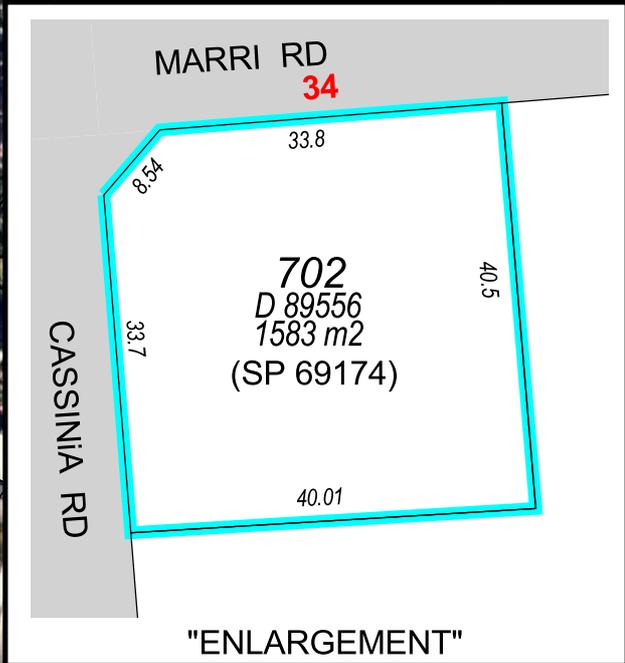
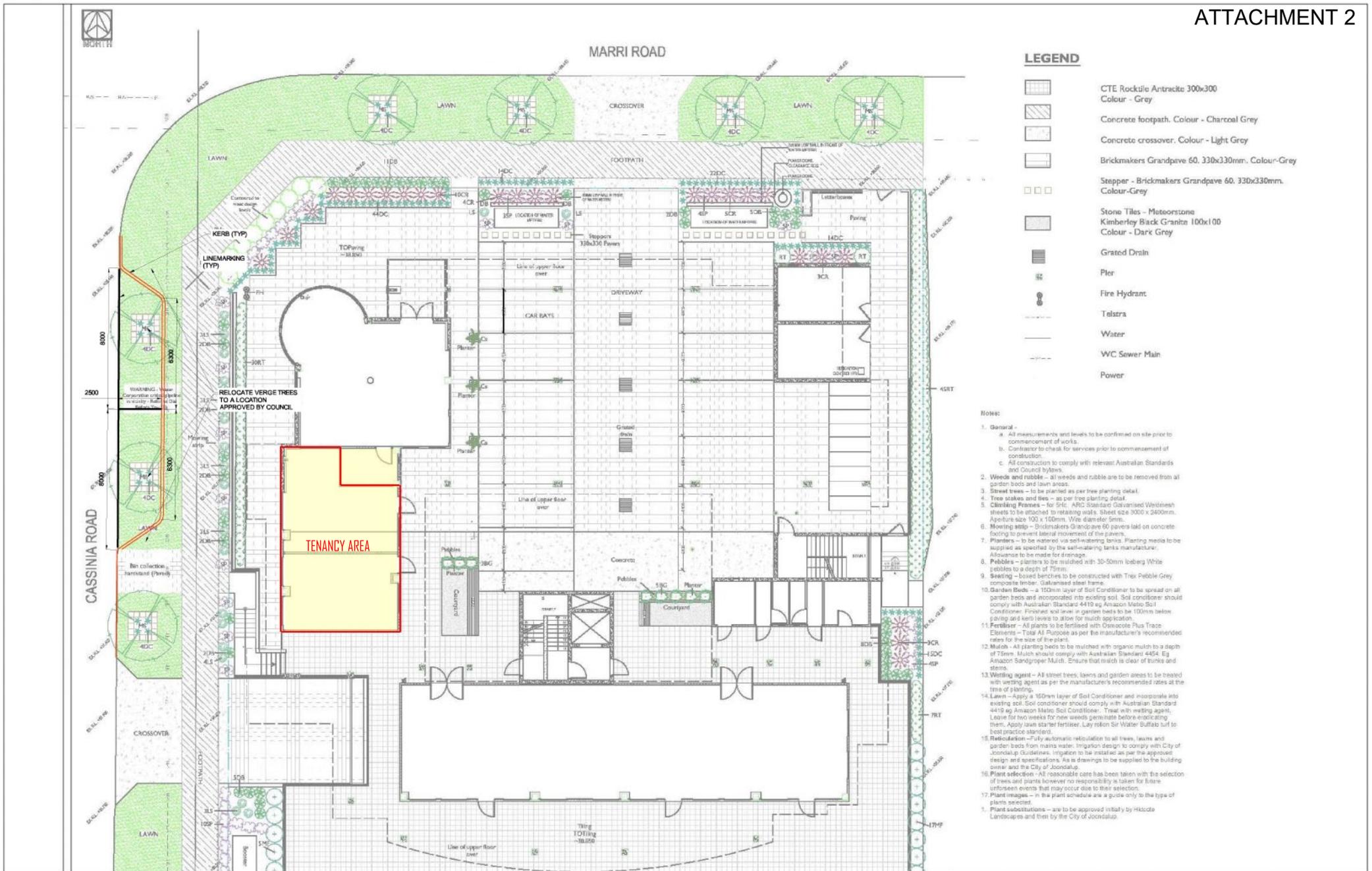




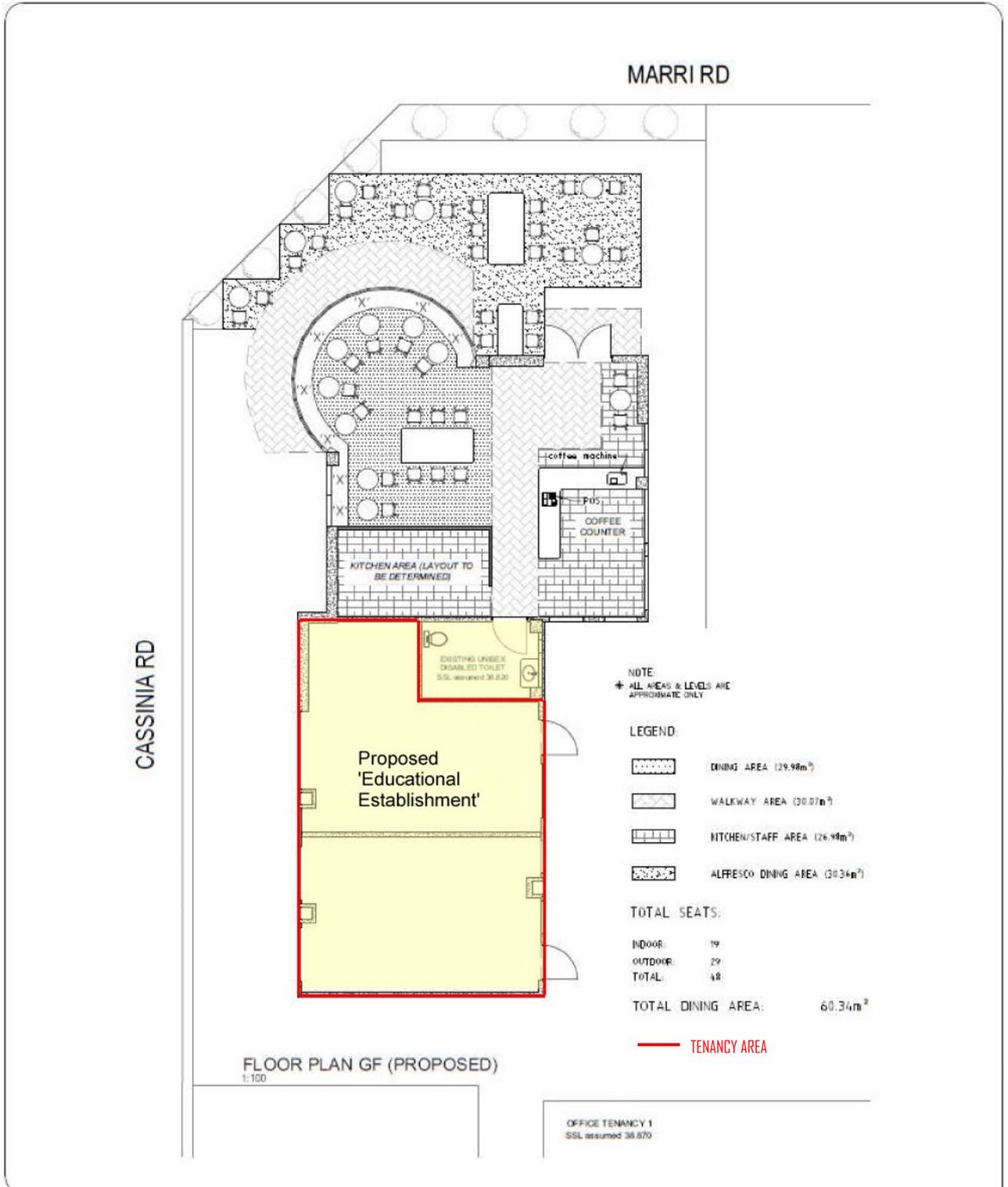
Subject Site  
Lot 22 and Lot 23 Strata Plan  
69174  
22/34 and 23/34 Marri Road,  
Dun Craig





Project	KIP MCGRATH 34 MARRI ROAD DUNCRAIG			Designed	Donald Veal Consultants 6 Burgess Street Midland WA 6056 Telephone +61 8 9274 7076 Facsimile +61 8 9274 4854		
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				Z632	DVC-Z632	SK1	

# DEVELOPMENT PLANS



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DUNCRAIG

Drawing  
03 PROPOSED FLOOR PLAN  
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Our Ref: 930

9 November 2018

Chief Executive Officer  
City of Joondalup  
PO Box 21  
Joondalup WA 6919

Dear Sir/Madam,

**TENANCIES 2 AND 3, NO. 34 MARRI ROAD, DUNCRAIG**  
**CHANGE OF USE TO 'EDUCATIONAL ESTABLISHMENT'**

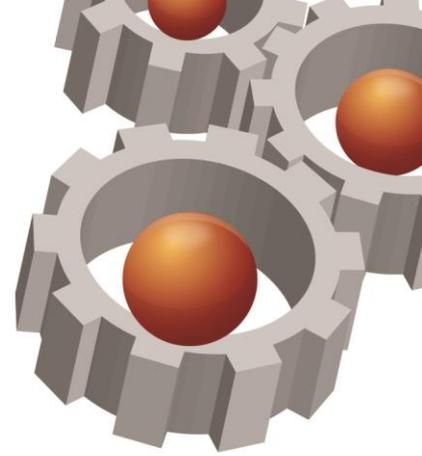
Dynamic Planning and Developments Pty Ltd acts on behalf of the proponents of Lot 702 (No. 34, Tenancies 2 and 3) Marri Road, Duncraig (herein referred to as the subject site) in support of an application for a change of use to 'Educational Establishment' to accommodate a Kip McGrath Education Centre. We provide the following information to assist the City in granting the conditional approval for the subject proposal:

- Copy of the relevant Certificate of Title (**Attachment 1**);
- Proposed Development Plans (**Attachment 2**); and
- Detailed assessment and justification of the development application.

**Site Context:**

The subject site is located within the municipal area of the City of Joondalup, in the suburb of Duncraig. The site is approximately 150m to the west of the Duncraig Primary School, approximately 550m to the east of Marmion Avenue and approximately 350m to the north of Warwick Road.

A copy of the Certificate of Title is provided in **Attachment 1**. Figure 1 below illustrates the subject site within its context.



**Figure 1 – Aerial context of subject site**

As illustrated in figure 1 above, the subject site directly fronts Marri Road to the north and Cassinia Road to the west.

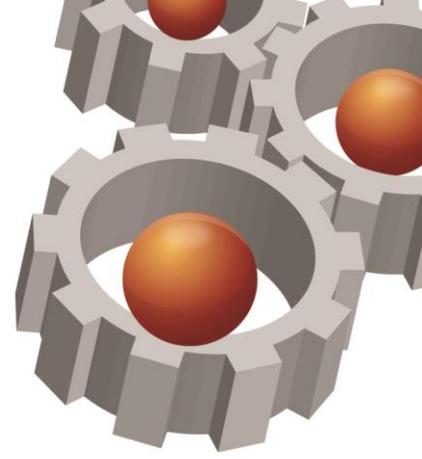
The site is one of two landholdings which form part of the Duncraig Neighbourhood Activity Centre and currently accommodates a three storey mixed use development which currently provides non-residential uses on the ground floor ('Recreation Centre', 'Restaurant', 'Office' and 'Shop') with multiple dwellings the upper levels. A basement level is also provided for parking only.

Tenancies 2 and 3, which are the subject of this application, are located on the ground floor of the subject site fronting Cassinia Road. Tenancies 2 and 3 are currently approved as 'Office' and 'Shop' respectively.

Photographs of the existing site are provided in the images below.



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**Figure 2 – West View from Marri Road**



**Figure 3 – South-West View from Marri Road**

| Suite 15/29 Collier Road Morley WA 6062 | P.O. Box 688 Inglewood WA 6932 † (08) 9275 4433 ‡ (08) 9275 4455

**DYNAMIC CREATIVE PROACTIVE INNOVATIVE PASSIONATE**

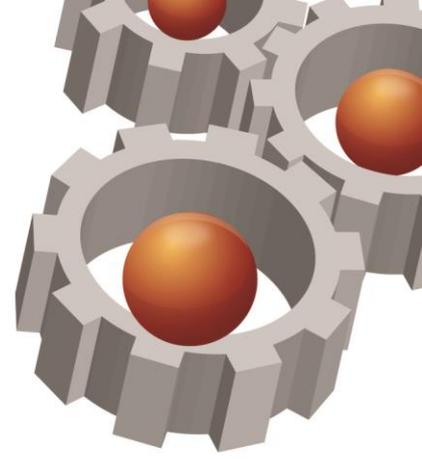
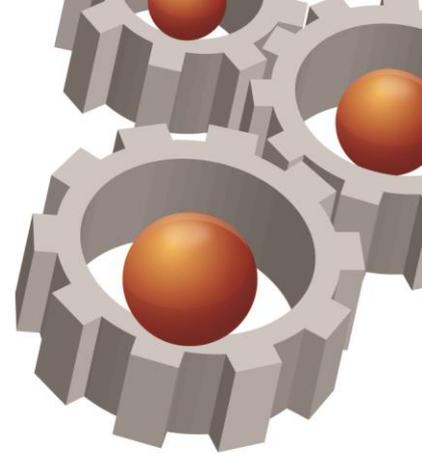


Figure 4 – South-East View from Marri Road



Figure 5 – East View from Cassinia Road

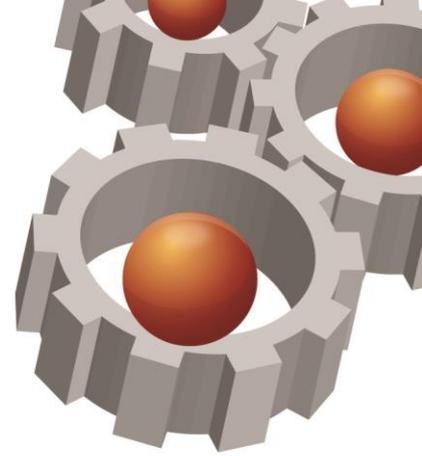


## **Background:**

The existing development at the subject site was constructed in 2015. On 19 July 2016, the City of Joondalup approved a change of use from shop to 'Restaurant' for tenancy 4 'Little h' of the development which resulted in a six bay parking shortfall.

On 27 October 2017, a development application was lodged for additional 'Restaurant' seating area associated with 'Little h'. This application was approved on 27 November 2018 and increased the parking shortfall from six bays to eight bays. However, a condition of approval requires two on-street car parking bays to be constructed within the Cassinia Road verge which will effectively compensate for the additional shortfall of two bays.

Due to the existing parking shortfall for the site, it is understood that parking requirements will be treated as a sensitive issue for any future change of use applications relating to the site. This application seeks to address the existing parking shortfall by accommodating a tenancy which will harmonise with the neighbouring business operations and reduce the maximum demand for parking at a single given time.



## **Proposal:**

This development application seeks approval for a change of use for tenancies 2 and 3 from 'Office' and 'Shop' to 'Educational Establishment' to accommodate a Kip McGrath Education Centre. Kip McGrath are an established educational institute who provide an after school tutoring service for children between the ages of six and sixteen in reading, spelling, comprehension, English and mathematics.

The proposed Kip McGrath 'Educational Establishment' will accommodate a maximum occupancy of 18 persons which comprises of 15 students and 3 teachers. Tutoring will be available by prior appointment only and will operate between 4:00pm and 7:00pm Monday to Friday.

Development plans illustrating the proposed change of use are provided in **Attachment 3**.

Kip McGrath was specifically sought as a tenant by the landowner in response to the existing parking shortfall, as their hours of operation do not coincide with the existing 'Little h' café which closes at 4:00pm each day. As such, both tenancies can coexist without resulting in an increased aggregate parking demand.

### **Land Use and Permissibility**

#### Metropolitan Region Scheme

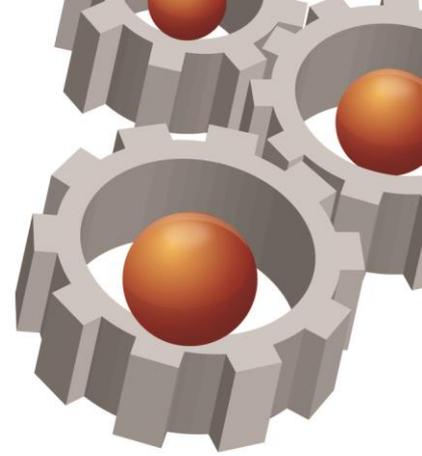
The subject site is zoned 'Urban' under the provisions of the Metropolitan Region Scheme (MRS). The proposed 'Educational Establishment' land use is deemed consistent with the land use objectives for land zoned 'Urban' under the MRS.

#### City of Joondalup Local Planning Scheme No. 3

The site is zoned 'Commercial' under the City of Joondalup's Local Planning Scheme No. 3 (LPS 3). The Kip McGrath Education Centre is likely to be categorised as an 'Educational Establishment' which is defined under TPS 3 as follows:

*'Means premises used for the purposes of providing education including premises used for a school, higher education institution, business college, academy or other educational institution'*

An 'Educational Establishment' is identified as a 'D' (discretionary) use within the 'Commercial' zone and may therefore be approved provided that Council has exercised its discretion by granting development approval.

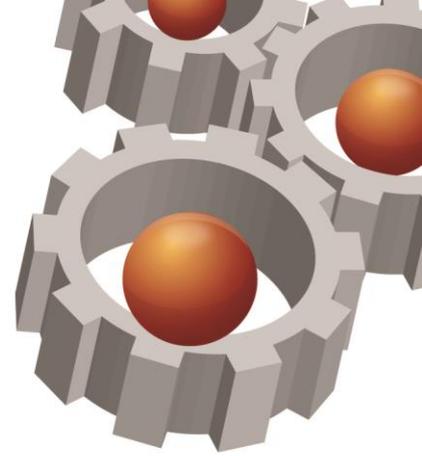


In order to consider the appropriateness of the land use, the proposal must be considered against the objectives of the 'Commercial' zone which are as follows:-

- To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres.
- To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades or improve the existing streetscape.
- To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.

Having regard to the objectives outline above, the proposed land use is considered to be appropriate within its context for the following reasons:

- The proposal will contribute to a diversity of land uses within the Duncraig Neighbourhood Activity Centre, which is highly dominated by 'Shops';
- The proposed use will provide a local service which caters for the day to day needs of residents within the surrounding locality;
- The business will complement the Duncraig Primary School which is located within 150m of the subject site;
- The proposal is considered to be compatible with the existing surrounding land uses for the following reasons:
  - The business operates outside of the typical business hours of the surrounding tenancies. This will ensure that parking demand is not increased and will broaden the hours of operation and activity for the centre;
  - It is anticipated that many parents will visit surrounding tenancies while their children are attending tutorials (i.e. Pilates studio, IGA);
  - The reciprocal nature of the adjacent land uses is anticipated to result in reciprocal parking arrangements whereby customers may visit multiple tenancies during a single visit which will reduce the total parking requirements for the development; and
  - Together, the commercial land uses on the ground floor cater for a number of day to day needs for the surrounding community which ensures that the uses are also compatible with the surrounding residential uses;
- All activities associated with the 'Educational Establishment' will be confined within the existing tenancy building which will mitigate any acoustic impacts on surrounding residential uses; and
- It is anticipated that numerous patrons of the 'Educational Establishment' will be residents from the surrounding locality who will walk to and from classes which promotes and enhances the pedestrian amenity of the locality.



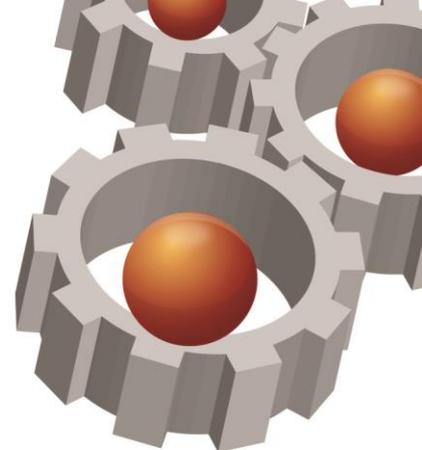
City of Joondalup Local Planning Strategy, Local Commercial Strategy and Activity Centre Plan

The City of Joondalup's Local Planning Strategy and Local Commercial Strategy outline a number of aims and goals for development within 'Commercial' zones and within the City's Activity Centres. Having regard to the provisions of these documents, the proposal is considered to be justifiable for the following reasons:

- The proposed change of use will assist in accommodating a diverse mix of compatible and viable commercial land uses for the neighbourhood activity centre which is consistent with the objectives of the City's Local Planning Strategy and Local Commercial Strategy;
- The existing tenancies are currently vacant. The accommodation of new viable services within the tenancies will contribute to the revitalisation of the Duncraig Neighbourhood Activity Centre which is consistent with the objectives of the City's Local Planning Strategy and Local Commercial Strategy;
- The City's Local Planning Strategy discourages the oversupply of offices within neighbourhood and local centres where retail trade and service provision is less viable. The proposed change of use will reduce the extent of 'Office' and will instead offer a service to cater for the daily needs of the surrounding locality which is the objective of a neighbourhood activity centre; and
- As previously noted, increasing the diversity of land uses is likely to facilitate reciprocal parking within the activity centre whereby parents visiting the tenancy may visit multiple premises during a single visit to the centre such as the neighbouring restaurants, recreation centre and shops. The recognition and encouragement of reciprocal parking within activity centres is provided in numerous applicable planning documents including the City of Joondalup Activity Centre Plan and State Planning Policy 4.2.

In light of the above, the proposed use is consistent with the land use objectives of the Commercial zone and the provisions of numerous City of Joondalup Strategic Planning documents. The proposed land use is therefore considered to be appropriate within its context.

The proposal has no material impact on the external appearance of the existing development and as such, the only development provision which is impacted by the proposal is the provision of sufficient parking. This matter is examined in detail below.



## Parking

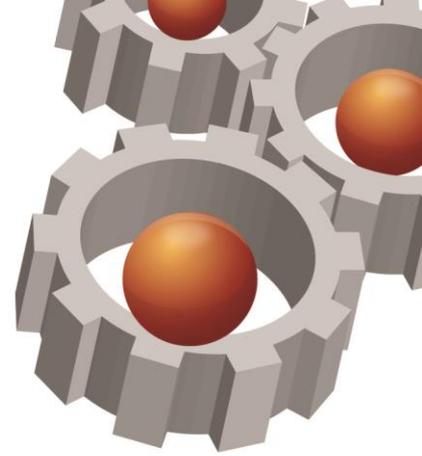
Minimum parking standards for the proposed change of use are prescribed in the City of Joondalup Commercial, Mixed Use and Service Commercial Zone Local Planning Policy (LPP). Whilst these standards are noted, it is important to acknowledge that the LPP parking requirements calculate the aggregate impact of all land uses under the assumption that all uses may be operating together. In doing so, the requirements do not account for reduced parking requirements for tenancies which have no corresponding hours of operation, which is relevant to the subject proposal. Notwithstanding, the general parking requirements of the LPP are summarised in the table below.

Land Use and Car Parking Standard	Car Parking Requirement - Current	Car Parking Requirements - Proposed
<b>Restaurant – 1 per 4 people accommodated.</b>	40 seats/4 – 10 bays	40 seats/4 = 10 bays
<b>Recreation Centre / Recreation Private – 1 per 4 people accommodated.</b>	Maximum 10 people – 2.5 bays	Maximum 10 people – 2.5 bays
<b>Office – 1 per 50sqm NLA</b>	28.11sqm – 0.56 bays	-
<b>Shop – 1 per 20sqm NLA</b>	30sqm – 1.5 bays	-
<b>Educational Establishment – 1 per 3 students accommodated</b>	-	15 students – 5 bays
<b>Residential – 1 bays per dwelling plus 0.25 bays per dwelling</b>	20 units = 20 bays plus 5 visitor bays = 25 bays	20 units = 20 bays plus 5 visitor bays = 25 bays
<b>Car parking required</b>	40 bays (39.58 bays)	43 bays (42.5 bays)
<b>Car parking provided</b>	33 bays plus 2 street bays	33 bays + 2 on-street bays
<b>Resultant parking shortfall</b>	7 bays or 5 bays if street parking is included	10 bays or 8 bays if street parking is included

**Table 1 – LPP Parking Calculations**

In light of the above, the proposed change of use will technically increase the parking shortfall for the subject site from 7 bays to 10 bays. However, when considering the proposal in detail, the extent of parking provided on-site is sufficient for the following reasons:

- During day-time operations (until 4:00pm), the proposed 'Educational Establishment' will not be operating and the 5 bay parking requirement is therefore irrelevant during these hours. If this 5 bay requirement is discounted from the

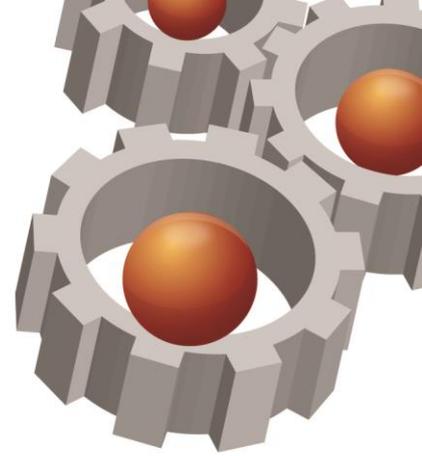


calculation, the parking shortfall is decreased to 5 bays which is less than the existing scenario. The proposal will therefore decrease the demand for parking during the day;

- During evening operations (4:00pm and after), the existing 'Restaurant' will not be operating and the 10 bay parking requirement is therefore irrelevant during these hours. If this 10 bay requirement is discounted from the calculation, the extent of parking provided during evening periods is compliant;
- Although it is noted that there may be some overlap of parking requirements at 4:00pm due to the coinciding close/open times of 'Little h' and 'Kip McGrath', this overlap will not result in excessive parking demand for the following reasons:
  - 'Little h' typically experiences very few customers during its final closing period (i.e. 3:30 – 4:00pm). This period is generally used for cleaning and packing up of equipment and the amount of customer traffic during the period will be minimal; and
  - Based on existing 'Kip McGrath' tenancies, the 4:00pm start is not the peak period of operation and the number of children expected during this time will be between 5 - 10. Peal tutorial periods are expected to be between 5:00 - 7:00pm;
- As noted in the preceding section of this report above, it is envisaged that there will be degree of reciprocity in parking demand within the centre; and
- A number of the customers that will attend the Pilates and physiotherapy business are expected to be from the surrounding residential community and the nearby school. It is expected that these customers often use alternative means of transportation (walking or cycling) to the subject site which will reduce the parking demand that is generated by the proposal.



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**Conclusion:**

The proposed change of use to 'Educational Establishment' is considered appropriate within its context and warrants favourable consideration and approval for the following reasons:

- The proposal is consistent with the provisions of the MRS;
- The proposal aligns with the intent and objectives of the 'Commercial' zone under LPS 3 and the City of Joondalup's Local Planning Strategy, Economic Development Strategy and Activity Centre Plan;
- The proposed land use will contribute to the diversity of compatible non-residential land uses within the subject site and locality; and
- The nature of the proposed business will reduce the demand for parking both during daytime operations and evening operations.

As such, we respectfully request that the City of Joondalup support and approve the attached development plans. Should you have any queries or require any clarification in regard to the matters raised, please do not hesitate to contact the undersigned on 9275-4433.

Yours faithfully,

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**EDWARD O'CONNELL**  
**TOWN PLANNER**