

# Scheme Amendments No 88 and No 90

## Frequently Asked Questions

### What properties are included in Scheme Amendment No 88 and No 90?

All properties in Housing Opportunity Area 1, west of the Mitchell Freeway. The properties included in the scheme amendments are shown on the Scheme Amendment Maps which can be viewed via the Community Engagement section of the City's website [joondalup.wa.gov.au](http://joondalup.wa.gov.au)

### Why do these properties have a dual density code?

These properties are in one of the City's Housing Opportunity Areas, which were approved for higher density infill development two years ago.

The State Government has a vision and strategy for the future growth and development of the metropolitan area which outlines that housing needs are changing and that a greater diversity of housing is needed. The State Government also believes that more efficient use should be made of existing infrastructure.

The State Government has therefore set housing targets for all Local Governments in the metropolitan area. The City of Joondalup has limited vacant land left, so much of this new housing needs to be infill development. Infill development is development of land that has already been developed to some extent.

The City was required, by the State Government, to prepare a *Local Housing Strategy* to demonstrate how the City will meet its housing targets. Early in the development of the Strategy, the City decided not to allow infill development to occur everywhere. In line with State Government policy, criteria were used to identify the most appropriate locations for higher density — specifically, areas within walking distance of train stations, key public transport routes and shopping centres.

Using these criteria, ten areas were identified where increased residential densities were considered most appropriate at the time. These areas are called Housing Opportunity Areas.

### What is a density code and what is a dual density code?

The *Residential Design Codes* (R-Codes) is a State Government planning policy, which provides the basis for controlling all residential development throughout Western Australia.

Under a Local Government Planning Scheme, properties are allocated a density code. The density code, or R-Code, for a property effectively limits or controls the number of dwellings that can be developed on that property.

For example, if a property has an R-Code of R20, this means that an average of 450 square metres of land is needed for each single house or grouped dwelling (townhouse/unit). If a property has an R-Code of R30, this means that an average of 300 square metres of land is required for each single and grouped dwelling. If a property has an R-Code of R40, this means that an average of 220 square metres of land is required for each single and grouped dwelling. The higher the density code, the less land is needed per dwelling.

Apartments (or multiple dwellings) are dealt with differently on land with a density code of R40 and above. As a result of changes made to the R-Codes by the State Government (commonly known as the Multi-Unit Housing Code), there is currently no requirement in the R-Codes for a minimum area of land per apartment on a lot with an R40 coding or higher and it is difficult to estimate how many apartments can be built on a lot, as this depends on other elements such as the size of each apartment, building setbacks, the provision of car parking bays and communal open space and areas of landscaping.

Within the Housing Opportunity Areas, a dual density code has been applied, for example R20/R40. Development at the lower density code needs to meet the standard criteria set out in the State Government's R-Codes. If there is a desire to develop at the higher density code (R40 in this instance), the proposed development must meet additional criteria. These additional criteria are set out in the City's *Residential Development Local Planning Policy* and the City's Planning Scheme.

### What is the background to the specific dual density code that was allocated to Housing Opportunity Area 1?

When the *Local Housing Strategy* was originally drafted in 2010, the majority of Housing Opportunity Area 1 was proposed to have a dual density code of R20/30 with some R20/40 coded lots around the Warwick Train Station and Warwick Shopping Centre and some R20/60 coded lots along Beach Road.

The State Government did not support this because it felt the City's approach did not respond strongly enough to the State's strategic planning documents and the City was advised to expand the size of Housing Opportunity Area 1 and to increase the density codes in it. The draft *Local Housing Strategy* was therefore amended to increase the general density in Housing Opportunity Area 1 to R20/40 with pockets of R20/60 around the Warwick Train Station and Warwick Shopping Centre, and a small strip along Beach Road. The amended *Local Housing Strategy* was supported and endorsed by the State Government and an amendment to the City's Planning Scheme (Scheme Amendment No 73) was approved in February 2016, giving effect to the dual density proposed in the *Local Housing Strategy*.

### **What type of development is possible under the current dual density codes in Housing Opportunity Area 1?**

Owners of land in Housing Opportunity Area 1 are not obligated to develop at the higher density code. Extensions to existing houses and the development of new single houses on vacant lots can continue to occur in the same way they always have.

Lots that are currently coded R20/R40 can be developed with single houses and grouped dwellings (townhouses/units) with an average of 220 square metres of land required for each single house or grouped dwelling. This means that an average lot of around 700 square metres could be developed with three single houses or grouped dwellings. These dwellings could be single storey or two storey buildings.

Lots that are currently coded R20/R40 can also be developed with apartments (multiple dwellings). Currently, under the State Government's *Residential Design Codes* (R-Codes), there is no minimum area of land required for each apartment and it is difficult to estimate how many apartments can be built on a lot as this depends on other elements such as the size of each dwelling, building setbacks, the provision of car parking bays and communal open space and areas of landscaping. Apartments in the R20/R40 area are currently limited in height to two storeys.

### **What impact will new State Government policy have on the type of development possible in Housing Opportunity Area 1? (Design WA)**

In October 2016, the State Government released a proposed new suite of planning documents for public consultation. The suite of documents is known as *Design WA*. It is intended, over time, that *Design WA* will replace the current *Residential Design Codes* (R-Codes).

One of the *Design WA* documents released for public consultation is the draft *Apartment Design Policy*. This draft policy sets out new planning and design standards for residential apartments.

Under the provisions of the draft new *Apartment Design Policy*, apartments (multiple dwellings) in an area with a density coding of R40 or R60, may be developed at a height of three storeys. However, under the draft *Apartment Design Policy*, it is currently proposed that the plot ratio (floor area) requirements for apartments will remain the

same and greater side and rear setbacks will apply than under the current R-Codes setback requirements. This means that, although increased height will be possible, if buildings have more height, their footprints will need to be smaller to still meet the plot ratio requirements — leaving more space on the site for parking and landscaping, including deep root zones for trees.

The City did not support all aspects of *Design WA* and expressed some concerns during State Government's consultation on the matter. However, the City did support the much greater push, in the *Design WA* documents, for better quality building design and for taking the local context into greater account when designs are developed.

It is likely the State Government will release the final *Apartment Design Policy* in the coming months. At this stage, the City does not know what changes will be made to the documents by the State Government in response to submissions received during consultation. The City is, however, working closely with the State Government to determine which provisions of the new policy the State Government will allow the City to vary and tailor to address local needs and circumstances (see below).

### **What is the City doing to manage the impact of higher density development on existing residents?**

The City has always recognised the need to try and control the impact of (particularly) apartments on existing neighbours.

However, the City needs the approval of the State Government to make any changes to the Planning Scheme or any policy that varies certain provisions of the *Residential Design Codes* (R-Codes). Therefore, the City does not have unfettered ability to develop Scheme or policy provisions to control higher density development.

However, in November 2017, in response to concerns raised by some residents, the Council agreed to the development of new Planning Scheme provisions and a new planning policy that will assist the City in better managing the impacts of increased density on existing residents.

The City will work closely with residents and the State Government in the development of these Planning Scheme provisions and new planning policy. Given concerns about impacts of increased density are being expressed to the State Government by a number of different Local Governments, it is anticipated the State Government will be more receptive to the City tailoring Planning Scheme provisions and a new planning policy to suit the needs of its residents, whilst still meeting the strategic aims of the State Government.

### **If there is a strategy being developed to better manage the impacts of increased density, why are Scheme Amendments No 88 and 90 being progressed?**

The Council decision to initiate Scheme Amendment No 88 was made in response to concerns raised by some residents and their representatives in Housing Opportunity Area 1. This decision was made before Council decided to develop the new strategy to manage higher density development mentioned above.

After Scheme Amendment No 88 had already been initiated by Council, some additional residents in a different part of Duncraig then asked for their properties to also be included into Scheme Amendment No 88, but this was not supported by the State Government, so a separate scheme amendment was initiated (Scheme Amendment No 90).

Scheme Amendments 88 and 90 are being progressed, even though a new strategy is going to be developed, because some residents have concerns about the time it may take to develop and implement the new strategy mentioned above and they want the density code in Housing Opportunity Area 1 to be reduced as soon as possible to restrict the extent of development currently permissible under the existing dual density codes.

## **What will Scheme Amendments No 88 and 90 mean for future development?**

If approved, the scheme amendments will reduce the dual density code applicable to properties located within the scheme amendment areas.

Under the proposed new R20/R30 density code, the minimum site area required for a single house or grouped dwelling (townhouse/unit) will increase to 260 square metres and an overall average of 300 square metres per dwelling would need to be achieved. This would mean that only two single houses or grouped dwellings could be developed on a lot of around 700 square metres.

Under the R20/R30 density code a minimum site area of 300 square metres per dwelling will also apply to apartments (multiple dwellings).

## **Can development applications at the existing higher dual density code still be processed and determined while Scheme Amendments No 88 and 90 are being considered?**

Yes, the City is legally required to continue to accept, assess and determine applications for planning approval under the current dual density codes and current Planning Scheme and policy requirements. No regard can be given to the new scheme amendments until they are finally determined by the Minister for Planning.

## **Who is being consulted on the proposed scheme amendments?**

The City is consulting directly with all landowners and residents in the area of Housing Opportunity Area 1 west of the Mitchell Freeway via letter and reply-paid envelope. In addition, the amendments are being advertised using newspaper advertisements and social media posts and all information is available on the City's website. Anyone interested in the proposal can provide hard-copy or online feedback with responses limited to one per household.

## **How do I provide feedback?**

If you are interested in these amendments and wish to make comment on them, you are able to complete the Comment Form available via the Community Engagement section of the City's website [joondalup.wa.gov.au](http://joondalup.wa.gov.au) Hard-copy Comment Forms are also available on request.

While submissions will be accepted in other formats, (ie emails and letters containing the submitter's name and address) the Comment Form is the City's preferred method. Collecting responses this way enables the City to gather responses to key questions and enables a more efficient data analysis process.

## **When does the engagement period close?**

Community engagement will be conducted over a 60-day period, from **Thursday 22 February to Monday 23 April 2018**, in accordance with the requirements of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

If you would like to be informed via email on the progress of these proposals, please tick the box on the Comment Form and ensure your email address is provided in the Your Details section.

## **Will my submission or personal details be released to the public?**

The City will not publish your name and address in the Council report on the outcomes of the engagement. However, your full (anonymous) comments may be published.

Note that a schedule of submissions, including the details of submitters, is required to be provided to the Western Australian Planning Commission but this will not be publicly available.

## **What happens next?**

After the close of the advertising period, the City will consider all submissions received and prepare a report for Council on the outcomes of engagement. Council must resolve to either support the scheme amendments with or without modification, or not support the amendments.

Council's decision is then forwarded to the Western Australian Planning Commission who then make a recommendation to the Minister for Planning on the proposed amendments. The Minister can either grant final approval to the scheme amendments, with or without modifications, or refuse to approve the scheme amendments.

This process will take many months and the exact timing of any final decision on the scheme amendments by the State Government is unknown.

## **Who do I contact for more information on this proposal?**

For further information on the proposed scheme amendments and how they may affect you and your property, or any information on the *Local Housing Strategy* in general, please contact Planning Services on **9400 4100** or email [info@joondalup.wa.gov.au](mailto:info@joondalup.wa.gov.au) The City's urban planners are happy to respond to requests for information in writing, but welcome the opportunity to discuss any queries you have in person (by appointment) or over the phone.