

**PLANNING AND DEVELOPMENT ACT 2005**

**RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME**

**CITY OF JOONDALUP**

**DISTRICT PLANNING SCHEME NO. 2 – AMENDMENT NO. 90**

Resolved that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by amending the residential density code for the portion of Housing Opportunity Area 1 located to the west of Davallia Road from R20/40 and R20/60 to R20/30.

The Amendment is Complex under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the reason that it is not consistent with the *City of Joondalup Local Housing Strategy*.

DATED THIS 12<sup>TH</sup> DAY OF DECEMBER 2017

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

**PLANNING AND DEVELOPMENT ACT 2005**

**CITY OF JOONDALUP**

**DISTRICT PLANNING SCHEME NO. 2 – AMENDMENT NO 90**

The City of Joondalup under and by virtue of the powers conferred upon it in that behalf by Part 5 of the *Planning and Development Act 2005* hereby amends the above Local Planning Scheme by:

1. Amending the residential density code of the portion of Housing Opportunity Area 1 bound by Warwick Road to the north, Davallia Road to the east, Beach Road to the south and to the west by Sequoia Road, Granadilla Street, Telopia Drive, Autumn Court, Buckthorn Way and Greenlaw Street, from R20/40 and R20/60 to R20/30.
  
2. Amending the scheme map accordingly.

**PLANNING AND DEVELOPMENT ACT 2005**

**CITY OF JOONDALUP**

**DISTRICT PLANNING SCHEME NO. 2 – AMENDMENT NO. 90**

**SCHEME AMENDMENT REPORT**

**BACKGROUND**

At its meeting held on 27 June 2017, Council resolved to initiate Amendment No. 88 to District Planning Scheme No. 2 to amend the residential density code of a portion of Housing Opportunity Area 1 (HOA1) bounded by the Mitchell Freeway, Davallia Road, Beach Road and Warwick Road, Duncraig, from R20/40 and R20/60 to R20/30.

Following Council's resolution to initiate Amendment No. 88, the City referred the amendment to the Western Australian Planning Commission and Environmental Protection Authority prior to advertising, as required by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Prior to the commencement of advertising, a separate petition was received by the City from some landowners in HOA1 west of Davallia Road seeking to also include this area of HOA1 in Amendment No. 88. The commencement of advertising for Amendment No. 88 was held pending Council's consideration of the petition to include additional areas into the amendment.

At its meeting held on 21 November 2017 (CJ177-11/17 refers), Council considered the petition and resolved in part as follows:

*“SUPPORTS the request to include the portion of Housing Opportunity Area 1, located west of Davallia Road into Amendment No. 88 to District Planning Scheme No. 2, to reduce the density coding from R20/R40 and R20/R60 to a density coding of no higher than R20/R30 and NOTES that a report dealing with the revocation of Council's earlier decision to initiate existing Amendment No. 88 and to initiate a replacement amendment will be presented to an upcoming Council meeting”.*

Subsequently, at its meeting held on 12 December 2017 Council resolved in part as follows:

*“Pursuant to section 75 of the Planning and Development Act 2005 and Regulations 37(1) of the Planning and Development (Local Planning Schemes) Regulations 2015, RESOLVES to proceed to advertise Scheme Amendment No. 90 to the City of Joondalup District Planning Scheme No.2 to:*

- 1.1 *amend the Residential Density Code Map to recode a portion of Housing Opportunity Area 1 from R20/40 and R20/60 to R20/30, as depicted at Attachment 2 to Report CJ193-12/17, for the purpose of public advertising for a period of 60 days”*

## **DETAILS**

This amendment to District Planning Scheme No.2 has been prepared in accordance with Council's resolution of 12 December 2017. In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposed amendment is a 'complex amendment' as the proposal is not consistent with the *City of Joondalup Local Housing Strategy*.

**RESOLUTION TO AMEND**

Adopted by resolution of the Council of the City of Joondalup at the meeting of the Council held on the 12<sup>th</sup> day of December 2017.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

**ADOPTION**

Adopted for final approval by resolution of the City of Joondalup at the Meeting of the Council held on the \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ and the Common Seal of the City of Joondalup was affixed by the authority of a resolution of Council in the presence of:

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

**WAPC RECOMMENDED/SUBMITTED FOR FINAL APPROVAL**

\_\_\_\_\_  
DELEGATED UNDER s16 OF THE *PLANNING AND DEVELOPMENT ACT 2005*

DATE \_\_\_\_\_

**APPROVAL GRANTED**

\_\_\_\_\_  
MINISTER FOR PLANNING  
S87 OF THE *PLANNING AND DEVELOPMENT ACT 2005*

DATE \_\_\_\_\_