

## Attachment 1




# District Planning Scheme No.2 Amendment No.60


## LEGEND

SCALE 1: 2000




 Boundary of Amendment  
Zone Area

## METROPOLITAN REGION SCHEME RESERVES

 Parks and Recreation

## LOCAL RESERVES

 Parks and Recreation

## ZONES

 Residential



EXISTING ZONING



SCHEME AMENDMENT

**PROPOSED AMENDMENT NO 60  
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING  
(CLOSED 10 AUGUST 2011)**

<b>NO</b>	<b>NAME AND ADDRESS OF SUBMITTER</b>	<b>DESCRIPTION OF AFFECTED PROPERTY</b>	<b>SUBMISSION SUMMARY</b>	<b>OFFICER OR COUNCIL'S RECOMMENDATION</b>
1	R & F Fazzari 6 Gull Street Marmion WA 6020	6 Gull Street Marmion 6020	No objection.  Believes it's a great idea to zone the land Residential.	Noted.
2	Western Power Locked Bag 2520 Perth WA 6000	N/A	No objection.	Noted.
3	C Ayres email address provided	no address provided	<p>No objection.</p> <p>Believes it would be a shame to lose any land deemed recreational without some compensation. Suggests a partial land swap with the Lot 75 on the corner of Gull Street and West Coast Drive.</p> <p>Proceeds from the sale of Lot 95 could be used to acquire Lot 75. Part of Lot 75 could then be used to widen West Coast Drive to provide room for a roundabout. The remainder of Lot 75 could then be sold.</p> <p>Marmion Reef is a significant coastal asset and improved access for people on foot crossing West Coast Drive and for people in cars would be a great benefit to local residents and the City of Joondalup as a whole. Perhaps a deal could be done with MAAC to allow public access to the car park and extend it.</p>	<p>Noted.</p> <p>Lot 95 was only intended to be a car park and not active recreational land. The scheme amendment does not impact on the available public open space in Sorrento. The City does not intend to enter into a land swap or purchase nearby land to compensate for Lot 95.</p> <p>Should the scheme amendment be supported and the subsequent sale of the lot occurs, the proceeds would be used to provide car parking and community infrastructure in the area.</p> <p>In the past twelve months the City has undertaken works to improve the roadway, footpaths and access to the beach around the Marmion Angling and Aquatic Club (MAAC).</p> <p>The majority of the parking to the north and south of the MAAC is public parking and accessible to all members of the public.</p>

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4	R J & M O'Leary 3 Gull Street Marmion WA 6020	3 Gull Street Marmion WA 6020	No objection.  Requests that development on the site complies with the existing building codes for Gull Street so it is no more than two storeys. Doesn't want an apartment complex to be developed on the site.	Noted.  This comment relates to the future development of the site and not the scheme amendment.  Any future residential development on the site will be required to comply with the provisions of the Residential Design Codes, District Planning Scheme No.2 and City policies.
5	Telstra Network Integrity Locked Bag 3573 Brisbane QLD 4000	N/A	No objection.	Noted.
6	A Vespoli 25 Santara Circle Dianella WA 6057	62 West Coast Drive Marmion WA 6020	Objection.  Purchased their property on the basis of ocean views and that the rear corner of the lot abuts a local reserve identified for 'Parks and Recreation' purposes. The unique relationship with Reserve 35570 and the ability for their children to gain access to the land without crossing a busy street clearly sets this property apart from others.  Prior to the purchase of the lot they contacted the City and were advised that the Reserve 35570 was reserved for 'Parks and Recreation' and will likely at some stage in the future be developed as a local pocket park. We were not advised of the City's intention to rezone the Reserve for residential purposes and sell it	Noted.  Noted.  The site has never been intended to be developed as a park. The land was originally set aside for the purpose of being developed as a car park only.



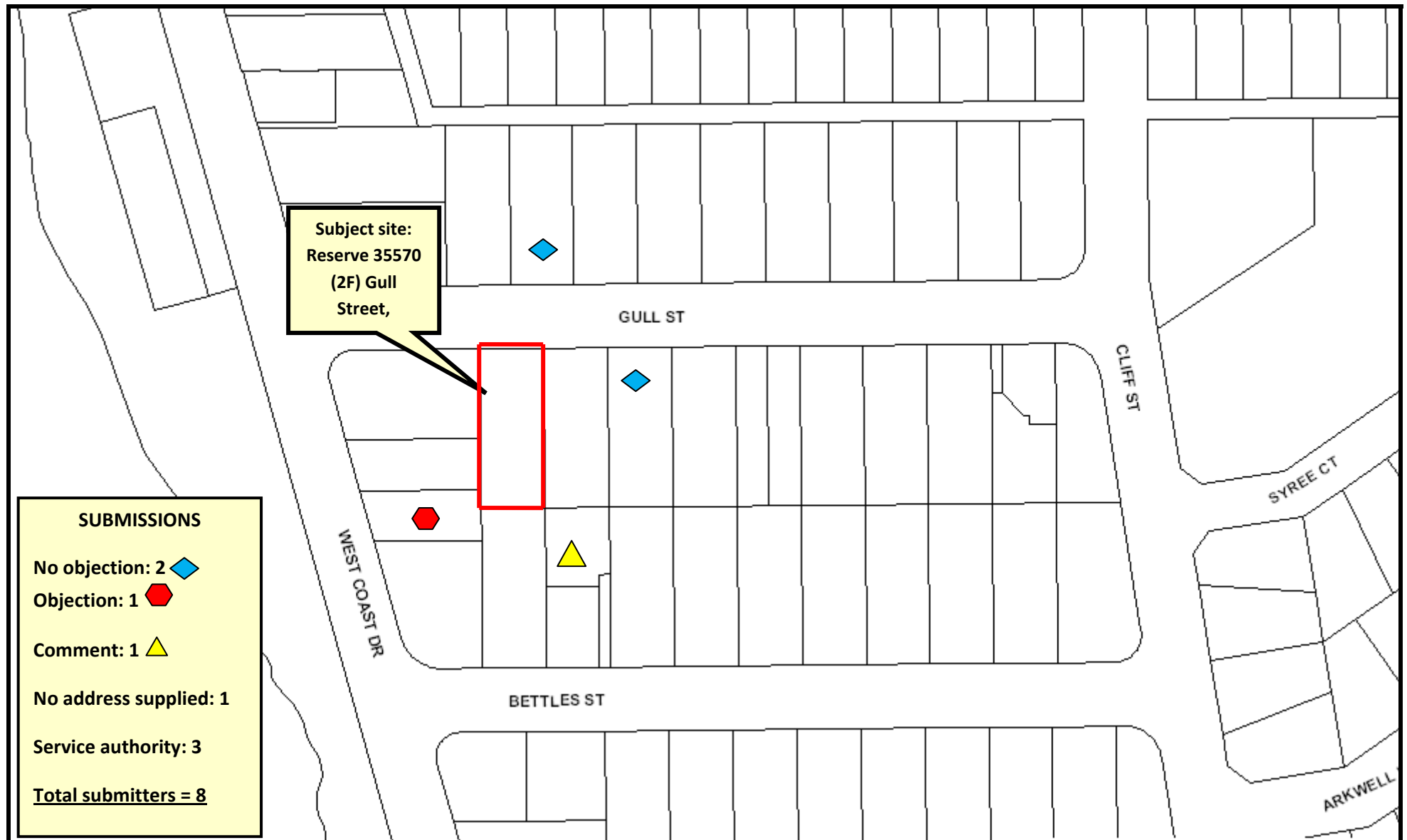
			to a private interest.	
NO	NAME AND ADDRESS OF SUBMITTER	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	OFFICER OR COUNCIL'S RECOMMENDATION
			<p>As a result of receiving the City's correspondence they've undertaken investigations which indicate the Reserve is a class C reserve under the Land Administration Act 1997 for the purpose of car parking. It appears the land was set aside for public benefit by a process of land subdivision. It is acknowledged that Cabinet granted approval to cancel the classification however with all due respect that is a process separate from a scheme amendment and we are bemused as to why the scheme amendment report focuses on the matter of the reserve classification and purpose and not its reserve status and classification under DPS2.</p> <p>Identifying that the reserve is not required for parking purposes is not justification for removing its 'Parks and Recreation' reserve classification under DPS2 and zoning it residential particularly when there is a community expectation that the land is reserved for its benefit and will accordingly be developed in the future.</p>	<p>The land was set aside for the purpose of providing car parking not as public open space. As it is not appropriate to construct a car park on this site therefore it is of no benefit to the community. The purpose of the scheme amendment is to remove the 'Parks and Reservation' zone from the property. The site is zoned 'Urban' under the Metropolitan Region Scheme and the 'Residential' zone under DPS2 is considered to be the most appropriate zone for the site. As Lot 95 has never been public open space, the removal of the reservation does not result in a loss of public open space in the area.</p> <p>The land is not currently benefiting the community as there is no intention for the site to be developed as a car park. By removing the reservation and zoning the site to 'Residential' the site may be sold by the State Government. Any monies received from the sale of the site will be used to provide car parking and community infrastructure in the area.</p>

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			<p>Contend the scheme amendment report and its rationale for the rezoning is for 'Residential' is flawed. The report concludes that Reserve 35570 is not required for car parking purposes and therefore should be rezoned to enable uses that are consisted with that in the immediate area.</p> <p>The report fails to address the current 'Parks and Recreation' local reserve classification under DPS2, consider current compatibility of the reserve classification with its physical surrounds and land uses</p> <p>and provide an analysis of the types and function of public open space in the area, suburb demography, population trends and likely future POS needs.</p> <p>It appears obvious that should Reserve 35570 be zoned for 'Residential' purposes it will likely result in two, two storey dwellings being constructed with the rear dwelling orientated towards the westerly views and therefore overlook our future backyard. It is requested that this point is not dismissed as a matter more appropriately addressed at the planning application stage because it is a relevant consideration at this stage for the following reasons:</p>	<p>The proposed 'Residential' zone is appropriate given the lot is bounded by 'Residential' zoned land. When the area was developed, land was set aside for the purpose of public open space based on 10% of the development area, as opposed to suburb demography or population trends. Lot 95 is not public open space and therefore does not result in a reduction of the open space in the area. Cliff Park and Magpie Park are located within 400m of Lot 95 and the coastal reserve is less than 100m from Lot 95.</p> <p>Should the scheme amendment be supported the land would be zoned 'Residential.' The existing coding of R20 would facilitate two dwellings on the site which is greater than 900m<sup>2</sup>. Similar development has occurred on nearby properties along Gull Street and the surrounding streets.</p>

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			<ul style="list-style-type: none"> <li>We have commenced planning and designing our home. The design objective was to maximise opportunities afforded by Reserve 35570 particularly as a local pocket park.</li> <li>Our home design was to be solar passive with internal and outdoor living areas facing north, whilst being protected from the west. This entire design philosophy and months of planning will be jeopardised if the proposed rezoning is successful as the future dwelling will likely overlook our future outdoor living area and openings to indoor living areas.</li> </ul> <p>Acknowledges that the City will likely receive substantial funds from the sale of Reserve 35570 however it is requested that consideration be given to their financial commitment and investment in the area. All surrounding land owners committed to the area when we understood Reserve 35570 to be classified as 'Parks and Recreation' and not developed for any other purpose.</p>	<p>Concerns relating to the impact of the development on surrounding properties need to be addressed at the development application stage as there is no mechanism through the scheme amendment process. Additionally the type of development or configuration of the lots is unknown until an application for development approval or subdivision is received. Future development will be assessed against the Residential Design Codes and relevant City policies.</p> <p>The State Government is responsible for the sale of the lot. Any proceeds from the sale will be used to improve community infrastructure and provide car parking elsewhere in the area.</p> <p>The scheme amendment will be considered on its planning merit. Financial investment is not a planning consideration.</p>

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			<p>The development of dwellings on Reserve 35570 will not only overlook existing and proposed private outdoor areas but compromise existing views of significance. These factors are normally considered in property valuations and will likely result in some adjoining properties being devalued.</p> <p>Request that Amendment No. 60 not be adopted by Council.</p>	<p>It is acknowledged that any future residential development on the site will alter the outlook for the adjoining properties as this site hasn't previously been developed. Due to the numerous variables, which may or may not be measurable, that could impact on property values. A planning assessment cannot take property values into consideration.</p> <p>Noted.</p>
7	M Mosenthal 3B Bettles Street Marmion WA 6020	3B Bettles Street Marmion WA 6020	<p>Comment.</p> <p>Would like to recommend that the lot be developed into much needed car parking. The area is very busy as visitors are attracted to the area for snorkelling and kayaking opportunities, large number of members attending the Marmion Aquatic and Angling Club and the Police Academy hold diving course at Marmion.</p> <p>4WD vehicles parking on the lot cause damage to the footpath and cause erosion of the site creating an eyesore. As there is no other available land to extend car parking and Marmion Beach will continue to attract visitors it is highly recommended consideration be given to redeveloping Lot 95 into a car park.</p>	<p>Noted.</p> <p>It is acknowledged that there is high demand for car parking in the area as a result of the activities occurring on Marmion Beach and at the Marmion Aquatic and Angling Club. However as the site is surrounded by residential development it is not appropriate for the site to be developed as a car park.</p> <p>The City is continuing to explore alternative options for providing additional car parking in appropriate locations within the area.</p>
8	Water Corporation PO Box 100 Leederville WA 6902	N/A	No objection.	Noted.





## Scheme Amendment Process

