Planning and Development Act 2005
Order to City of Joondalup under section 76(1) of the Act

1. I, the Hon John Day MLA, Minister for Planning, pursuant to section 76(1) of the Planning and Development Act 2005, order the City of Joondalup to initiate an amendment to District Planning Scheme No. 2 as outlined in the representation by Westfield Pty Ltd dated 21 November 2011 (a copy of which is attached to this order) and which is modified to also include provisions necessary to align the City of Joondalup District Planning Scheme No. 2 with State Planning Policy 4.2 - Activity Centres for Perth and Peel.

2. The City of Joondalup is to comply with this Order on or before 31 August 2012.

Signed this 13th day of July 2012.

JOHN DAY MLA
MINISTER FOR PLANNING

Att
Planning and Development Act 2005
Order to City of Joondalup under section 76(1) of the Act

Reasons for Decision

I, the Hon John Day MLA, Minister for Planning, am satisfied on representations before me that the City of Joondalup has failed to adopt an amendment to its local planning scheme proposed by owners of land in a case where such an amendment ought to be adopted, for the following reasons:

1. I consider that the City has not provided reasonable justification as to why this amendment should not be adopted and initiated.

2. I consider that the proposal to remove the maximum retail floor space provisions from the district planning scheme to be consistent with State Planning Policy 4.2 - Activity Centres for Perth and Peel (SPP 4.2). However the proposal does not fully address the requirements of SPP 4.2 and accordingly should be modified to ensure full alignment between the City of Joondalup District Planning Scheme No. 2 and SPP 4.2. These modifications would require, *inter alia*, the inclusion of provisions for the preparation of activity centre structure plans and submission of a retail sustainability assessment as a precursor to development. Modification of existing scheme provisions to allow for a structure plan to be prepared by the local government or an owner of land would also be required. Subject to these modifications, it is appropriate that the proposal be initiated to allow for the amendment to be advertised for public comment and further detailed assessment to be undertaken through the scheme amendment process.

Signed this 18th day of July 2012.

JOHN DAY MLA
MINISTER FOR PLANNING