

# 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 precinct structure plans~~ or, local development plans or other local planning policies.

## 5. Details:

### 5.1. Building Setbacks:

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 **Z**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 tables:

Zone	Maximum height of wall (m)	Maximum total building height (m)	
		Gable, skillion and concealed roof	Hipped and pitched roof
Commercial R40	7	8	10
Mixed Use R40	7	8	10

Zone	Maximum total building height (m)
Commercial R80*	15
Mixed Use R80*	15
Service Commercial	9

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 and Mixed Use 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: Commercial and Mixed Use R40.**

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 precinct structure** 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 **unreasonably** 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	<ol 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> </ol>
(b) Articulation	<ol 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> </ol>
(c) Windows and glazing	<ol 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> </ol>

	(iii) Where window security devices are provided, they must be installed on the inside of a window and be 75% visually permeable. (iv) Windows in an external wall which faces north, east or west must be protected from direct summer sun.
(d) Commercial frontage	(i) Ground floor external tenancies must have an entrance onto the commercial frontage and be outward facing to facilitate activation of the commercial frontage.
(e) Building eEntrances	(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.
(f) Pedestrian sShelter	(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.

### 5.5. Retaining Wwalls:

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
Amusement Parlour, Cinema/Theatre, Civic Use, Club Premises, Funeral Parlour, Night Club, Place of Worship, Reception Centre, Recreation – Private, Restaurant/Cafe, Small Bar	1 per 4 people accommodated
Betting Agency, Bulky Goods Showroom, Community Purpose, Exhibition Centre, Liquor Store – large, Motor Vehicle Repairs, Office	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 or 5 bays per consulting room, whichever is greater
Convenience Store, Home Store, Market	1 per 25m <sup>2</sup> NLA
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

Use Class	Number of on-site parking bays
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 per staff member on duty
Hotel, Motel	1 per bedroom/unit plus 1 per 5m <sup>2</sup> of bar and dining area
Motor Vehicle, Boat or Caravan Sales	1 per 200m <sup>2</sup> display area and 1 bay per employee
Reception Centre, Restaurant/Cafe	1 per 4 people accommodated or 1 per 5m <sup>2</sup> of dining room, whichever is greater
Residential Building	1 per 2 people accommodated
Residential Aged Care Facility	1 per 5 beds plus 1 per 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
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 aAccess	(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 aAccess	(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.
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### 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 65.6.1 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, Cinema/Theatre, Community Purpose, Civic Use, Club Premises, Fast Food Outlet, Place of Worship, Reception Centre, Recreation – Private, Restaurant/Cafe, Small Bar	N/A	1 per 50 people accommodated
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
Liquor Store – large, Restricted Premises, Shop	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
Residential Aged Care Facility	1 per 10 units	N/A
Bulky Goods Showroom, Exhibition Centre, 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(42)(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	(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. (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. (xiv) A roof mounted system must be setback a minimum of 7.5m from a major opening of an adjoining building.

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