

PART 1 – PRELIMINARY

1.1 CITATION

1.1.1 The City of Joondalup District Planning Scheme No. 2 (“the Scheme”) comes into operation on its Gazettal date.

1.1.2 City of Joondalup Town Planning Scheme No. 1 (Gazettal date 13 September, 1972) is revoked.

1.2 RESPONSIBLE AUTHORITY

The authority responsible for carrying out the Scheme is the Council of the City of Joondalup hereinafter referred to as the “Council” except that where land is shown in the Scheme Map as “Regional Reserve” the responsible authority shall be deemed to be the Western Australian Planning Commission, and the Provisions of the Metropolitan Region Scheme shall apply to such reservations.

1.3 THE SCHEME AREA

The Scheme shall apply to the whole of the District of the City of Joondalup as shown by the inner edge of the broken black line on the Scheme Map.

1.4 CONTENTS OF SCHEME

The Scheme comprises:

- (a) this Scheme Text
- (b) the Scheme Map
- (c) Residential Density Code Maps
- (d) agreed Structure Plans
- (e) Plans referred to in Schedule 5

1.5 ARRANGEMENT OF THE SCHEME TEXT

PART 1	PRELIMINARY
PART 2	RESERVES
PART 3	ZONES
PART 4	GENERAL DEVELOPMENT REQUIREMENTS
PART 5	SPECIAL CONTROLS
PART 6	DEVELOPMENT AND USE OF LAND
PART 7	NON-CONFORMING USES
PART 8	FINANCE AND ADMINISTRATION
PART 9	STRUCTURE PLANS

1.6 SCHEME AIMS AND OBJECTIVES

The aims and objectives of Scheme 2 are:

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| Regional planning framework: | (a) | To facilitate the Council's commitment to facilitating urban development in accordance with the statutory provisions of the Metropolitan Region Scheme and the planning principles embodied in state and regional policies relevant to the City; |
| Local planning framework: | (b) | To encourage and facilitate development of the City generally in accordance with the City of Joondalup Strategic Plan; |
| | (c) | To provide an accountable planning framework appropriate to the needs of a regional City and its diverse lifestyle opportunities; |
| | (d) | To facilitate the co-ordination and provision of social and community facilities and other physical infrastructure; |
| Land Use & Development | (e) | To encourage development which will: <ul style="list-style-type: none">◆ provide high standards of amenity, safety and welfare,◆ strive to ensure that new housing is energy-efficient,◆ ensure permanent and easy access by the public to the ocean shore and other recreation reserves,◆ promote the development of business which increases employment opportunities close to living places, and◆ support a safe, efficient and effective transportation system. |
| | (f) | To encourage urban design which is compatible with and appropriate to the natural, built and social environment of the City; |
| Development Assessment & Approval Process | (g) | To provide guidance on the procedures to be followed in the lodgment, assessment and determination of applications for the development and use of land within the City; |
| | (h) | To ensure that proper regard is given to the needs of the community in the determination of land use and development proposals; |
| Heritage Conservation | (i) | To encourage the conservation and continued use of identified places and objects of cultural heritage significance; |
| Environmental Protection | (j) | To provide the Council and residents with appropriate mechanisms to protect identified places |

of landscape or environmental value within the City;

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| Urban
Development | (k) To ensure that adequate regard is given to the protection of the natural environment in the determination of land use and development proposals in accordance with sustainable development principles; |
| Urban
Development | (l) To promote planning, management and strategic control of development in a rational and systematic manner, taking into account the needs and aspirations of residents, and the environmental capacity of the area and; |
| New
Development
Around
Existing
Railway
Stations | (m) In order to promote public transport usage, Council shall encourage appropriate transit related development to take place around existing railway stations. This relates to both private property and government owned land and air rights above that land where achievable. |

1.7 RELATIONSHIP WITH THE METROPOLITAN REGION SCHEME

The Scheme is complementary to, and is not a substitute for, the Metropolitan Region Scheme, and the provisions of the Metropolitan Region Scheme, as amended, continue to have effect. The authority responsible for implementing the Metropolitan Region Scheme is the Western Australian Planning Commission (hereinafter called “the Commission”).

1.8 RELATIONSHIP OF SCHEME TO LOCAL LAWS

Where a provision of this Scheme is inconsistent with any local law or by-law, the provisions of this Scheme shall prevail.

1.9 INTERPRETATION

- 1.9.1 Words and expressions used in the Scheme shall have the respective meanings given to them in Schedule 1 or elsewhere in the Scheme and the Residential Design Codes.
- 1.9.2 Where a word or term is defined in the Residential Design Codes then notwithstanding anything else in the Scheme that word or term when used in respect of residential development has the meaning given to it in the Residential Design Codes.
- 1.9.3 Words and expressions used in the Scheme but not defined in Schedule 1, elsewhere in the Scheme or in the Residential Design Codes shall have their normal and common meanings.