
**ITEM 5 PROPOSED DISPOSAL OF LOT 147 (25)
MILLPORT DRIVE WARWICK – PUBLIC
ADVERTISING OF BUSINESS PLAN****WARD:** South**RESPONSIBLE
A/DIRECTOR:** Mr Charlie Reynolds
Infrastructure Services**FILE NUMBER:** 63627, 101515**ATTACHMENTS:** Attachment 1 Schedule of Submissions
Attachment 2 Map of Site
Attachment 3 Business Plan

PURPOSE

For Council to consider submissions received during the public advertising of the Business Plan of the proposed disposal of Lot 147 (25) Millport Drive, Warwick in accordance with Section 3.59 of the *Local Government Act 1995* and as part of a review and rationalisation of land holdings owned by the City.

EXECUTIVE SUMMARY

At its meeting held on 20 March 2012 (CJ034-03/12 refers), Council adopted the Business Plans to support the disposal of four City freehold lots. These lots are:

- Lot 200 (18) Quilter Drive, Duncraig;
- Lot 766 (167) Dampier Avenue, Kallaroo;
- Lot 202 (20) Kanangra Crescent, Greenwood; and
- Lot 147 (25) Millport Drive, Warwick.

Council also requested that a further report be presented at the conclusion of the advertising period to consider any submissions received. The Business Plans were advertised for a period of six weeks, closing on 16 May 2012.

A letter was sent to landowners within a 200 metre radius of Lot 147. The City received a total of 33 submissions; with a multiple-signature submission being counted as one submission (although was analysed separately). One householder provided one supporting submission early in the public consultation period then later provided one objecting submission.

Without including the two submissions mentioned above and the multiple-signature submission, the City received a total of 30 submissions, of which there were 23 objections, four supporting submissions and three submitters who made comments or stated no objection to the proposal.

The multi-signature submission was signed by 48 local residents; representing 46 individual objections or 36 objecting households (a number of households had several people who signed the submission). There were two who did not object.

The main concerns detailed in the objecting submissions related to traffic concerns and the potential loss of the existing Tuart trees on the lot. Additionally, lack of details with regard to the size and scale of the future development on the site was also stated. Other matters raised were the devaluation of surrounding residential properties and any funds raised from the sale being used for local people, in the local area, and not for the Joondalup Performing Arts and Cultural Facility.

Until there is a purchaser for the site, future development details are unknown, however dependent upon the application details submitted for a proposed future development, local residents may be provided with a further opportunity to comment.

Supporting submissions referred to the proposal providing a better mix of housing types, a preference for the trees to be retained when the development took place and support for a retirement village rather than a nursing home.

Advertising of the Business Plan for Lot 147 was the first opportunity that the community had to comment on the future intent for this lot and there has been a significant response from local residents as detailed in Attachment 1 to this Report. Council has in past resolutions determined that Lot 147 is surplus to the City's requirements and its disposal for the proposed use of aged persons housing is considered appropriate. The funds raised are to be included in the Joondalup Performing Arts and Cultural Facility reserve fund and will be of benefit to the City and its residents overall.

It is recommended that Council DOES NOT PROGRESS the sale of Lot 147 (25) Millport Drive, Warwick until further consultation has been undertaken with the community regarding objections raised following advertising of the Business Plan.

BACKGROUND

Suburb/Location: Lot 147 (25) Millport Drive Warwick
Owner: City of Joondalup
Zoning: **DPS:** Residential R20
MRS: Urban
Site Area: 2490m²

On 28 June 1985, Lot 147 (25) Millport Drive Warwick was transferred to the City free of charge by Residential Sites Limited, the developer of the area. The recorded purpose for the land was detailed as being required for community purposes. The lot is currently vacant and is located in a residential area with grouped housing on its eastern and southern boundaries and Hawker Park on its western boundary.

At its meeting held on 21 September 2010 (CJ163-09/10 refers), Council noted the unconfirmed minutes of the Strategic Financial Management Committee meeting held on 14 September 2010 and subject to consideration of Business Plans, supported the disposal of five City freehold land sites. Council also noted that the proceeds from the disposals were to be transferred to the Joondalup Performing Arts and Cultural Facility reserve fund.

At its meeting held on 20 March 2012 (CJ034-03/12 refers), Council confirmed that only four of the original five sites would be advertised for disposal, with Lot 181 (4) Rowan Place, Mullaloo being withdrawn.

DETAILS

A Business Plan was prepared for the purpose of advertising in accordance with Section 3.59 of the *Local Government Act 1995* for Lot 147 (25) Millport Drive Warwick.

The process of advertising included:

- A sign on site;
- 108 letters sent to landowners within a radius of 200 metres of each site with a list of Frequently Asked Questions (FAQs);
- A notice placed in the Community News and West Australian newspapers;
- A notice, copies of the Business Plans and FAQs placed on the City's website;
- Business Plans available for inspection at the City's Customer Service Centres, Joondalup, Whitfords and Craigie Leisure Centre, and all City libraries.

The following table provides a breakdown of the individual submissions received:

Type of Submission	Number Received
Support	4
Objection	23
No objections / Comments	3
TOTAL	30*

N.B. This total does not include the multiple-signature submission as this was dealt with separately. Also the City received a supporting submission from a resident, who later submitted an objecting submission, therefore both submissions were not included in the final count.

Support for the proposal

Supporting submissions referred to the proposal providing a better mix of housing types, but that the City would get a better financial return if the lot had a density code of R40 or R60. Council had resolved not to change the coding of Lot 147 to enable future development to remain in keeping with the surrounding residential area. A supporter requested that the development approval be conditional that the trees on the site are retained. A further supporting submission was only for privately owned dwellings or retirement villas and a nursing home.

Council has provided its support for aged persons accommodation rather than a nursing home and matters related to the significance of the trees and the proposed design of the future development would be assessed as part of the development application process and potentially at that time there may be further opportunity for residents to comment.

Objection to the proposal

The main concerns detailed in the objecting submissions related to traffic concerns and the potential loss of the existing Tuart trees on the lot. Three Tuart trees have been assessed by the City and their approximate age and heights are:

- 120 years old and 35 metres – located at the corner of Millport Drive and Kirkcolm Way.
- 80 years old and 22 metres – located near Millport Drive.
- 50 years old and 20 metres – located towards the centre of the lot (close to the abovementioned trees).

A theme of many of the objections received was in relation to the actual future design and amenities that will be constructed on the lot. These matters would be assessed at the subdivision and/or development application stage, at which time local residents may have a further opportunity to comment.

Matters raised in some objecting submissions referred to retaining the lot as public open space and some respondents considered that the land was part of the adjoining Hawker Park. Lot 147 is owned by the City in freehold and it is a separate lot to Hawker Park which is Crown land managed by the City for public recreation. Objections also refer to the fact that any funds raised from the sale are to be included in the future Joondalup Performing Arts and Cultural Facility, rather than facilities in the local area. Council has previously resolved to commit the funds from the sale of the land to the Joondalup Performing and Cultural Arts Facility reserve fund, which will be of benefit to the City and its residents overall.

Multiple-Signature Submission

The following table provides a breakdown of the multiple-signature submission received:

Type of Submission	Signatures	Households
Objects	46	36
No objections / Comments	2	0
TOTAL	48	36

The City received a multi-signature submission signed by 48 local residents; representing 46 individual objections or 36 objecting households (a number of households had several people who signed the submission). There were two who did not object.

The multi-signature submission organiser's referred to ". . . *object[ing] to the proposed sale of the land and generally voted in support of either developing a community use facility on the land (such as lockable tennis courts) or maintain the status quo . . .*".

A number of respondents asked that the trees be retained if the development went ahead. This is an issue which would be dealt with at the subdivision and/or development application stage.

Additional Information

The lot is zoned 'Residential' with a density of R20 and has been included in the Housing Opportunity Areas in the City's draft Local Housing Strategy, with a proposed density increase from R20 to a dual coding of R20/30.

At the density of R20 the lots are an average of 500m² for green title and 450m² for strata lots. At the dual coding of R20/30, subject to compliance with development requirements, the lots may average 300m².

It should be noted the Strategy is still a draft document pending endorsement from the Western Australian Planning Commission and inclusion in the City's new District Planning Scheme. It is envisaged that it will be approximately two to five years before landowners will be in a position to develop properties using the amended density code.

Legislation

Sections 3.58 and 3.59 of the *Local Government Act 1995*, together with the *Local Government (Functions and General) Regulations 1996* determine how a local government may dispose of property. As at 27 September 2011, Part 3 of the *Local Government (Functions and General) Regulations 1996* was amended. The financial threshold at which local government land can be disposed of without advertising Business Plans was amended from \$1,000,000 to \$10,000,000. Based on this amendment and the valuation information with regard to Lot 147, advertising a Business Plan was not a statutory requirement for this proposal.

Strategic Plan

Key Focus Area: The Built Environment

Objective: 4.1 To ensure high quality urban development within the City.

Policy:

City Policy – Asset Management

City Policy – Sustainability

Risk Management Considerations

There are a number of risk considerations related to the disposal of the property described.

The City has complied with Section 3.59 of the *Local Government Act 1995* to ensure openness and accountability in this disposal process.

There is a potential loss of rates income by setting a condition that the land may only be used for aged persons accommodation.

Financial/Budget Implications

The highest and best valuation dated 24 May 2010 on the scenarios provided by the City to the valuers at that time for Lot 147 (25) Millport Drive Warwick was \$1,300,000.

Regional Significance

There is no regional significance regarding this matter.

Sustainability Implications

The disposal of City freehold land that has been set aside for community use should not be disposed of without there being a nominated purpose.

The development of aged persons accommodation is considered appropriate given the existing character of the area. The types of dwellings will provide for alternative housing choices for the City's ageing population to remain within their local area.

Council has agreed that the proceeds from the sale of this lot are to be transferred to the Joondalup Performing Arts and Cultural Facility reserve fund.

Consultation

The Business Plan was adopted for public advertising, and advertising was as follows:

- A sign on site;
- 108 letters sent to landowners within a radius of 200 metres of each site with a list of Frequently Asked Questions (FAQs);
- A notice placed in the Community News and West Australian newspapers;
- A notice, copies of the Business Plans and FAQs placed on the City's website; and
- Business Plans available for inspection at the City's Customer Service Centres, Joondalup, Whitfords and Craigie Leisure Centre, and all City libraries.

A total of 33 submissions was received; with a multiple-signature submission being counted as one submission (although was analysed separately). One householder provided one supporting submission early in the public consultation period then later provided one objecting submission.

The main concerns raised by the objectors related to traffic issues and the retention of the Tuart trees on the site. Additionally, the design and scale of the future development on the lot was also a concern that received a high level of objections. However, it is anticipated the maximum number of aged person's dwellings that could be developed on the site (with it having a coding of R20) is approximately seven. At an R30 density code, there is the potential for eight lots to be created. Any development would need to be in compliance with the City's draft Dual Density Code Policy should the land be recoded to R30.

The definition of aged person's dwellings are still independent dwellings, only one occupant is required to be over the age of 55 and there is no nursing care provided. As a number of submissions received were in relation to noise, ambulances and traffic, it is suggested that further information or a public meeting be provided to the community to assist in alleviating their concerns.

Issues and options considered

Given the number of objections received for this site (including a multi-signature submission), two options are available to progress this matter:

Option 1 Council notes the number of objections and continues to progress the disposal of the site.

The City has three other sites it is proposing to dispose of which received very little objection from the community. If it is deemed that this lot is no different to the other three sites, the City would progress with the proposed disposal of the lot in line with the other three sites.

Option 2: Council acknowledges the number of objections and defers the disposal of the site to allow further information to be provided to the community.

An information session and/or further information can be provided to those respondents who objected to the proposal. However, the issues raised by the respondents are based on the inability for the City to specify exactly what could happen in the future; although the main concerns about noise, ambulances and increased traffic could be addressed in further advice provided by the City.

This option will take more time to be resolved. However, it will potentially alleviate the majority of concerns raised. This option would mean that this site would be delayed in being disposed of and would not be progressed in line with the other three sites.

COMMENT

The decision to progress the sale of the lot for aged persons accommodation has already been decided by Council. The use of the site for aged persons accommodation is considered appropriate considering the location of the site and the ageing demographics within the City.

The submissions received enquired as to the size of the complex, parking, increased traffic (ambulances) and types of amenities to be provided indicate that residents require more information as to what type of development is likely to take place on the site.

Given the number of issues raised it would be beneficial to address these now, rather than to progress with the disposal of the lot. It is considered appropriate that further information is provided via a public meeting.

VOTING REQUIREMENTS

Simple Majority.

MOVED Cr Fishwick, SECONDED Cr Thomas that Council DOES NOT PROGRESS the sale of Lot 147 (25) Millport Drive, Warwick until further consultation has been undertaken with the community regarding objections raised following advertising of the Business Plan.

The Motion was Put and

TIED (3/3)

In favour of the Motion: Crs Chester, Fishwick and Thomas

Against the Motion: Cr Norman, Mayor Pickard and Cr McLean

There being an equal number of votes, the Deputy Presiding Member exercised his casting vote and declared the Motion

LOST (3/4)

MOVED Mayor Pickard, SECONDED Cr McLean that Council:

- 1 **NOTES that there were 33 submissions received as a result of advertising the City's Business Plan dated February 2012 in relation to the Major Land Transaction at Lot 147 (25) Millport Drive, Warwick;**
- 2 **In accordance with section 3.59(5) of the *Local Government Act 1995*, BY AN ABSOLUTE MAJORITY PROCEEDS with the Major Land Transaction at Lot 147 (25) Millport Drive, Warwick as described in the Business Plan detailed in Attachment 3 to this Report;**
- 3 **REQUESTS that the sump adjacent to Lot 147 at Lot 10362 (29) Millport Drive, Warwick be listed in the City Sump Improvement Program;**
- 4 **REQUESTS that mature Tuart trees be planted in the vicinity of Lot 147 (25) Millport Drive, Warwick to replace the loss of any existing trees;**
- 5 **NOTES in the City's current deliberations on the draft 5 Year Capital Works budget a Community Sporting Facility is listed for Hawker Park in 2013/14 for \$1,500,000; and**
- 6 **NOTES it has previously resolved that the proceeds from the sale of the lot will be transferred into the Joondalup Performing Arts and Cultural Facility Reserve Fund, with the lot designated for Aged or Dependent Persons' Dwellings.**

PROCEDURAL MOTION TO DEFER

MOVED Cr Fishwick, **SECONDED** Cr Chester that consideration of the Item pertaining to the proposed disposal of Lot 147 (25) Millport Drive, Warwick – Public Advertising of Business Plan be **DEFERRED** until the next meeting of the Strategic Financial Management Committee meeting to be held on 15 October 2012.

The Procedural Motion was Put and

TIED (3/3)

In favour of the Procedural Motion: Crs Norman, Chester and Fishwick

Against the Procedural Motion: Mayor Pickard, Crs McLean and Thomas

There being an equal number of votes, the Deputy Presiding Member exercised his casting vote and declared the Motion **CARRIED (4/3)**

Appendix 5 refers

To access this attachment on electronic document, click here:
[Attach5agnSFMC090712.pdf](#)

**PROPOSED DISPOSAL OF LOT 147 (25) MILLPORT DRIVE, WARWICK
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
(CLOSED 16 MAY 2012)**

ATTACHMENT 1

NO	SUBMISSION SUMMARY	OFFICER OR COUNCIL'S RECOMMENDATION
1	<p>No Objection</p> <p>Concern expressed regarding future development, access and traffic issues.</p> <p>Would like the opportunity to be notified of the developer as may be interested in moving to the site.</p>	<p>Noted</p> <p>These matters will be considered at the planning application stage and residents may have further opportunity to comment at that time.</p> <p>As yet this information is unknown. Information may be advertised by the future developer of the proposal for the site.</p>
2	<p>Supports the sale of the land for funding capital works, it provides a better mix of housing types and notes no significant native vegetation exists on the site.</p> <p>Believes the City would obtain a better financial return if the land was zoned R40 or R60.</p>	<p>Noted</p> <p>Council resolved that the density code for Lot 147 should not be increased but remain at R20.</p>
3	<p>Objects</p> <p>Concern expressed regarding future development adversely affecting visibility and would like the jarrah trees on the site protected.</p> <p>Suggests the City dispose of Springvale Park as an alternative.</p>	<p>Noted</p> <p>These matters will be considered at the planning application stage and residents may have further opportunity to comment at that time. The significance of trees on a development site will be considered as part of the subdivision and/or development stage.</p> <p>Springvale Park is public open space and Crown land managed by the City, rather than City freehold land.</p>
4	<p>Objects to the funding from the sale of the land for the future Joondalup Performing Arts and Cultural Facility. Believes the funds should be spent in Warwick.</p>	<p>Council has resolved to commit the funds from the sale of Lot 147 to the future Joondalup Performing Arts and Cultural Facility for the overall benefit to the City and its residents.</p>

**PROPOSED DISPOSAL OF LOT 147 (25) MILLPORT DRIVE, WARWICK
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
(CLOSED 16 MAY 2012)**

NO	SUBMISSION SUMMARY	OFFICER OR COUNCIL'S RECOMMENDATION
5	<p>Supports the sale of the land for aged persons housing.</p> <p>Would like a condition imposed that the existing trees be kept.</p>	<p>Noted</p> <p>The significance of trees on a development site will be considered as part of the subdivision and/or development stage.</p>
6	<p>Objects</p> <p>Location and immediate amenities and facilities are not appropriate for aged persons.</p> <p>Concerns regarding the type of development and traffic for the site.</p>	<p>Noted</p> <p>Council considered the location of Lot 147 and resolved that the condition of sale would be aged persons accommodation.</p> <p>These matters will be considered at the planning application stage and residents may have further opportunity to comment at that time.</p>
7	<p>Supports the sale of the land for aged person accommodation</p>	<p>Noted</p>
8	<p>No objection</p> <p>Would like a condition imposed that the mature tuart trees on the lot are retained.</p>	<p>Noted</p> <p>The significance of trees on a development site will be considered as part of the subdivision and/or development stage</p>
9	<p>Objects</p> <p>Be an increase in traffic, density in people to land ratio.</p>	<p>Noted</p> <p>These matters will be considered at the planning application stage and residents may have further opportunity to comment at that time.</p>
10	<p>Objects</p> <p>Increase in traffic, safety concerns. What will the development look like?</p>	<p>Noted</p> <p>Dependent upon the scale, design, etc of the proposed future development, residents may have further opportunity to comment at that time</p>

**PROPOSED DISPOSAL OF LOT 147 (25) MILLPORT DRIVE, WARWICK
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
(CLOSED 16 MAY 2012)**

NO	SUBMISSION SUMMARY	OFFICER OR COUNCIL'S RECOMMENDATION
	Loss of market value.	The City has no control over market conditions and any resulting fluctuations in property values.
11	Objects Forming a Residents Action Group to take further action to oppose the move, should it proceed.	Noted Noted
12	Objects Increase in traffic. Devalue of land.	Noted These matters will be considered at the planning application stage and residents may have further opportunity to comment at that time. The City has no control over market conditions and any resulting fluctuations in property values.
13	Objects Increased traffic and night time emergency vehicle disturbances	Noted These matters will be considered at the planning application stage and residents may have further opportunity to comment at that time.
14	Objects Block was zoned public use, would like it retained for. Would like the gum trees retained. Concern expressed regarding future development, access, floor plans.	Noted Lot 147 is zoned Residential and was set aside for community use and this was considered by Council when it resolved to dispose of the land. The significance of trees on a development site will be considered as part of the subdivision and/or development stage. These matters will be considered at the planning application stage and residents may have further opportunity to comment at that time.

**PROPOSED DISPOSAL OF LOT 147 (25) MILLPORT DRIVE, WARWICK
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
(CLOSED 16 MAY 2012)**

NO	SUBMISSION SUMMARY	OFFICER OR COUNCIL'S RECOMMENDATION
	Like the area for park lands.	Noted
15	<p>Objects</p> <p>Unknown details about the proposed facility.</p> <p>Traffic and safety issues.</p> <p>Guarantee the trees will not be harmed.</p> <p>Devalue property.</p> <p>Already have two aged homes in Warwick.</p>	<p>Noted</p> <p>Dependent upon the scale, design, etc of the proposed future development, residents may have further opportunity to comment at that time</p> <p>These matters will be considered at the planning application stage and residents may have further opportunity to comment at that time.</p> <p>The significance of trees on a development site will be considered as part of the subdivision and/or development stage</p> <p>The City has no control over market conditions and any resulting fluctuations in property values. Lot 147 density code is R20 which is defined as low density. Any future development would therefore be in keeping with the surrounding residential area.</p> <p>Existing aged persons accommodation and future demographics Council resolved on 21 September 2010 to support the disposal of Lot 147 restricting the use of the land to aged persons development.</p>
16	<p>Objects</p> <p>Lack of detail in the Business Plan.</p>	<p>Noted</p> <p>Council resolved on 21 September 2010 to support the disposal of Lot 147 restricting the use of the land to aged persons development. Dependent upon the scale, design, etc of the proposed future development, residents may have further opportunity to comment at that time</p>

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SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
(CLOSED 16 MAY 2012)**

NO	SUBMISSION SUMMARY	OFFICER OR COUNCIL'S RECOMMENDATION
	<p>Other uses for the site.</p> <p>Poor communication in business plan.</p>	<p>Council resolved on 21 September 2010 to support the disposal of Lot 147 restricting the use of the land to aged persons development.</p> <p>Cannot make assumptions of what will be developed and the actual configuration. Dependent upon the scale, design, etc of the proposed future development, residents may have further opportunity to comment at that time.</p>
17	<p>Objects</p> <p>Unknown details about the proposed facility, traffic,</p> <p>Property values impacted.</p>	<p>Noted</p> <p>Dependent upon the scale, design, etc of the proposed future development, residents may have further opportunity to comment at that time</p> <p>The City has no control over market conditions and any resulting fluctuations in property values.</p>
18	<p>Objects</p> <p>Unknown details about the proposed facility.</p> <p>Traffic concerns.</p> <p>Devalue property.</p> <p>Money not going back into the immediate area.</p>	<p>Noted</p> <p>Dependent upon the scale, design, etc of the proposed future development, residents may have further opportunity to comment at that time</p> <p>This issue will be dealt with at the development application stage, and residents may have further opportunity to comment at that time.</p> <p>The City has no control over market conditions and any resulting fluctuations in property values.</p> <p>Council has resolved to commit the funds from the sale of Lot 147 to the future Joondalup Performing Arts and Cultural Facility for the overall</p>

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NO	SUBMISSION SUMMARY	OFFICER OR COUNCIL'S RECOMMENDATION
		benefit to the City and its residents.
19	<p>Comment</p> <p>Concern for the actual facility and wish for more consultation</p>	<p>Noted</p> <p>This issue will be dealt with at the development application stage, and residents will be given a further opportunity to comment at that time</p>
20	<p>Objects</p> <p>Increased traffic flow.</p> <p>Consult with community about their wishes.</p>	<p>Noted</p> <p>This issue will be dealt with at the development application stage, and residents may have further opportunity to comment at that time.</p> <p>Council resolved on 21 September 2010 to support the disposal of Lot 147 restricting the use of the land to aged persons development. Other issues will be dealt with at the development application stage, and residents may have further opportunity to comment at that time.</p>
21	<p>Objects</p> <p>Traffic, and parking issues and the retention of trees.</p>	<p>Noted</p> <p>These issues will be dealt with at the development application stage, and residents may have further opportunity to comment at that time. The significance of trees on a development site will be considered as part of the subdivision and/or development stage.</p>
22	<p>Objects</p> <p>Should not be for aged care.</p> <p>Keep the trees.</p>	<p>Noted</p> <p>Council resolved on 21 September 2010 to support the disposal of Lot 147 restricting the use of the land to aged persons development.</p> <p>The significance of trees on a development site will be considered as part of the subdivision and/or development stage.</p>

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NO	SUBMISSION SUMMARY	OFFICER OR COUNCIL'S RECOMMENDATION
23	<p>Objects</p> <p>The area is used as part of the public space.</p> <p>The trees provide nesting sites and habitat for birds and fauna.</p>	<p>Noted</p> <p>Lot 147 is not zoned Public Recreation but Residential and owned in freehold and owned in freehold by the City. It is not a park.</p> <p>The significance of trees on a development site will be considered as part of the subdivision and/or development stage.</p>
24	<p>Objects</p> <p>Traffic and noise issues</p> <p>Land should be used for the local people.</p>	<p>Noted</p> <p>These issues will be dealt with at the development application stage, and residents may have further opportunity to comment at that time.</p> <p>Council resolved on 21 September 2010 to support the disposal of Lot 147 restricting the use of the land to aged persons development.</p>
25	<p>Objects</p> <p>Sale funds will go to the Joondalup Performing Arts and Cultural facility.</p> <p>Cut down the trees.</p> <p>Devalue of land.</p>	<p>Noted</p> <p>Council has resolved to commit the funds from the sale of Lot 147 to the future Joondalup Performing Arts and Cultural Facility for the overall benefit to the City and its residents.</p> <p>The significance of trees on a development site will be considered as part of the subdivision and/or development stage.</p> <p>The City has no control over market conditions and any resulting fluctuations in property values.</p>
26	<p>Objects</p> <p>Land forms part of Hawker Park.</p>	<p>Noted</p> <p>Lot 147 is not zoned Public Recreation but Residential and owned in freehold and owned in freehold by the City. It is not a park.</p>

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	<p>Building size, traffic and parking issues.</p> <p>Sale funds will go to the Joondalup Performing Arts and Cultural facility.</p>	<p>These issues will be dealt with at the development application stage, and residents may have further opportunity to comment at that time.</p> <p>Council has resolved to commit the funds from the sale of Lot 147 to the future Joondalup Performing Arts and Cultural Facility for the overall benefit to the City and its residents.</p>
27	<p>Objects</p> <p>Building size, traffic issues</p>	<p>Noted</p> <p>These issues will be dealt with at the development application stage, and residents may have further opportunity to comment at that time.</p>
28	<p>Objects</p> <p>(Multiple signature submission - 49 entries, approximately ¼ received as individual submissions) Build a community facility for the community</p>	<p>Noted</p> <p>Council has resolved to commit the funds from the sale of Lot 147 to the future Joondalup Performing Arts and Cultural Facility for the overall benefit to the City and its residents.</p>
29	<p>Comment</p> <p>Prefer land not be sold.</p>	<p>Noted</p>
30	<p>Objects</p> <p>Remain as public open space.</p> <p>Traffic issues, and design issues.</p> <p>Council should consult with the community.</p>	<p>Noted</p> <p>Lot 147 is not zoned Public Recreation but Residential and owned in freehold and owned in freehold by the City. It is not a park.</p> <p>These issues will be dealt with at the development application stage, and residents may have further opportunity to comment at that time.</p> <p>Council resolved on 21 September 2010 to support the disposal of Lot 147 restricting the use of the land to aged persons development. Other</p>

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		issues will be dealt with at the development application stage, and residents may have further opportunity to comment at that time.
31	<p>Objects</p> <p>Increase noise and traffic</p> <p>Leave as POS</p>	<p>Noted</p> <p>These issues will be dealt with at the development application stage, and residents may have further opportunity to comment at that time.</p> <p>Lot 147 is not zoned Public Recreation but Residential and owned in freehold and owned in freehold by the City. It is not a park.</p>
32	<p>Supports the development provided it is for retirement or single dwellings not nursing home</p>	<p>Noted</p> <p>Council resolved on 21 September 2010 to support the disposal of Lot 147 restricting the use of the land to aged persons development.</p>
33	<p>Objects</p> <p>Will mean increased traffic issues and lack of detail regarding the proposed facility design etc</p>	<p>Noted</p> <p>These issues will be dealt with at the development application stage, and residents may have further opportunity to comment at that time.</p>



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 PO Box 21, Joondalup WA 6919
 Ph: 08 9400 4000
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 info@joondalup.wa.gov.au
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Scale(A4):1:4052

Date: 3 July 2012

DISCLAIMER: While every care is taken to ensure the accuracy of this data, the City of Joondalup makes no representations or warranties about its accuracy, completeness or suitability for any particular purpose and disclaims all liability for all expenses, losses, damages and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.

**Lot 147 (25) Millport Drive, Warwick
 Consultation – 200m Radius**



BUSINESS PLAN

MAJOR LAND TRANSACTION

THE PROPOSED DISPOSAL OF LOT 147 (25) MILLPORT DRIVE, WARWICK



FEBRUARY 2012

SUBMISSIONS ARE INVITED ON THIS PROPOSAL AND SHOULD BE ADDRESSED TO:

City of Joondalup
PO BOX 21
JOONDALUP WA 6919

TO BE RECEIVED BY: (SUBMISSION CLOSING DATE)

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1. INTRODUCTION

This business plan has been prepared with respect to the proposed disposal of Lot 147 (25) Millport Drive, Warwick [Certificate of Title Volume 1701/Folio 899 on Plan 4951]. The intended development of this land is for aged persons' housing.

At its meeting on 21 September 2010 Council supported the disposal of the above lot, and have prepared a Business Plan to be exhibited for public comment. Since this Council decision, legislation changed on 27 September 2011 involving the disposal of major land transactions and as a result Council are now not required to prepare Business Plans for land disposals with a value of less than \$10 million. However the City wishes to undertake this form of consultation in accordance with Council resolution on 21 September 2010.

A formal consultation period will commence for six weeks. Please send any submission by email to info@joondalup.wa.gov.au or by mail to

City of Joondalup
PO BOX 21
JOONDALUP WA 6919

Council seeks the input of its community as an integral part of the decision making process.

Garry Hunt
Chief Executive Officer

2. BACKGROUND

On 28 June 1985, Lot 147 (25) Millport Drive, Warwick was transferred to the City free of charge by Residential Sites Limited, the developer of the area. The recorded purpose for the proposed use of the land is 'community purposes.' The approximate land area is 2490m² and currently zoned 'Residential/R20' under the City's District Planning Scheme No. 2. The land is zoned 'Urban' under the State Government's Metropolitan Regional Scheme.

Lot 147 is located in a residential area with grouped housing on its western and southern boundaries and Hawker Park on its western boundary. Council resolved at its meeting dated 21 September 2010, to support the disposal of Lot 147 and restrict the use to aged persons' housing by the inclusion of a suitable condition on the contract of sale.

3. LOCAL GOVERNMENT ACT 1995 REQUIREMENTS

This business plan has been prepared to comply with the former provisions of Section 3.59 of the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996*. On 27 September 2011, the *Local Government (Functions and General) Regulations 1996* were amended to state local governments will only be required to prepare and advertise a business plan if the value of the disposal had a minimum value of \$10 million.

In accordance with Council resolution of 21 September 2010, this business plan will be advertised in the *West Australian* inviting public submissions on the proposal detailed in the business plan for a period of six weeks. Additionally, a public notice will be included in the Joondalup Community newspaper and a notification sign will be placed in a prominent position on Lot 147. For the duration of the consultation period, the business plan will be available online at www.joondalup.wa.gov.au

Following the last day for submissions, Council will consider any submissions made during the advertising period and may resolve by Absolute Majority to proceed with the transaction as proposed. In the event that Council makes significant changes to the proposal, a further six week advertising period will take place.

The notice to be used for this proposal is provided as Attachment No. 1.

Submissions on this business plan are to be forwarded to the City of Joondalup, PO BOX 21, JOONDALUP WA 6919.

Further enquiries should be directed to the Acting Property Coordinator on 94004362 or by email to martine.baker@joondalup.wa.gov.au

4. EXPECTED EFFECT ON THE PROVISION OF FACILITIES AND SERVICES BY THE LOCAL GOVERNMENT

Lot 147 is surplus to the City's requirements from a community purpose site perspective; its disposal will be no effect on the provision of existing facilities and services by the City of Joondalup. However, the net proceeds from the disposal of Lot 147 are to be transferred to the Joondalup Performing Arts and Cultural Facility reserve. The Joondalup Performing Arts and Cultural Facility will have numerous benefits to the community and external stakeholders, bringing major events and programs to the City.

5. EXPECTED EFFECT ON OTHER PERSONS PROVIDING FACILITIES AND SERVICES IN THE DISTRICT

Information from the Australian Bureau of Statistics (2006) details the City of Joondalup's population with regard to ageing is as follows:

- 13.2% (19,507) of City's population aged over 60 years (2006)
- 15.1% (22,226) of City's population aged between 50 and 59 years (2006)
- 41,733 people living in City aged over 50 (2006)

Source: Australian Bureau of Statistics, Census of Population and Housing, 2006, 2001, 1996, and 1991.

Council has recognised the need to assist in accommodating the housing needs for an ageing population by supporting the disposition of freehold land specifically for this purpose. Developers of aged persons' housing will be advantaged by Lot 147 becoming available on the market having a suitable zoning and density code. Developers will be provided with an opportunity to enhance facilities and services available to the aging population and will contribute to the connectivity of the existing services and facilities provided within the City.

6. EXPECTED FINANCIAL EFFECT ON THE LOCAL GOVERNMENT

Lot 147 has been in the City's ownership since 1979 and the land is surplus to the City's requirements. The revenue provided by the disposal of Lot 147, will assist in funding the design and development of the Joondalup Performing Arts and Cultural Facility.

Valuation information dated May 2010 for Lot 147 stated that the City could achieve approximately \$1,300,000 (exclusive of GST) if the land is developed for housing. Consideration needs to be given to the related real estate agent fees and settlement costs for the sale of Lot 147, with the surplus being included in the Joondalup Performing Arts and Cultural Facility reserve fund.

7. EXPECTED EFFECT ON MATTERS REFERRED TO IN THE LOCAL GOVERNMENT'S PLAN PREPARED UNDER SECTION 5.56

Section 5.56 of the *Local Government Act 1995* requires that a local government plan for the future. As part of complying with this section, the City of Joondalup has developed a Strategic Plan 2008 – 2011. This plan encompasses values and principles that address the desires of the Joondalup community both currently and for the future. Proceeds from the sale of the land will be allocated to the Joondalup Performing Arts and Cultural Facility reserve fund which forms part of the City of Joondalup's 20 year Strategic Financial Plan.

8. THE ABILITY OF THE LOCAL GOVERNMENT TO MANAGE THE UNDERTAKING OR THE PERFORMANCE OF THE TRANSACTION

The City of Joondalup ordinarily administers large-scale financial undertakings in its day-to-day business as a Local Government entity, with the assistance of suitably qualified professionals and specialist advisors as required.

The City has the capability and capacity to implement the proposed transaction as set out in the business plan.

Development of the site will be subject to normal planning and building approval processes administered by the City's directorate of Planning and Development. The management of this disposal is within the resources and capacity of the City of Joondalup.

ATTACHMENT 1:

**ADVERTISEMENT FOR THE SALE OF LOT 147 (25) MILLPORT DRIVE,
WARWICK**

PROPOSED DISPOSAL OF LOT 147 (25) MILLPORT DRIVE, WARWICK

The City of Joondalup currently has freehold ownership of Lot 147 (25) Millport Drive, Warwick, and is proposing to dispose of it for the purpose of Aged Persons Housing.

A Business Plan has been prepared in accordance with Council resolution 21 September 2010. A copy of the Business Plan can be inspected or obtained from the City's Administration Centre, Joondalup; Whitfords Customer Service Centre, Hillarys; Craigie Leisure Centre, Craigie; all of the City's libraries and the City's website www.joondalup.wa.gov.au

Comments must be made in writing to:

City of Joondalup
PO Box 21
Joondalup WA 6919

Or by email to info@joondalup.wa.gov.au

For further information contact Martine Baker on 9400 4362.

Submissions close: XXXX

Garry Hunt
Chief Executive Officer