

9.1.2 Amendment No. 95 to Planning and Building Policies – Policy No. 3.4.2 relating to Aged or Dependent Persons Dwellings

Ward:	Both	Date:	2 January 2013
Precinct:	All	File Ref:	PLA0217
Attachments:	001 – Final Amended Policy No. 3.4.2 002 – Summary of Submissions		
Tabled Items:	Nil		
Reporting Officer:	A Fox, Planning Officer (Strategic)		
Responsible Officer:	C Eldridge, Director Planning Services		

OFFICER RECOMMENDATION:

That the Council;

- ADOPTS** the final amended version of Policy No. 3.4.2 relating to Aged or Dependent Persons Dwellings, as shown in Appendix 9.1.2 (001) having reviewed the two (2) submissions received during the formal advertising period and outlined in the Summary of Submissions as shown in Appendix 9.1.2 (002) in accordance with Clause 47(4) and (5) of the City's Town Planning Scheme No. 1; and
- AUTHORISES** the Chief Executive Officer to advertise the final amended versions of the Policy No. 3.4.2 relating to Aged or Dependent Persons Dwellings, as shown in Appendix 9.1.2 (001), in accordance with Clause 47(6) of Town Planning Scheme No. 1.

PURPOSE OF REPORT:

The purpose of this report is to provide the Council with the outcomes of the formal advertising of Amendment No. 95 and to present to the Council with a recommendation to adopt the amended version of the policy.

BACKGROUND:

Clause 6.11.2 of the R Codes includes provisions for Aged or Dependent Persons' Dwellings.

The City's current Policy No. 3.4.2 relating to Aged or Dependent Persons Dwellings supports the intent of the R Codes, however there are opportunities to build on the provisions of the R Codes to better facilitate Aged or Dependent Persons Dwellings within the City.

The review of Policy 3.4.2 proposed a number of amendments to the policy including:

- Objectives: amended to clearly outline the intent of the policy;
- Clause 1 Definitions: amended to ensure consistency with the R Codes;
- Clause 2 Occupancy: amended to include reference to Section 70A Notification to the Certificate of Title to advise the existence of occupancy requirements;
- Clause 2 Variations to Density and Minimum Site Area: amendment to the Clause 3.1 a) and b) criteria to obtain a density bonus; and inclusion of Clause 3.2 relating to the application of Clause (20) in the City's Town Planning Scheme No. 1;
- Clause 4 Composition of Development: addition of Clause 4.1 to allow a reduction in the minimum number of Aged or Dependent Dwellings from five (5) to two (2); and Clause 4.2 relating to the composition of development;

- Clause 5.2 Carparking – included to ensure consistency with the carparking provision in the R Codes;
- Clause 5.3 Building Codes and Australian Standards: amended to ensure consistency with current Legislation;
- Removal of Clauses relating to Location Criteria: provisions relating to location have been removed as these are contained in the City's Town Planning Scheme No. 1;
- Removal of Clauses relating to Support Services: as recommended by the City's *Affordable Housing Strategy* that linking the policy to requirements such as support services may be overly restrictive and may discourage the development of Aged or Dependent Persons' Dwellings.

As a result of the consultation, no further changes are proposed to Policy No. 3.4.2 relating to Aged or Dependent Persons Dwellings.

History:

Date	Comment
27 March 2001	The City's Policy No. 3.4.2 relating to Aged or Dependent Persons' Dwelling was adopted as part of the City's Planning and Building Policy Manual.
30 October 2012	Advertising of Amendment No. 95 commenced.
27 November 2012	Advertising of Amendment No. 95 finished.

Previous Reports to Council:

This matter was previously reported to the Council on 25 September 2012.

The Minutes of Item 9.1.10 from the Ordinary Meeting of Council held on 25 September 2012 relating to this report is available on the City's website at the following link:

http://www.vincent.wa.gov.au/Your_Council/Agenda_Minutes

DETAILS:

The City's Officers have further considered the draft Policy No. 3.4.2 relating to Aged or Dependent Persons Dwellings following the consultation period and considered that the amendments contained in the advertised version sufficiently address the intent and objectives of the policy. Furthermore, no additional comments or recommendations were received during the formal advertising period. As a result, no further amendments to the policy are proposed.

CONSULTATION/ADVERTISING:

Required by legislation:	No	Required by City of Vincent Policy:	Yes
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The amended Policy was advertised in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1.

Consultation Period: 28 days

Consultation Type: Four adverts in local paper, notice on the City's website, copies displayed at City of Vincent Administration and Civic Building and Library and Local History Centre, letters to representatives from the Aged Care sector, Western Australian Planning Commission, and other appropriate government agencies as determined by the City of Vincent.

A total of two (2) submissions of no objection were received during the four week consultation period as follows:

Community Submissions

Position	Number Received	Percentage
Support	-	-
Object	0	-
Not Stated	0	-
Total		100%

Government Authority Submissions

Position	Number Received	Percentage
Support	2	100%
Object	-	-
Not Stated	-	-
Total		100%

Planning Consultants Submissions

Position	Number Received	Percentage
Support	-	-
Object	-	-
Not Stated	-	-
Total	-	-

Total Submissions Received

Position	Number Received	Percentage
Support	2	100%
Object	-	-
Not Stated	-	-
Total	2	100%

These submissions did not provide any recommendation or comment to be addressed in the draft policy.

LEGAL/POLICY:

- City of Vincent Town Planning Scheme No. 1 and associated Policies;
- City of Vincent Consultation Policy 4.1.5.

RISK MANAGEMENT IMPLICATIONS:

Medium: Facilitating opportunities for the development a specialised and affordable accommodation for the City's aged or dependent persons' is important to in meeting the needs of a changing demographic within the City.

STRATEGIC IMPLICATIONS:

In keeping with the City's *Strategic Community Plan 2011-2021* Objectives 1.1.1;

'1.1.1 Develop and implement a Town Planning Scheme and associated policies, guidelines and initiatives that deliver the community vision.'

SUSTAINABILITY IMPLICATIONS:

ENVIRONMENTAL	
Issue	Comment
The amendments to the City's Policy No. 3.4.2 relating to Aged or Dependant Persons' Dwellings serves to provide appropriate located housing options for the City's ageing population within close proximity to public transport opportunities.	

SOCIAL	
Issue	Comment
The amendments to the City's Policy No. 3.4.2 relating to Aged or Dependant Persons' Dwellings serve to provide specialised and affordable housing opportunities for the City's aging residents responding to increased pressure for housing option for the City's changing demographics.	

ECONOMIC	
Issue	Comment
The amendments to the City's Policy No. 3.4.2 relating to Aged or Dependant Persons' Dwellings assist in facilitating appropriately located accommodation for the City's residents with special needs that is conveniently located within close proximity or easily accessible to commercial conveniences.	

FINANCIAL/BUDGET IMPLICATIONS:

Expenditure for this matter will be incurred under the following budgeted item:

Budget Amount: \$80,000
Spent to Date: \$ 3,687
Balance: \$76,312

COMMENTS & CONCLUSION:

It is considered that the amendments contained within the advertised version of Policy No. 3.4.2 relating to Aged or Dependent Persons Dwellings as outlined above, are adequate to facilitate the provision of these specialised forms of housing with the City. Furthermore, no comments or suggestions were received as a result of the four week consultation.

In light of this, it is recommended that the Council adopts the final amended Policy No. 3.4.2 relating to Aged or Dependant Persons' Dwellings in accordance with the Officer Recommendation and advertise the final Policy in accordance with Clause 47 of the City of Vincent Town Planning Scheme No. 1 and the City's Policy No. 4.1.5 relating to Community Consultation.

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(To be completed by Chief Executive Officer)

UNDER DELEGATED AUTHORITY THE OFFICER RECOMMENDATION IS:

~~APPROVED/NOT APPROVED/APPROVED AS AMENDED~~

* TO BE REPORTED TO THE ORDINARY MEETING OF COUNCIL TO BE HELD ON 12 FEBRUARY 2013.

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A/CHIEF EXECUTIVE OFFICER