

# **BURNS BEACH STRUCTURE PLAN**

## **STRUCTURE PLAN NO. 10**

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



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**EXECUTIVE SUMMARY**

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

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

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

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

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

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

This Structure Plan is divided into two parts:

Part 1 – Statutory Planning

Part 2 – Explanatory Report

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

## **PART 1 – STATUTORY PLANNING**

As provided for under Part 9 of the Scheme, this part of the Structure Plan has the same force and effect as a provision, standard or requirement of the Scheme.

Part 1 of this Structure Plan is a general guide to future subdivision, zoning and development of the land included in the Burns Beach Structure Plan.

### **1.0 SUBJECT AREA**

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

### **2.0 STRUCTURE PLAN PRECINCTS/RESERVATIONS**

The Structure Plan divides the land into the following precincts:

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

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

### **3.0 DEFINITIONS**

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

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

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

“BUILDING HEIGHT” shall mean a maximum building height of 2 storeys or 6.5 metres to the top of the eaves or 7.5 metres to the top of an external parapet wall for a concealed roof and 10 metres to the apex of the roof, the height being measured vertically from natural ground level.

“GROUND FLOOR LEVEL” shall mean the finished level of the lot relative to the finished Australia Height Datum (AHD) level of the road that it fronts (existing or as established at subdivision stage) and immediately adjacent to the lot. The finished level of the lot shall be +/- 0.5 metres from the AHD level of the mid point of the road and measured from the midpoint of the frontage of each lot frontage.

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

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

“THE SCHEME” shall mean the City of Joondalup District Planning Scheme No.2 (as amended) gazetted 28 November 2000 or such amendments or modifications thereto that may be current.

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

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

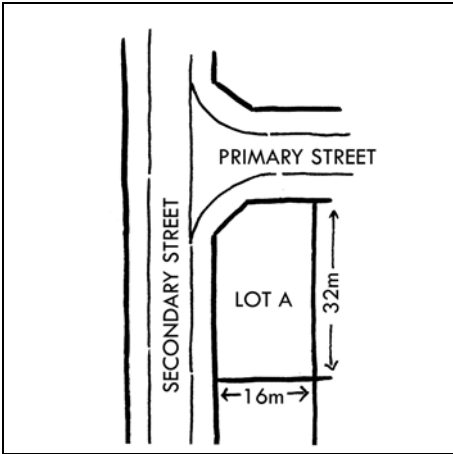


Figure 1: Primary & Secondary Street (not to scale)

“LOCAL SHOP” shall mean land and buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and

newsagents and operated during hours which may include or may extend beyond normal trading hours.

#### **4.0 THE SCHEME**

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

#### **5.0 RESIDENTIAL R20 PRECINCT**

##### **5.1 Objectives**

The objectives for the Residential R20 Precinct are:

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

##### **5.2 Provisions**

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

- I. Dwellings constructed on corner lots must be designed to address both the primary and secondary street. Dwellings should face both the primary and secondary street at the corner and should be design to 'turn the corner' rather than focus visually interesting elevations only on the primary street. This can be achieved by the following:
  - having habitable rooms and major openings facing both the primary and secondary street;



- by reducing the fencing along the secondary street boundary so that it is located at least 4 metres behind the front building line;
- having open style fencing along the front portion of the secondary street boundary rather than solid fencing.

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

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

## **6.0 RESIDENTIAL R40 PRECINCT**

### **6.1 Objectives**

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



Indicative photos of R40 residential development

**6.2 Provisions**

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

- I. Front setbacks shall be a minimum of 3 metres with an average of 4 metres.
- II. To maximise winter solar penetrations, solar accessible courtyards are required. A nil setback onto a nominated side boundary is permitted to facilitate this. For north-south orientated lots the nil setback shall be on the western boundary (Refer Figure 2). For east-west orientated lots the nil setback shall be on the southern boundary (Refer Figure 2).

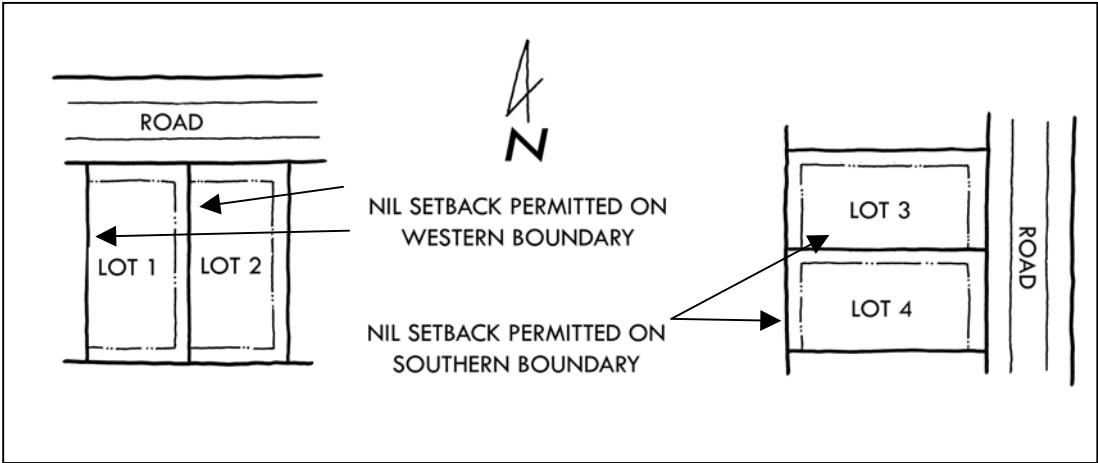


Figure 2: Nil Setback Provision (not to scale)

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

- IV. For side boundaries not subject to a nil setback, and where a side wall contains a major opening to a habitable room (as defined in the R-Codes), the minimum side setback shall be 2 metres in order to maximise solar access.
- V. Setback to a secondary street shall be a minimum of 1.5 metres.
- VI. The ground floor of a dwelling, including the garage, must be setback a minimum of 1.5 metres from the rear boundary. A 1.5m visual truncation to the garage opening must be provided. The first floor is permitted to have a nil setback to the rear boundary.
- VII. Each dwelling must provide a minimum of 2 on site covered car bays.
- VIII. Vehicular access and garage location is required to be from the rear laneway.
- IX. With the exception of corner lots, the dwelling is to be designed to address and face the primary street, with clearly defined pedestrian path to the front of the residence.
- X. An outdoor living area with a minimum area of 20 sqm and a minimum dimension of 4m which is directly accessed from a living area is to be provided in a location to best facilitate winter solar penetration. This may include space located in front of the street setback.
- XI. A minimum of 35% of the lot area is required to be provided as open space.
- XII. The provisions of the City of Joondalup Policy 3.1.9 “Height and Scale of Buildings within a Residential Area” shall not apply.
- XIII. Dwellings shall be constructed to a maximum height of 2 storeys with loft areas within the roof space permitted.
- XIV. Dwellings constructed on corner lots must be designed to address both the primary and secondary street. Dwellings should face both the primary and secondary street at the corner and should be design to ‘turn the corner’ rather than focus visually interesting elevations only on the primary street. This can be achieved by the following:
  - having habitable rooms and major openings facing both the primary and secondary street;
  - by reducing the fencing along the secondary street boundary so that it is located at least 4 metres behind the front building line;
  - having open style fencing along the front portion of the secondary street boundary rather than solid fencing.

## **7.0 LOCAL SHOP PRECINCT**

### **7.1 Objective**

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

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

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

### **7.2 Land Uses**

The uses permitted within this site are as follows:

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

### **7.3 Provisions**

A local shop site is required to be provided in this precinct. Wholly residential or office development is not permitted to occupy the entire precinct.

Non-residential development proposals within the local shop precinct shall be assessed in accordance with the District Planning Scheme, Council's policies, relevant Local Laws and the Building Codes of Australia, except where they have been varied in the following instances:

- I. Buildings shall be constructed to a maximum height of 2 storeys with loft areas within the roof space permitted.
- II. A minimum of two (2) on site car parking bays shall be provided and shall be accessed from the rear laneway.
- III. Setback from all street boundaries (primary and secondary) shall be a minimum of 2 metres. A larger setback is encouraged to cater for alfresco dining and footpath trading opportunities.
- IV. Setback from a side boundary shall be a minimum of 1 metre for the ground floor and 1.5 metres from the first floor.
- V. Setback from the rear boundary shall be 1.5 metres for a garage or carport and 6 metres for the main building. A 1.5m visual truncation to the garage opening must be provided.
- VI. To ensure that the impact on the visual quality and aesthetics of the area are minimised, air conditioning or cooling units, hot water systems, solar panels, bin storage areas, TV antennae, satellite dishes and radio masts should be located such that they are screened from public view and they are located in a position to minimise noise impacts on neighbouring residences.
- VII. Buildings constructed on corner lots must be designed to address both the primary and secondary street. Buildings should face both the primary and secondary street at the corner and should be design to 'turn the corner' rather than focus visually interesting elevations only on the primary street. This can be achieved by the following:
  - having habitable rooms and major openings facing both the primary and secondary street;
  - by reducing the fencing along the secondary street boundary so that it is located at least 4 metres behind the front building line;
  - having open style fencing along the front portion of the secondary street boundary rather than solid fencing.

Residential development within the local shop precinct shall be in accordance with the Mixed-Use Development Requirements of the Residential Design Codes 2002.

## **8.0 BEACH SHOP/LUNCH BAR AND RESTAURANT PRECINCT**

### **8.1 Objective**

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

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

### **8.2 Land Use**

The uses permitted within this precinct are as follows:

- Lunch Bar
- Shop (includes Fish & Chip shop, take away pizza shop)
- Restaurant/Cafe

### **8.3 Provisions**

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

## **9.0 SPECIAL DESIGN PRECINCT**

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

### **9.1 Objectives**

- To provide a Special Design Precinct within which endeavours will be made to maintain the general landform;
- To provide a Special Design Precinct within which endeavours will be made to accommodate level differences within individual dwelling design;
- To provide homesites which have the correct solar orientation and facilitate the construction of energy efficient dwellings;
- To provide homesites with ocean proximity that derive benefit from the cooling sea breezes;
- To maintain a high level of pedestrian connectivity, amenity and safety.

## 9.2 Provisions

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

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

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

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

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

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

prepared by relevant State and Local Government authorities, in conjunction with the developer of the Burns Beach Structure Plan area.

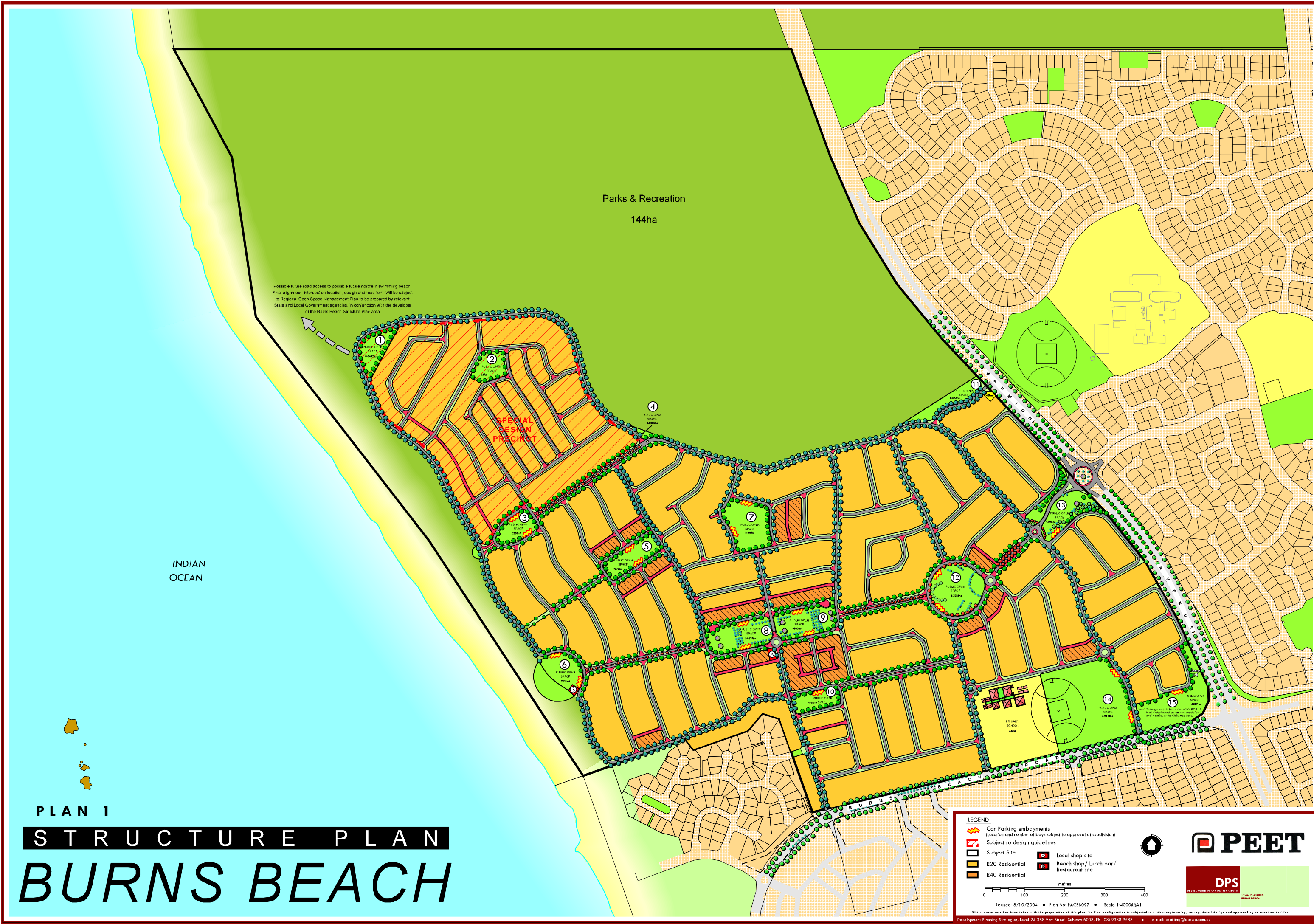
**10.0 PARKS AND RECREATION RESERVE**

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

**11.0 MODIFICATIONS TO THE STRUCTURE PLAN**

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





**PLAN 1**  
**STRUCTURE PLAN**  
**BURNS BEACH**

**LEGEND**

- Car Parking embayments (Location and number of bays subject to approval at subdivision)
- Subject to design guidelines
- Subject Site
- R20 Residential
- R40 Residential
- Local shop site
- Beach shop/ Lunch bar/ Restaurant site

0 100 200 300 400 metres

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Section 2.6 – Human Services

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**POLICY 2.6.4 - ENVIRONMENTAL, SOCIAL AND ECONOMIC SUSTAINABILITY**

**OBJECTIVE**

To:

- 1 progressively enhance environmental, social and economic sustainability;
- 2 protect and enhance the natural and human environments for the benefit of present and future generations;
- 3 minimise, as far as practicable, any adverse environmental impacts associated with its activities;
- 4 take advantage of and maximise environmentally beneficial opportunities;
- 5 adopt appropriate management practices to facilitate sustainability;

in the City of Joondalup

**STATEMENT**

The City of Joondalup recognises its responsibility to work with its community towards an environmentally, socially and economically sustainable future. The City is committed to the development, implementation and management of programs which will ensure continual improvement in its environmental and sustainability performance, and will safeguard environmental quality and well-being for its present and future communities and employees.

In establishing the City's strategic direction in supporting and enhancing environmental, social and economic sustainability, the City will:

- identify key sustainability issues for the City and adopt appropriate management practices;
- address the environmental impacts of its activities and operations and take action as appropriate to minimise and manage such impacts;
- encourage the protection and conservation of the natural environment;
- adopt appropriate environmentally beneficial initiatives;
- minimise waste production and energy consumption;
- prepare plans and strategies which set objectives and targets for environmental and sustainability performance;
- establish an effective strategic framework for addressing environmental issues;
- publicly report on the effectiveness of environmental performance;
- develop effective internal and external communications processes on environmental and sustainability issues, including awareness raising and educational programmes.

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## Section 2.6 – Human Services

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In order to achieve this, the City will -

- implement programs and actions in accordance with its Strategic Plan;
- develop, implement and progressively review the City's Local Agenda 21 Sustainability Plan;
- ensure the community's health and environment is protected by implementing effective waste management and recycling services;
- develop and implement environmental performance evaluation techniques;
- publicly report on environmental, social and economic sustainability performance through periodic Sustainability Indicator Reports;
- adopt the most appropriate technology and work practices to minimise the effects that its operations have on the environment;
- seek, assess, and where appropriate adopt, environmentally beneficial initiatives;
- encourage technology transfer and sharing of environmental experiences with other Local Government authorities;
- encourage suppliers and contractors to adopt best environmental operational and management practices;
- conduct public consultation programmes.

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Previous Policy No: N/A  
Amendments: CJ213-06/99, CJ121-06/02  
Issued: June 2002  
Related Documentation: