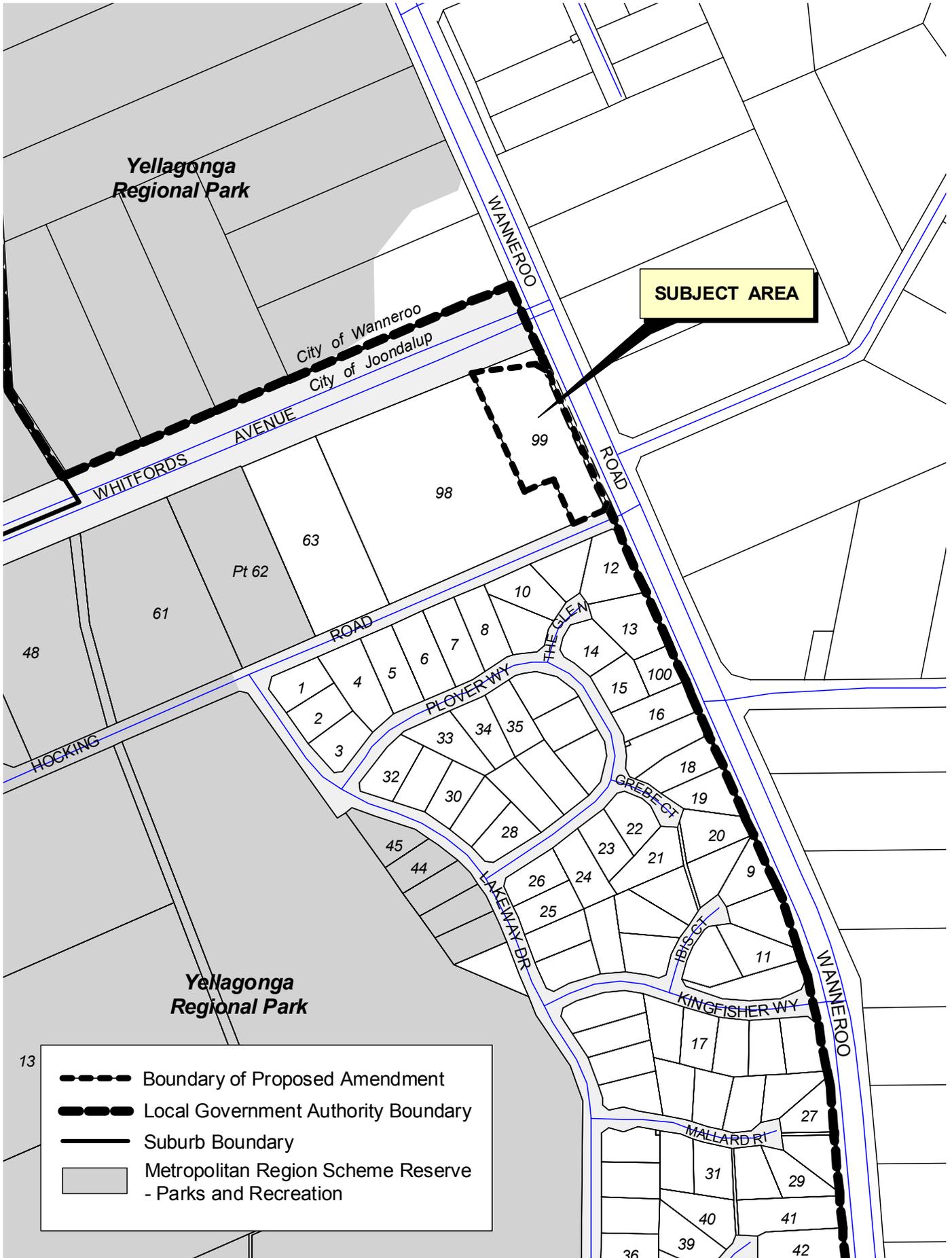


LOCATION PLAN - PROPOSED DPS2 AMENDMENT No.13



COPY NO .
FORM 1C

TOWN PLANNING AND DEVELOPMENT ACT, 1928 (AS AMENDED)
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME
CITY OF JOONDALUP
DISTRICT PLANNING SCHEME NO 2 - AMENDMENT NO 13

Resolved that the Council, in pursuance of Section 7 of the Town Planning and Development Act, 1928 (as amended) amends the above Town Planning Scheme by rezoning Lot 99 Hocking Road, Kingsley, from Private Clubs/Recreation to Business.

DATED THIS 23RD DAY OF JULY 2002

.....
CHIEF EXECUTIVE OFFICER

COPY NO

TOWN PLANNING AND DEVELOPMENT ACT, 1928 (AS AMENDED)

CITY OF JOONDALUP

DISTRICT PLANNING SCHEME NO 2 - AMENDMENT NO 13

The Council of the City of Joondalup under and by virtue of the powers conferred upon it in that behalf by the Town Planning and Development Act, 1928 (as amended), and the Metropolitan Region Town Planning Scheme Act, 1959 (as amended), hereby amends the above Town Planning Scheme by rezoning Lot 99 Hocking Road, Kingsley, from Private Clubs/Recreation to Business.

TOWN PLANNING AND DEVELOPMENT ACT, 1928 (AS AMENDED)**CITY OF JOONDALUP****DISTRICT PLANNING SCHEME NO 2 - AMENDMENT NO 13****SCHEME AMENDMENT REPORT****INTRODUCTION**

A request has been received from Mitchell Goff and Associates on behalf of Hostyle Pty Ltd to rezone Lot 99 (4) Hocking Road, Kingsley, from 'Private Clubs/Recreation' to 'Business'.

Context

The subject land is located on the corner of Whitfords Avenue and Wanneroo Road in the north eastern section of Kingsley. (Refer to Attachment 1). The land to the north of Whitfords Avenue forms part of the Yellagonga Regional Park whilst the land to the east of Wanneroo Road falls within the City of Wanneroo's boundaries and forms part of the Wangara Industrial Area. The land is bound by Hocking Road and a residential estate to the south and by the Cherokee Village Caravan Park to the west. The land to the west of the Caravan Park (Lot 63 Hocking Road) is currently used as a market garden and associated retail outlet however is proposed along with a portion of Lot 62 Hocking Road to be rezoned to facilitate an aged persons development. The land to the west of Lot 62 Hocking Road forms part of the Yellagonga Regional Park.

Land Use & History

Lot 99 Hocking Road has been developed with a large building and associated carparking area which was previously used as an indoor recreation centre and place of public worship. (Refer to Attachment 2). The City's records indicate that the former use of the site attracted numerous complaints (predominantly noise related) from the occupants of the adjoining Cherokee Village Caravan Park. The building is currently vacant.

Access to the site is obtained from an existing crossover on Hocking Road which lies adjacent to the boundary of Lot 98 Hocking Road (the Cherokee Village Caravan Park).

A right of carriageway easement exists over Lot 98 Hocking Road in favour of the proprietors of Lot 99 Hocking Road however this is not currently utilised. (Refer to Attachment 3). The deed of easement was made on the 17 June 1982 between the proprietors of Lots 98 and 99 Hocking Road. The deed states that the right of carriageway over the affected land shall not be relinquished, released or in any way surrendered without the approval in writing of the City first being obtained.

The subject land is also subject to Amendment No 1037/33 North West District Omnibus (No 5) to the Metropolitan Region Scheme (MRS). The Amendment proposes, amongst other things, to transfer a portion of Lot 62 and Lots 63, 98 and 99 Hocking Road, Kingsley from the 'Rural' zone and 'Parks and Recreation' reservation to the 'Urban' zone.

DETAILS

Private Clubs/Recreation Zone and Business Zone

The subject land is proposed to be rezoned from 'Private Clubs/Recreation' to 'Business' under DPS 2.

The objective of the 'Private Clubs/Recreation' zone is to accommodate uses such as private golf clubs, private educational, institutional and recreational activities.

The uses which are or may be permitted under the 'Private Clubs/Recreation' zone are outlined in Attachment 4.

The objectives of the 'Business' zone are as follows:

"3.6.1 The Business Zone is intended to accommodate wholesaling, retail warehouses, showrooms and trade and professional services and small scale complementary and incidental retailing uses, as well as providing for retail and commercial businesses which require large areas such as bulky goods and category/theme based retail outlets that provide for the needs of the community but which due to their nature are generally not appropriate to or cannot be accommodated in a commercial area.

The objectives of the Business Zone are to:

- (a) provide for retail and commercial businesses which require large areas such as bulky goods and category/theme based retail outlets as well as complementary business services;*
- (b) ensure that development within this zone creates an attractive façade to the street for the visual amenity of surrounding areas."*

The uses which are or may be permitted under the 'Business' zone are outlined in Attachment 5.

Access & Traffic Implications

The subject land has frontage to Whitfords Avenue, Wanneroo Road and Hocking Road however no access is permitted or is desirable to/from Whitfords Avenue or Wanneroo Road. As outlined above, access to the site is obtained from an existing crossover on Hocking Road which lies adjacent to the boundary of Lot 98 Hocking Road (the Cherokee Village Caravan Park).

Whilst a specific land use is not proposed for the land, the applicants advise that traffic volumes are likely to be in the vicinity of 2000-3000 vehicles per day (vpd).

Main Roads WA advise that a grade separated crossing is intended for the intersection of Whitfords Avenue/Wanneroo Road due to high traffic forecasts and that the median strip on Wanneroo Road is intended to be extended so as to prevent right hand turns into Hocking Road. These traffic management proposals will further restrict access to the site. Main Roads WA have advised the applicants that they have no objections to the proposal.

Department of Planning & Infrastructure (DPI) Comments

The explanatory report for Amendment No. 1037/33 North West District Omnibus (No. 5) to the MRS stated with respect to the land:

- Lot 99 Hocking Road, Kingsley, does not contain any regionally significant vegetation or wetlands, can be connected to major services and the land given the surrounding land uses, is no longer suitable for rural uses.
- Given the land's constrained access arrangements, proximity of the land to the Yellagonga Regional Park, its location on a visually prominent corner and the adjoining special residential subdivision, land uses which are low traffic generators and have a high visual amenity would be suitable.
- It is anticipated that a draft structure plan will be formulated for the area, in consultation with the DPI, the City of Joondalup, Main Roads WA and CALM.

Strategic Implications:

The rezoning and subsequent land use will assist in rejuvenating the area and providing additional goods and services to the community. This accords with the City's strategic plan.

COMMENT

Issues

Private Clubs/Recreation Zone & Business Zone

The 'Business' zone provides a greater number of land use options for the site than the 'Private Clubs/Recreation' zone and will assist the landowner in attracting a tenant to the site.

The site is well exposed to traffic on Whitfords Avenue and Wanneroo Road and from this perspective would be well suited to commercial land use.

Access & Traffic Implications

Given that traffic volumes are likely to increase as a result of the proposal and given the site's access restrictions and the close proximity of the existing crossover to the intersection of Whitfords Avenue and Wanneroo Road, it is recommended that a traffic impact statement be provided by a qualified traffic engineer/consultant to determine whether the existing access arrangements to the site are sufficient and to assess the impact of any increase in traffic volumes on the regional and local road systems. Due to time constraints it is recommended that Council allows this to be undertaken during the advertising period and submitted to the City prior to final consideration of the Amendment.

Should the landowner intend to utilise the existing right of carriageway easement over Lot 98 Hocking Road it is recommended that the City becomes a party to the deed.

Special Residential Lots

As outlined above, a Special Residential estate exists on the southern side of Hocking Road. The impact of the proposed rezoning on the estate is expected to be minimal as the estate predominantly backs onto and is fenced along Hocking Road. Only one dwelling (on Lot 4 Hocking Road) fronts onto and obtains access from Hocking Road. This dwelling is likely to be impacted by the proposal as traffic volumes are expected to increase. The impact of this however needs to be further investigated through the above-mentioned traffic impact statement.

DPI Comments

The DPI stated that land uses which are low traffic generating and have a high visual amenity would be suitable for the land considering the constrained access arrangements, proximity of the land to the Yellagonga Regional Park, its location on a visually prominent corner and adjoining special residential subdivision.

The subject land is separated from the Yellagonga Regional Park by way of adjoining properties and roads. The proposal is therefore unlikely to have a significant impact on the Park however is intended to be referred to the Department of Conservation and Land Management, who are responsible for managing the Park, during the advertising period for comment.

Whilst the land is visually prominent being situated on the corner of Whitfords Avenue and Wanneroo Road the City believes that it is the landowner's intention to retain the existing building and therefore the visual amenity is unlikely to be altered by the proposal.

As previously outlined, the impact of the proposed rezoning on the special residential estate to the south of the subject land is expected to be minimal as the estate predominantly backs onto Hocking Road.

The DPI also recommended that a structure plan be prepared over the subject and adjoining land. A structure plan over Lot 99 Hocking Road and adjoining lots is considered unnecessary as the lots are proposed to be independently developed. Lot 99 is intended to accommodate commercial land uses, Lot 98 is intended to be continued to be used as a caravan park and Lot 63 and a portion of Lot 62 are intended to accommodate aged person's dwellings and facilities.

MRS Amendment

The proposed amendment to the MRS to rezone the subject land from 'Rural' to 'Urban' is currently being considered by the WAPC. The WAPC have advised that the amendment is not expected to be finalised until late 2002/2003.

The subject amendment to the City's DPS 2 will be unable to be finalised until the amendment to the MRS has been finalised as DPS 2 is required to be in accordance with the MRS.

Conclusion

The site has good exposure to traffic on both Whitfords Avenue and Wanneroo Road and from this perspective would be ideal for commercial land use. The proposed rezoning will also provide a greater number of land uses options for the site and will assist the landowner in attracting a tenant to the currently vacant site. Whilst the proposal is unlikely to affect the visual amenity of the surrounding area, it is likely to result in additional traffic, and the impact of this needs to be further investigated through a traffic impact statement. Due to the time constraints it is recommended that Council allows this to be undertaken during the advertising period and submitted to the City prior to final consideration of the Amendment.

Adopted by resolution of the City of Joondalup at the Ordinary meeting of the Council held on the 23rd day of July 2002

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

Adopted for final approval by the Council of the City of Joondalup at the Ordinary meeting held on the day of 200 and the Common Seal of the City of Joondalup was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

Recommended/Submitted for final approval

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DELEGATED UNDER S.20 OF WAPC ACT
1985

DATE

Final Approval Granted

.....
MINISTER FOR PLANNING AND
INFRASTRUCTURE

DATE

Scheme Amendment Process

