

**PROPOSED AMENDMENT NO 31
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
(CLOSED 7 JANUARY 2007)**

+NO	NAME OF SUBMITTER	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	OFFICER OR COUNCIL'S RECOMMENDATION
1	A E & A M Cruse	14 McKirdy Way Marmion 6020	Supports rezoning of their property from Local Reserve – Parks and Recreation to Residential R20	Noted. Support proposed Amendment No 31 with minor modification.
2	H English	21 Seaforth Loop Kallaroo 6025	Support, particularly proposal 8 that will enable removal of Northshore's restrictive covenant imposed on future development in perpetuity.	Noted. Support proposed Amendment No 31 with minor modification
3	Environmental Protection Authority	Not applicable	No objection. No further advice or recommendations given.	Noted. Support proposed Amendment No 31 with minor modification
4	Water Corporation	Not Applicable	No objection and no further comment.	Noted. Support proposed Amendment No 31 with minor modification
5	C Stephens	25 Afric Way Kallaroo 6025	<p>Objection. Raised the following issues:</p> <ol style="list-style-type: none"> 1. Believes it is inappropriate that Council would not be required to respond in writing when an application has been refused. Considers Council has an obligation to respond and shouldn't abandon practice that is informative and good business. 2. The proposed wording of clause 6.5.3 removes the onus on Council to fully assess any application and allows delays to the application process via repeated requests for information. 	<p>Noted.</p> <ol style="list-style-type: none"> 1. Council is required to make a decision on a development application and communicate that decision to the applicant. No change to current practice will occur as a result of this amendment proposal. Delays in determining applications are usually due to the lodgement of incomplete applications where further information and details are required. 2. The proposed clause seeks to clarify the current protocol (under the City's recently introduced Gateway Development Application process) whereby the assessment timeframe for development applications doesn't commence until all

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			<p>3. Suggests Council could set a reasonable period in which the applicant should respond, noting current limited access to qualified consultants to prepare documents.</p>	<p>necessary details/information is submitted in order to facilitate the proper assessment of the application.</p> <p>3. The onus is placed upon the applicant to provide the City with all the information it requires to properly assess and determine their development application. It is noted that a significant number of delays in the processing of applications is due to inadequate information being provided by the applicant.</p> <p>Support proposed Amendment No 31 with minor modification.</p>
6	HW Pearson	Not provided	<p>Objection. Raised the following issues:</p> <p>1. Opposes the addition of Clause 6.5.3 in proposal 13 because it will extend the approval process by giving the Council the power to create an unlimited period by asking for more information. Considers the period within additional details may be requested should be restricted.</p> <p>2. Provides comment on lengthy approval timeframes and believes it will harm future development within the City of Joondalup.</p>	<p>Noted.</p> <p>1. Refer comments in submission 5 above.</p> <p>2. Refer comments in submission 5 above.</p> <p>Support proposed Amendment No 31 with minor modification.</p>
7	M Dickie	23 Alfreton Way Duncraig 6023	<p>Objection. Raised the following issues:</p> <p>1. Opposes the addition of Clause 6.5.3 in proposal 13 because it will give Council unlimited time to ask for more information</p>	<p>Noted.</p> <p>1. Refer comments in submission 5 above. In addition, no additional 60 day period is triggered by the proposed clause. The clause</p>

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			<p>and trigger another 60 day period.</p> <p>2. Believes that the clause is not needed given the City's Gateway process. If the clause is needed, suggests a 2 week period from the date when the application was lodged to request additional information.</p>	<p>seeks to clarify when the 60 day period commences, which is upon lodgement of a complete development application containing all the required details.</p> <p>2. Noted.</p> <p>Support proposed Amendment No 31 with minor modification.</p>
8	P Beyer	Not provided	Objection. Raised issues as submission 7.	<p>Noted. Refer comments in submission 5 and 7 above.</p> <p>Support proposed Amendment No 31 with minor modification.</p>
9	W McEwan	27 Timbercrest Rise Woodvale 6026	Objection. Raised issues as submission 7.	<p>Noted. Refer comments in submission 5 and 7 above.</p> <p>Support proposed Amendment No 31 with minor modification.</p>
10	M Macdonald	5 Mair Place Mullaloo 6027	<p>Objection. Raised the following issues:</p> <p>1. Does not support the amendment because the report is not accurate in some instances i.e. some proposals do not contain issues that have been subject of previous requests to the Council and should therefore be addressed. Also believes that some proposals are strategic in nature.</p>	<p>Noted.</p> <p>1. The subject matter collectively forming the proposed amendment is complex from a town planning and legal perspective. The report was constructed to convey the proposals in simplistic terms. The amendment is unable to capture all previously raised issues, and outstanding issues are envisaged to be dealt with via future scheme amendments and the scheme</p>

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			<p>2. Does not support proposal 1 to remove the Special Use Zone as no adequate reasons are being given for its removal. Considers the only argument for its removal is that there is no developments listed in this zone. Believes this is a strategic proposal.</p> <p>3. Does not support proposal 4 relating to the Commercial Zone because the City should encourage shopping and business areas to provide structure plans under Part 9 and be rezoned to Centre Zone. This would provide certainty about what is planned for their area. This proposal is a strategic proposal.</p> <p>4. Does not support proposal 5 that relocates clause 3.18 to Part 1 of DPS2 because it is considered it incorporates a new zone for the purposes of introducing Network City/Precinct Planning. Particularly in relation to residential land near railway stations. This proposal is a</p>	<p>review process. The submitter contests that proposals 1, 2, 5 and 14 are strategic in nature, however it is the technical town planning view that the proposals forming Amendment No. 31 do not seek to review or modify the strategic direction of DPS2 but to rather improve its functionality.</p> <p>2. Noted. The matter has been considered and, since the zone is not used, the view is that this zone is no longer necessary. Furthermore, alternative zones and/or the Additional and Restricted use provisions in DPS2 could be used in the future should a particular situation arise that warrants such an approach.</p> <p>3. The City encourages the preparation of structure plans for its commercial areas and will continue to do so. The proposal seeks to capture both existing and new commercial areas and will widen the scope to ensure both situations are captured under DPS2. All proposals forming the amendment are not considered to be strategic in nature.</p> <p>4. The clause is currently listed within the Part 3 - Zones and the proposal seeks to simply move Clause 3.18 (without altering the wording) to Part 1 - Preliminary of DPS2. The proposal does not relate to Network City (a State Government document) or planning by the City on a precinct basis. Any future</p>
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			<p>strategic proposal.</p> <p>5. Does not support the removal of Clause 8.9 in proposal 7 without an alternative being identified in the scheme text.</p> <p>6. Does not support proposal 9 relating to the rescission of home business approval because the scheme text does not state where this enforcement issue is covered.</p> <p>7. Does not support proposal 14 relating to public notice because it allows the City to reduce the current advertising requirements. There is no definition of affected ratepayers and leaves officers to determine who is an affected ratepayer, leading to differences and ambiguity. This is a strategic proposal.</p> <p>8. Does not support proposal 19 relating to changes to the zoning table without the insertion of 'Short Stay Accommodation'. Considers this is long overdue and should be accompanied with a definition in schedule 1, applicable development standards, controls and residential density.</p>	<p>rezoning and/or Density code changes to land around existing railway stations would require formal DPS2 amendment and therefore be publicly advertised.</p> <p>5. An alternative is not legally required as the necessary powers are contained within the Planning and Development Act 2005.</p> <p>6. Legal advice suggests that its not required to be stated in DPS2 since the necessary powers are contained within Part 13 of the Planning and Development Act 2005.</p> <p>7. This proposal does not seek to reduce advertising requirements but to widen the range of advertising methods the Council can use. Consultation is based upon the type of application submitted and the details contained therein. All proposals forming the amendment are not considered to be strategic in nature.</p> <p>8. Proposed Amendment No 31 is primarily a technical review. The matter of short stay accommodation is being addressed separately.</p> <p>9. Refer to above comments in issue 8.</p>
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			<p>9. Does not support proposal 21 relating to schedule 1 (interpretations) of DPS2 because of omissions. Suggests need to define this so that it is not assessed as a 'Residential Building'.</p> <p>10. Does not support proposal 24 relating to DPS2 map zoning modifications as it is poorly written and contains inaccuracies and ambiguities. It is not clear whether or not this proposal seeks to rezone and recode various parcels of land or whether the proposal is to alter the map to correct for amendments already made. In addition, it is considered that rezoning of 10 residential zoned blocks in Merrifield Place, Mullaloo should be included in the proposal.</p>	<p>10. Proposal 24 seeks to rectify various DPS2 mapping errors that have been found. It is correct that the DPS2 map shows zoning and density code information on separate maps, however they collectively form the entire DPS2 map. Therefore, from a technical perspective, it is not necessary to separate zoning and density code information. Proposal 24 does not seek to change or increase the Density code of any land, except the land forming the Currambine Structure Plan No. 14 area, which is to be recoded from R20 to uncoded. It is agreed that the table in the amendment document should be modified to remove any reference to density coding, with the exception of the lots forming the Currambine Structure Plan No. 14 area as outlined above. In response to the Merrifield Place lot zoning issue, it is expected that this matter will be further considered by Council, once an audit of all of the City's assets has been completed.</p> <p>Support proposed Amendment No 31 with minor modification.</p>
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