



**Hon Tjorn Sibma MLC**  
Member for North Metropolitan Region

17 January 2018

Hon Matthew Swinbourn MLC  
Chair, Standing Committee on Environment and Public Affairs  
Parliament House  
4 Harvest Terrace  
West Perth WA 6005

*Matt*

Dear Hon Matthew Swinbourn

**Petition No. 040 – Multi-unit developments in the City of Joondalup**

Thank you for your letter of 1 December 2017 inviting a written submission regarding the issues raised in Petition No. 040, and the subsequent extension given by the Committee Clerk.

Please find attached a submission in support Petition No. 040 – Multi-unit developments in the City of Joondalup.

Yours sincerely

A handwritten signature in blue ink that reads 'Tjorn Sibma'.

**Hon. Tjorn Sibma MLC**  
Member for the North Metropolitan Region  
Shadow Minister for Government Accountability; Community Services; Youth;  
Seniors & Ageing; Volunteers; Veterans Issues



# SUBMISSION RE PETITION 040

This submission, which has been prepared with the close cooperation of Mr Tony Krsticevic MLA, Member for Carine, is in support of petition No. 040 – Multi-unit developments in City of Joondalup, tabled on 30 November 2017. A similar petition was also made in the Legislative Assembly by the Member for Carine. Neither the Member for Carine or I have referred this matter to the Parliamentary Commissioner for Administrative Investigations (Ombudsman).

I believe that we need to regularly review how housing opportunity areas across local governments are being rezoned. We need to ensure that appropriate housing densities and diversity of housing choice are being delivered, while continuing to build strong, viable and vibrant communities. I certainly understand the need for infill in our sprawling city and wholeheartedly support it where good planning is practiced. However, I have concerns about the composition and structure of some developments that are being approved in some of the 10 Housing Opportunity Areas in the City of Joondalup. Many City of Joondalup residents were unaware of the changes to the zoning around their area and it was not until confronted with the structures being built next to their homes that they discovered the unintended consequences of infill developments that are not in keeping with the area.

I understand that in 2010 the City sent out 63,000 letters, brochures and surveys with reply paid envelopes to owners of over 58,000 residential properties in the City. Over 7,000 responses were received, and within those responses, there was a generally high level of community support for increased density developments. The City adopted the draft local housing strategy in February 2011 and it was forwarded to the WA Planning Commission (WAPC) for endorsement.

I understand the WAPC did not support the draft local housing strategy proposed by the City as it did not respond strongly enough to the state's strategic planning documents. The City was encouraged to increase the size of the housing opportunity areas and to also increase the density coding within them. Accordingly the draft local housing strategy was amended and advertised in February 2013.

The City attempted to include a provision in scheme amendment 73 to restrict the development of multiple dwellings to sites larger than 2,000 square metres. This would have made it more difficult for developers to develop multiple-unit dwellings in all housing opportunity areas. In addition, to give more weight to the provisions of the City's residential development local planning policy, it also included a provision in scheme Amendment 73 to require all higher density development in the housing opportunity areas to meet the requirements of the City's planning policy. The WAPC did not support these amendments and had them removed from Amendment 73. The final scheme Amendment 73 only included a provision relating to minimum lot frontages, and this final strategy was endorsed by the WAPC in November 2013.

There has been a lack of consultation with regard to these amendments as only 914 landowners were contacted about the revised changes - these landowners were not initially included in a Housing Opportunity Area, but were then proposed to be, with a total of 30 submissions received (notices were placed in the local newspapers and on the City's website).

I am of a view that the City should have liaised more extensively with residents about the proposed zoning changes. It did not, and residents are now witnessing the construction of unsuitable apartments near their homes. It was in early 2017, since the implementation of the local housing strategy, that the Member for Carine started to receive complaints from constituents about the structures that had been approved and were being built in the suburb of Duncraig, west of Warwick train station. In February, the member for Carine attended a meeting with Duncraig residents who were concerned about the developments resulting from the recent changes to the R-codes. As a result of this meeting, a petition objecting to the rezoning was presented to the City of Joondalup. This resulted in a special electors meeting being held on 24 April 2017 to deal with this serious issue. To address the concerns of residents, and to restrict the building of inappropriate dwellings—in particular, apartment blocks—the City initiated an amendment to its scheme to reduce the density coding in Housing

Opportunity Area 1 in Duncraig. This amendment is known as Amendment 88 and has not yet been advertised. The success of this amendment will largely depend on the willingness of the WAPC to allow the City of Joondalup to develop the scheme changes needed to vary current R-codes and provisions of Design WA, allowing local planning policy to recognise local factors and the needs of residents.

The Member for Carine was also contacted by Edgewater residents who were alarmed about the inappropriate developments that are being approved in their Housing Opportunity Area 8. They have joined forces with the Duncraig residents to express their concerns to the City of Joondalup. The Member for Carine wrote to the Minister for Housing in April 2017 to raise concerns about the developments being approved in his electorate. The Minister's response included:

***"The location and density of these areas was carefully considered in line with State planning policy in order to meet the future housing needs in the City. Both the LHS and the subsequent scheme amendment were subject to significant public consultation, and feedback received was considered in the finalisation of both the strategy and the scheme amendment.***

***Notwithstanding, it is open to the City to initiate a further amendment to its scheme if it is of the view that density codes and development standards in Duncraig should be revisited."***

It is of some comfort that the Minister considers it possible for the City to initiate a further amendment to its scheme. However, given that the City's Local Housing Strategy and associated scheme amendment have not long been finalised, I am not confident that the WAPC will support a review of the residential densities for this area. Nonetheless it is essential that the City's Amendment 88 and 90 be supported.

Apart from being imposing structures, some of the more obvious implications for these inappropriate developments include insufficient provision for on-site parking and how waste disposal vehicles will be able to access bins once the overflow of cars from the new units are parked in the streets. These same parked cars will also lead to conflicts between residents, pedestrians and bike riders.

In an article in *The West Australian* (Wednesday, 22 November 2017) there is reference to the Minister for Housing delivering on her promise to create a problem-solving *strike squad* to improve planning outcomes. I am supportive of any initiative that results in a more efficient system, removes cost burdens, creates savings and delivers good planning outcomes for those looking to purchase a new home. It would be appropriate for this *strike squad* to visit Duncraig where they can see firsthand the chaos and poor outcomes that are occurring as a result of these developments.

The City of Joondalup is listening to its residents and, as a result, will be proposing Amendment 88 and 90 for consideration by the WAPC. It is vital that these amendments are approved and that the re-zoning of these areas is actioned urgently to prevent further inappropriate developments and the consequential impact they will have on suburban streets.

I understand that the Parliamentary Secretary to the Minister for Housing accepted an invitation from the Member for Carine to visit Duncraig and see the impact these developments are having in the area. I am advised by the Member that the Parliamentary Secretary appeared supportive of the request to halt development approvals until more comprehensive consideration has been given to recognising local factors and the needs of local residents.

Hon Tjorn Sibma MLC  
Member for North Metropolitan Region.