposed accommodation will be compatible with the adjoining area and is consistent with the objectives of this Policy.

#### **5.1.6 Public consultation:**

- a. For proposals where the provisions of the 'Residential' zone apply, [development applications](#) for new short-term accommodation, or applications where the existing use is proposed to be intensified, will be advertised for public comment for a [minimum](#) period of 14 days by way of letters to adjoining and nearby landowners.
- b. Where an application involves short-term accommodation in a strata title arrangement, the strata body will be consulted. Prior to submission, applicants are encouraged to seek clarification as to whether or not the operation of short-term accommodation is compliant with regulations governing ownership of the property i.e. provisions of the *Strata Titles Act 1985* and associated by-laws.

### **5.2 Development requirements for a Bed & Breakfast**

- a. The owner/resident of the accommodation must reside on-site at all times while the '[Bed & Breakfast](#)' [accommodation](#) is in operation.
- b. Meals may only be provided for '[Bed & Breakfast](#)' [accommodation](#) guests.

### **5.3 Development requirements for a Holiday House**

- a. [Applications for Development applications approval](#) for a '[Holiday House](#)' within an existing dwelling will be processed as a change of use.

- b. [Applications for Development applications approval](#) for a purpose built 'Holiday House' are required to meet the relevant single house requirements of the Residential Design Codes, the City of Joondalup *Residential Development Local Planning Policy* and any relevant structure plan or local planning policy.

#### 5.4 Development requirements for Holiday Accommodation

- a. [Applications for Development applications approval](#) for 'Holiday Accommodation' within existing grouped or multiple dwelling developments will be processed as a change of use.
- b. [Applications for Development applications approval](#) for purpose built 'Holiday Accommodation' are required to meet the relevant grouped or multiple dwelling development requirements of the Residential Design Codes, the City of Joondalup *Residential Development Local Planning Policy* and any relevant structure plan or local planning policy.
- c. Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same holiday accommodation unit.

#### 5.5 Development requirements for Serviced Apartments

- a. [Applications for Development applications approval](#) for 'Serviced Apartments' within an existing grouped dwelling or multiple dwelling development will be processed as a change of use and are expected to provide dedicated reception facilities and may provide recreational facilities.
- b. Applications for purpose built 'Serviced Apartments' shall be subject to the siting and design requirements applicable under the relevant local planning policy, and any relevant structure plan. If applicable, serviced apartments are required to be designed to separate short-term accommodation from permanent occupancy dwellings located on the same site or building.
- c. Where a development involves a combination of permanent occupancy dwellings and serviced apartments, parking areas for permanent residents and their visitors shall be clearly separated and delineated from the parking area for the serviced apartments.
- d. Tandem car parking arrangements (one bay behind another) will only be considered where the bays are allocated to the same serviced apartment.
- e. If required, applications for purpose built 'Serviced Apartments' must also demonstrate the sufficient provision of facilities for the loading/unloading of goods on the site.

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

**Amendments:** Not applicable

**Related Documentation:** • *Local Planning Scheme No. 3*

# Bed and Breakfast Accommodation Policy

## Council Policy

### Responsible Directorate: Planning and Community Development

**Objective:** To provide guidance and provisions for the establishment of bed and breakfast accommodation that will minimise the impact on adjoining properties.

#### 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 planning policies relating to planning or development within the Scheme area.

#### 2. Application:

This Policy applies to the Residential, Mixed-Use, Business, Commercial, Private Clubs/Recreation, Special Residential and Rural Zones.

#### 3. Definitions:

**“bed and breakfast”** means any dwelling in which the resident of the dwelling provides accommodation on an overnight or short-term basis, usually to the travelling public, and may include the provision of breakfast, as defined within the *City of Joondalup District Planning Scheme No. 2*.

**“ancillary accommodation”** means self-contained living accommodation on the same lot as a single house that may be attached or detached from the single house occupied by members of the same family as the occupiers of the main dwelling, as defined within the *Residential Design Codes of Western Australia*.

**“short-term basis”** means a period of accommodation that does not exceed a continuous period of 3 months.

#### 4. Statement:

The City of Joondalup supports diversity of accommodation types to facilitate tourism activities within its district. In considering applications for bed and breakfast accommodation, Council shall take into consideration the location, siting and design of the bed and breakfast to ensure such

accommodations are compatible with, and avoid adverse impacts on, the amenity of adjoining and surrounding areas.

## **5. Details:**

In assessing any Development Application for bed and breakfast accommodation the following will be considered.

### **5.1. Location:**

- a. Bed and breakfast accommodation located close to high frequency public transport, Commercial Centres, beaches or tourist attractions is encouraged.
- b. The appearance of the bed and breakfast accommodation must be in keeping with the surrounding environment, and should not be detrimental to the amenity of the adjoining properties or surrounding area by way of excessive noise or vehicle movement and parking.

### **5.2. Car Parking:**

- a. One car parking bay is required per guest bedroom. In addition, car parking for permanent residents is to be in accordance with the *Residential Design Codes of Western Australia*.
- b. All parking is to be provided on-site; no verge parking is permissible.
- c. The bed and breakfast accommodation must not require the provision of car parking bays in a manner that would detract from the residential appearance of the dwelling or dominate the streetscape.

### **5.3. Management:**

- a. The owner/resident of the bed and breakfast accommodation must reside on-site at all times while the bed and breakfast is in operation.
- b. Up to 6 guests may be accommodated at any one time, exclusive of the permanent residents. (N.b.: additional guests will lead to the premises being required to be registered and comply as a Lodging House under the *Health Act 1911*.)
- c. The provision of separate bathroom facilities is encouraged for each bed and breakfast room.
- d. Access to a dining area must be provided for guests within the dwelling, along with communal laundry facilities or a laundry service.
- e. Meals may only be provided for bed and breakfast guests. This is usually breakfast, but may include other meals.
- f. A Management Plan must be submitted at the time of lodging the application. The operation of the bed and breakfast is then required to be in accordance with that approved Plan and the Management Plan must be kept on the premises at all times. The Plan must include measures to address the following:

- ongoing maintenance of the premises and all common property areas;
  - control of noise;
  - management of car parking;
  - use of exclusive storage areas by the permanent occupier(s) of the dwelling;
  - management of complaints, in the form of a formal Complaints Management Procedure (which must include the provision of the bed and breakfast accommodation owner's contact telephone number for adjoining neighbours); and
  - compliance with Strata By-Laws (if applicable) in the form a Statement of Compliance.
- g. A 'Code of Conduct' or 'House Rules' is required to be submitted at the time of lodging the application. This document must detail the expected behaviour of guests in order to manage anti-social behaviour and potential conflict between guests, residents and neighbours. The document must then be displayed in a prominent position within the premises.
- h. Ancillary accommodation that is no longer needed for that purpose, may be utilised for bed and breakfast purposes with the approval of the City. In the event that the bed and breakfast activity ceases, approval will again be required in order to use the addition as ancillary accommodation.
- i. Self-contained dwelling additions up to 60 square metres in area, whether separate from the main dwelling or not, may be utilised for bed and breakfast purposes with the approval of the City. In the event that the bed and breakfast activity ceases:
- any kitchen facilities are to be removed in order ensure that the addition is no longer self contained; or
  - approval must be granted by the City to utilise the addition as ancillary accommodation.

#### **5.4. Signage:**

One advertising sign, not exceeding 0.2 square metres in area, is permitted on site, in accordance with the City's *Signs Policy*.

#### **5.5. Public Consultation:**

- a. All new applications for bed and breakfast accommodation will be advertised for public comment for a minimum period of 21 days by way of:
- letters to adjoining and nearby landowners; and
  - a notice on the City's website.

Additionally, if, on renewal of the business, any changes have occurred or are proposed to the operation of the business, or if complaints have been received within the previous 12 months, advertising of the application may be required.

- b. The City will arrange the public consultation process; however, all costs associated with advertising are to be borne by the applicant.

## 5.6. Approval Period:

Any approval issued is valid for 12 months. Prior to the expiry of the approval, an application to renew the bed and breakfast must be submitted and approved by the City to enable the continuation of the activity.

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**Creation Date:** March 2012

**Amendments:** N/A

**Related Documentation:**

- *Bed and Breakfast Information Sheet*
- *City of Joondalup District Planning Scheme No. 2*
- *Health Act 1911*
- *Health Local Law 1999*
- *Signs Policy*