



LOT 55 (NO. 15) DELAGE STREET, JOONDALUP

AMENDMENT TO CITY OF JOONDALUP LOCAL PLANNING SCHEME NO. 3

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Figure 11 – ACP precinct boundaries

1.0 INTRODUCTION

Dynamic Planning (DP) act on behalf of the registered proprietor of Lot 55 (No. 15) Delage Street, Joondalup (herein referred to as the 'subject site'). DP has prepared this report in order to seek support from the City of Joondalup to initiate an amendment to its Local Planning Scheme No. 3 (LPS3) to allow approval of a 'Warehouse/Storage' and 'Bulky Goods Showroom' land uses at the subject site. This will be done by amending Table 4 in LPS3 to add the additional uses applicable to the subject site. The amendment will enable a development outcome consistent with other properties in the City Centre Precinct of the Joondalup Activity Centre Structure Plan, west of Joondalup Drive.

This report will address, in detail, various issues pertinent to the proposal, these being:

- The relevant site context.
- An overview of the proposed amendment.
- Relevant justification in support of the proposed amendment.

The proposed LPS amendment is considered to be 'standard' as defined under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* since the amendment:

- a) *Is not a complex or basic amendment.*

2.0 BACKGROUND AND SITE DESCRIPTION

2.1 Legal Description and Land Ownership

The subject site is described as Lot 55 (No.15) Delage Street, Joondalup and covers an area of 3,769sqm.

The registered proprietor of the subject site is Apache Investments Australia Pty Ltd.

A copy of the Certificate of Title pertaining to the subject site is contained within **Attachment 1**.

2.2 Land Description

The subject site is located within the suburb of Joondalup, within the Joondalup City Centre area and as such is subject to the Joondalup Activity Centre Plan (ACP). The site is situated on Delage Street within the 'City Centre' precinct of the ACP and abuts existing multi-unit light industrial / service commercial development. The broader area and surrounding streetscapes are characterised by similar development outcomes which is illustrated in the below figures.

The site is also the only vacant property west of Joondalup Drive in the City Centre precinct of the ACP and given the construction dates of surrounding properties, there is viability for them to continue their existing use and function, suggesting redevelopment on a large scale in this area is unlikely to occur.

Figures 1 and 2 below illustrates the subject site within its local and regional context, respectively.

Figure 3 provides an aerial context of where the subject site is located within the broader City Centre precinct of the ACP.

Figures 4-8 are examples of existing development in the City Centre precinct on the western side of Joondalup Drive.

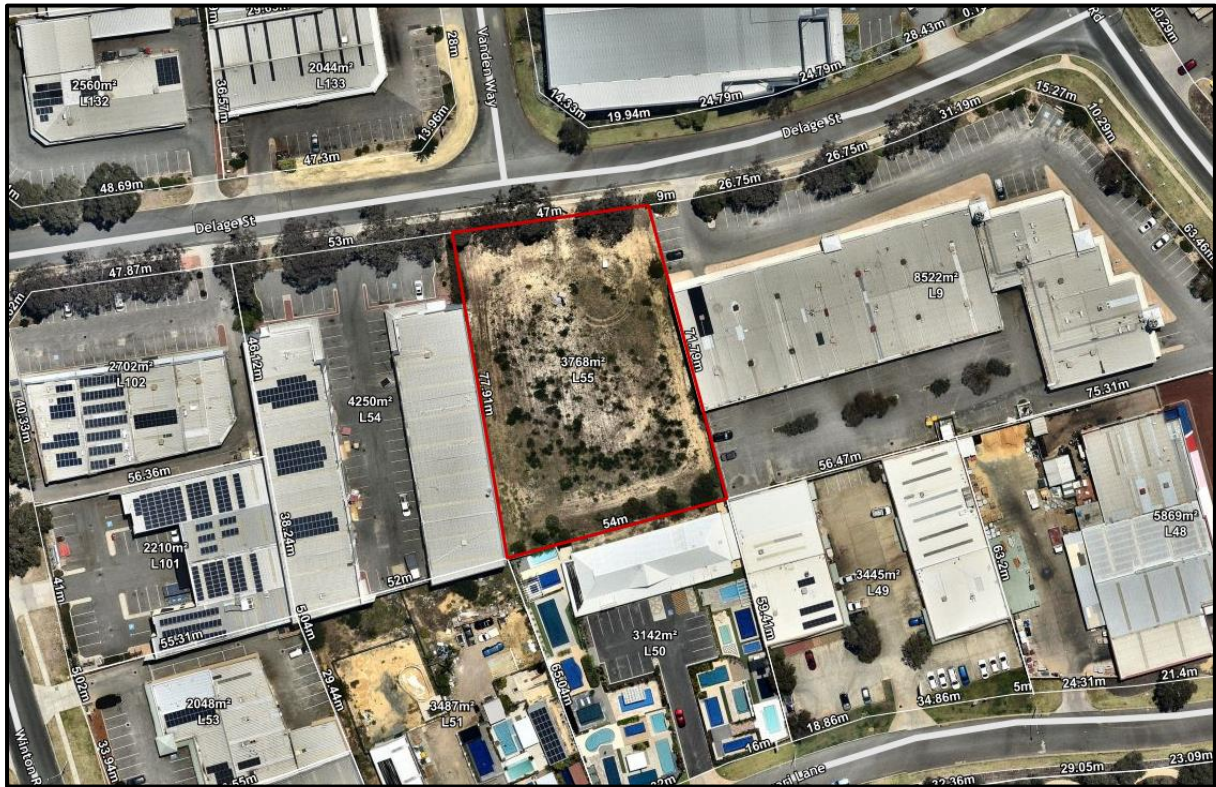


Figure 1 – Local Context

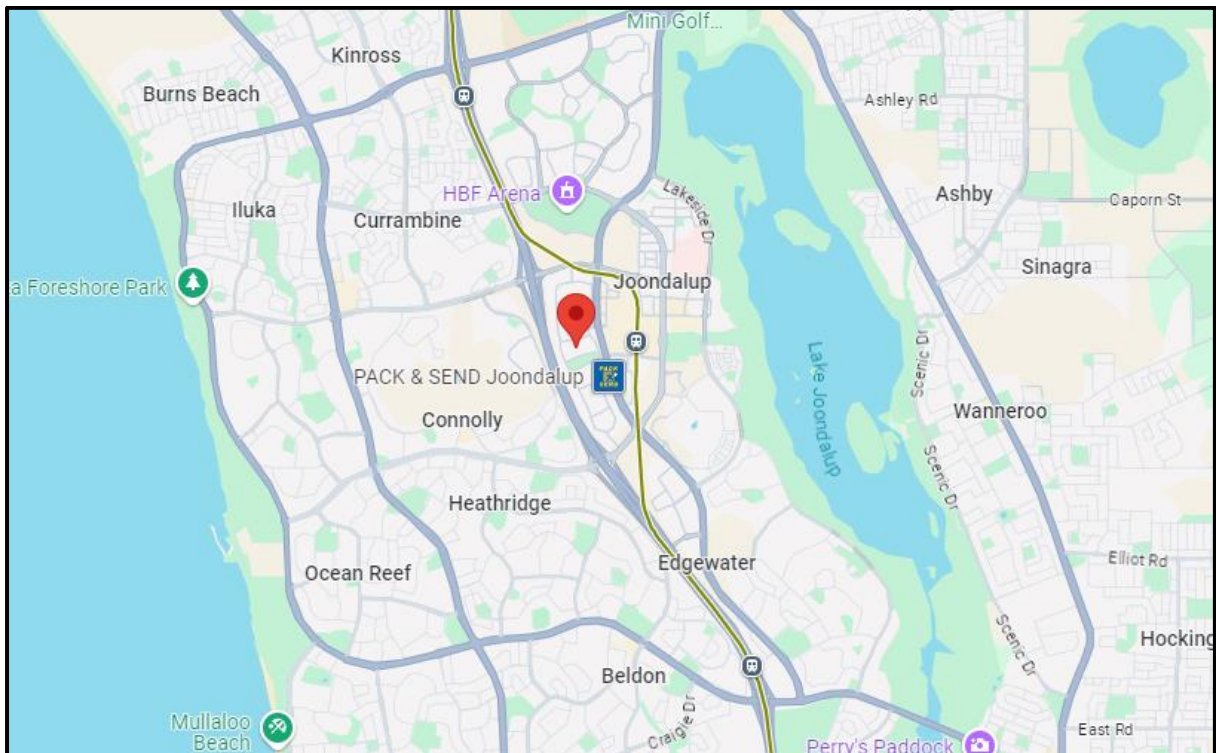


Figure 2 – Regional Context



Figure 3 – Aerial Context of the City Centre Precinct



Figure 4 – 2 Delage Street, Joondalup



Figure 5 – 21 Delage Street, Joondalup



Figure 6- 71 Winton Road, Joondalup



Figure 7 – 53 Winton Road, Joondalup



Figure 8 – 7 Packard Street, Joondalup

3.0 PLANNING FRAMEWORK

3.1 Metropolitan Region Scheme

The subject site is zoned 'Urban' under the provisions of the Metropolitan Region Scheme (MRS). The additional 'Warehouse/Storage' and 'Bulky Goods Showroom' land uses and eventual development in accordance with what is proposed through this amendment is considered to be entirely consistent with the applicable MRS zoning.

3.2 City of Joondalup Local Planning Scheme No. 3 (LPS3)

Under the provisions of the City of Joondalup Local Planning Scheme No. 3 (LPS3), the subject site is currently zoned 'Centre'. In accordance with the 'Centre' zoning the City have adopted the Joondalup ACP to guide subdivision and development within the ACP area. This is discussed in more detail below.

In accordance with LPS3, land use permissibility at the subject site is determined with regard to Table 3b and specifically the 'City Centre' precinct. At present the 'Warehouse/Storage' and 'Bulky Goods Showroom' land uses are prohibited.

The proposed amendment is not seeking to modify the zoning of the subject site, rather it is seeking to add 'Warehouse/Storage' and 'Showroom' as additional uses to Table 4 in LPS3. The 'Warehouse/Storage' and 'Showroom' land uses are defined by LPS3 as:

Warehouse/Storage

'means premises including indoor or outdoor facilities used for:

- a) The storage of goods, equipment, plant or materials; or*
- b) The display or sale by wholesale of goods.*

Bulky Goods Showroom

'means premises:

- a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes:*
 - i. automotive parts and accessories;*
 - ii. camping, outdoor and recreation goods;*
 - iii. electric light fittings;*
 - iv. animal supplies including equestrian and pet goods;*
 - v. floor and window coverings;*
 - vi. furniture, bedding, furnishings, fabrics, manchester and homewares;*
 - vii. household appliances, electrical goods and home entertainment goods;*
 - viii. party supplies;*
 - ix. office equipment and supplies;*
 - x. babies' and children's goods, including play equipment and accessories;*

- xi. *sporting, cycling, leisure, fitness goods and accessories;*
- xii. *swimming pools;*
- b) *used to sell by retail goods and accessories by retail if:*
 - i. *a large area is required for the handling, display or storage of the goods;*
or
 - ii. *vehicular access is required to the premises for the purpose of collection of purchased goods;*

As the primary controls applicable to subdivision and development at the subject site are deferred to the ACP, the proposed amendment to add additional uses at the subject site is considered to be consistent with the provisions of LPS3.

3.3 Joondalup Activity Centre Plan (ACP)

The subject site is located within the 'City Centre' precinct of the Joondalup ACP which has the below objectives:

- a) *Encourage the highest intensity of mixed use development and the greatest concentration of employment intensive land uses.*
- b) *Support mixed-use development along Joondalup Drive and Grand Boulevard to form intense inner-city development corridors.*
- c) *Establish the Joondalup Drive/Grand Boulevard and Shenton Avenue/Grand Boulevard intersections as the primary gateways into the city centre.*
- d) *Improve connectivity from Joondalup Train / Bus Stations to surrounding precincts.*
- e) *Establish a local mobility hub at the Collier Pass city square to improve connectivity between Joondalup Train Station and other precincts within the JAC.*
- f) *Establish a series of interconnected, functional and unique squares that form part of an integrated pedestrian network.*
- g) *Provide car parking in negotiation with Lakeside Shopping Centre as the major trip generator in the City Centre.*
- h) *Reinforce Central Walk (north-south) and Boas Avenue (east-west) as the primary pedestrian spines by activating buildings at ground floor uses.*
- i) *Encourage the amalgamation of smaller lots into larger parcels to optimise redevelopment potential.*

Many of the objectives for the 'City Centre' are not relevant to development at the subject site as:

- The site doesn't front or abut Joondalup Drive, Grand Boulevard or Shenton Avenue.
- The site is not in proximity to the Collier Pass city square, the Lakeside Shopping Centre or the Central Walk and Boas Avenue.
- Many of the objectives relate to the upgrade of public infrastructure as opposed to specific development outcomes that might eventuate.

Of most relevance is the encouragement of mixed use development and employment intensive land uses. In our view this is most applicable to development on the western side of Joondalup Drive. Despite this, the proposed scheme amendment and development will result, will increase the employment population in the area on a site that has remained vacant since it was created, thereby meeting the objective to encourage employment intensive land uses.

The ACP also includes a range of requirements that development within the City Centre Precinct will be assessed against. The critical development requirements that defined the allowed building envelope have been summarised in the below table. An assessment of the potential development outcome against these, and also the less built form defining development requirements has been provided in section 6 of this report.

Development Requirements	
Building Heights	<u>Minimum:</u> 13.5m* <u>Maximum:</u> 45m
Setbacks	<u>Street:</u> Nil required to 75% of the building frontage <u>Side and Rear:</u> Nil
Parking	<u>Non residential development:</u> 1 bay per 75sqm NLA
*Proposed to be varied as part of the scheme amendment.	

With the exception of the minimum building height requirement, which is proposed to be varied through the conditions associated with the proposed additional uses, a typical 'Warehouse/Storage' and 'Bulky Goods Showroom' development will be able to meet the relevant development requirements applicable under the ACP.

Examples of similar or likely development outcomes that might result has been provided below and it is evident through these developments that an active and attractive streetscape outcome can be achieved through a 'Warehouse/Storage' development outcome as traditionally these development included incidental office components which can assist in activating the streetscape.



Figure 9 – Edward Street, Osborne Park Warehouse Development
[20210204 – Agenda – No 61 – City of Stirling](#)



Figure 10 – Roberts Street, Osborne Park Warehouse Development
[20210824 – Agenda – No.100 – City of Stirling](#)

4.0 PROPOSED AMENDMENT

The proposed scheme amendment seeks approval to amend the City of Joondalup Local Planning Scheme No. 2 by:

1. Amending the scheme map by adding an additional use designation over the subject site, as illustrated in the scheme amendment map in Attachment 2.
2. Amending Table 4 of LPS3 to add an Additional Use 19 designation in accordance with the below.

No	Description of Land	Additional Use	Conditions
19	Lot 55 (No. 15) Delage Street, Joondalup	Warehouse/Storage Bulky Goods Showroom	Development of the Warehouse/Storage land use will not be subject to minimum building height requirements.

The intent of the scheme amendment is to allow development at the site that is consistent with the market demand and existing uses, built form and amenity in the area.

In accordance with Part 5, Division 1, Clause 34 of the Planning and Development (Local Planning Schemes) Regulations 2015, the proposed LPS amendment is considered to be 'standard' as defined under the provisions since the amendment:

- a) *Is consistent with the objectives identified in the Scheme for the 'Centre' zone;*
- b) *Is consistent with the 'Urban' zoning as per the Metropolitan Region Scheme;*
- c) *Is consistent with the ACP that has been approved for the land to which the amendment relates;*
- d) *Would have minimal impact on land in the scheme area that is not the subject of the amendment;*
- e) *Does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and*
- f) *Is not considered a complex or basic amendment.*

5.0 OTHER CONSIDERATIONS

5.1 Acoustic

As the proposed scheme amendment is not proposing a particular development or land use, we are unable to assess compliance with the *Environmental Protection (Noise) Regulations*. Any noise associated from a development or land use will be assessed as part of a development application that will follow the scheme amendment. However, as the proposed land use is not considered to be a sensitive land use the impact of inbound transport noise will not be a relevant consideration. Further, as no sensitive land uses are located in proximity to the site, the impact of outbound noise is also not considered to be a relevant consideration.

5.2 Traffic

Traffic analysis in the form of a Traffic Impact Statement or Assessment is not required as part of the scheme amendment as:

- There will be no changes to the existing access points.
- There is no land use or development proposed and as such there is no increase in trips that will occur from the site as a result of the scheme amendment.
- Traffic impact will be considered in greater detail as part of a development application.
- The existing road network is accommodating traffic that is also likely to frequent the proposed land use.

5.3 Servicing

The subject site has existing access to water, sewer and power. These services support the existing development at the site which is not proposed to change as a result of the proposed amendment. In this regard the existing provision of services is appropriate to support the proposed scheme amendment.

5.4 Heritage

The subject site is not identified as having any heritage value and as such this is not a relevant planning consideration in the assessment of the proposed amendment.

5.5 Bushfire

The subject site is not identified as being bushfire prone and as such there is no requirement for a Bushfire Management Plan to be provided as part of the proposed Scheme Amendment.

6.0 JUSTIFICATION

The proposed amendment to the City of Joondalup Local Planning Scheme No. 3, as described above, is considered to be entirely appropriate for approval as:

1. Allowing the development of a 'Warehouse/Storage' and/or 'Bulky Goods Showroom' land use at the site will result in business operations that are entirely consistent with surrounding development. Of particular relevance is the portion of the 'City Centre' precinct west of Joondalup Drive as this already consists of smaller warehouse/industrial units, bulky goods showroom businesses and other light industrial or service commercial type businesses (this is highlighted in Figures 4-8 above). Joondalup Drive (and to some extent Collier Pass) presently provides a very clear delineation between the light industrial / service commercial type development and the more retail or mixed use development envisaged by the City Centre precinct in the ACP.

Due to the age and quality of existing built form in the City Centre precinct west of Joondalup Drive, it is evident that the nature and type of businesses occupying these buildings are unlikely to change in the short to medium term and in this regard a 'Warehouse/Storage' and/or 'Bulky Goods Showroom' development would remain consistent with the surrounding area for many years.

2. Related to the above – it is possible for the 'Warehouse/Storage' and 'Bulky Goods Showroom' land uses and development to be approved in the 'Joondalup West' precinct which exists on the opposite side of Delage Street. With this in mind, new development, north of Delage Street could be entirely consistent with what is being proposed through this scheme amendment.

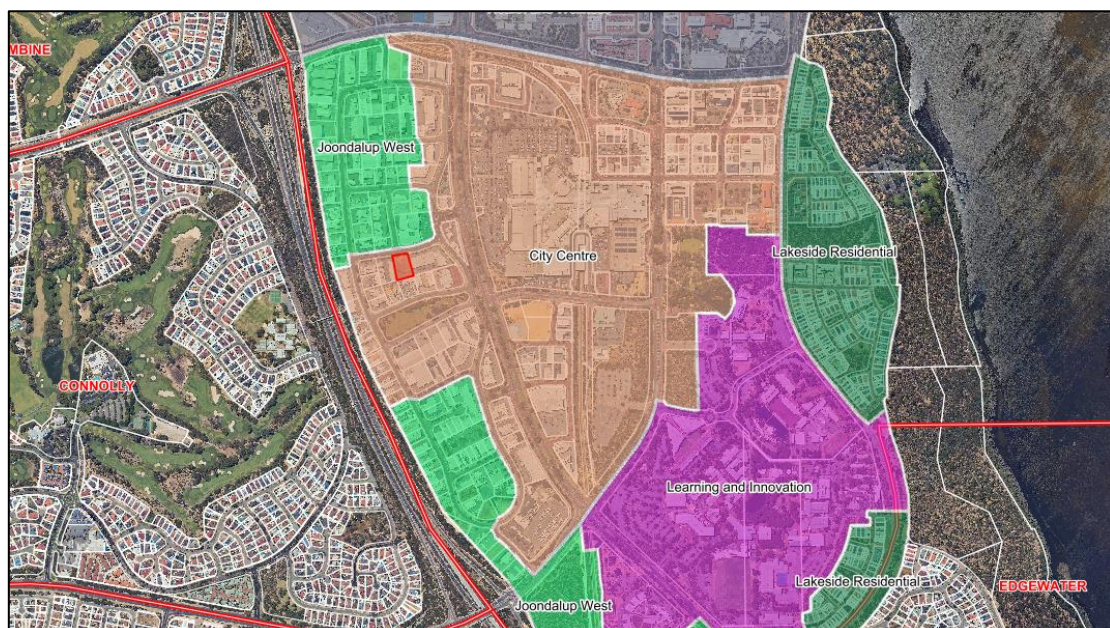


Figure 11 – ACP Precinct Boundaries

3. The site is the only vacant property within the City Centre precinct west of Joondalup Drive. In this regard, enabling approval for a 'Warehouse/Storage' and/or 'Bulky Goods Showroom' land use at the subject site will not establish a precedence or enable a range of development outcomes that could vary or move away from the intent of ACP.
4. Facilitating approval of the 'Warehouse/Storage' and/or 'Bulky Goods Showroom' land uses will not result in a built form outcome at the site that is vastly different to what is envisaged by the ACP. It is acknowledged that the minimum building height required by the ACP will require variation through the conditions associated with the additional use, but the remaining provisions are able to be appropriately addressed as part of a 'Warehouse/Storage' and/or 'Bulky Goods Showroom' development at the subject site. Evidence to this effect is provided in the below table which notes the relevant requirements and how a 'Warehouse/Storage' or 'Bulky Goods Showroom' development might address them.

Requirement	Compliance
Building Height <ul style="list-style-type: none"> Min 13.5m (being removed as part of the scheme amendment). Max 45m. 	Any warehouse/storage or bulky goods showroom development at the site is likely to replicate two storey built form as warehouse and showrooms typically require additional clearance and accommodate one or two storeys of office to support the business operations.
End of Trip Facilities	End of trip facilities in accordance with the ratios specified in the ACP can be easily provided within warehouse units or a showroom development.
Service Areas	Loading and service areas are critical to the function of warehouse/storage and showroom developments, however, these can be located to the rear of particular units. Evidence to this effect is noted in the two reference developments in Osborne Park.
Setbacks <ul style="list-style-type: none"> Street frontage – Nil Side and rear - Nil 	<ul style="list-style-type: none"> A nil street frontage and a more active office/showroom uses can be provided fronting the street (as noted in the Osborne Park developments) with parking to the rear. A nil side and rear setback is typical for warehouse/storage developments.
Semi Active Frontage	As illustrated in the Osborne Park development example – the more active office land uses can be abutting the street which can exhibit a high amount of glazing together with pedestrian awnings over the streetscape.
Adaptable Buildings	The floor heights or clearances are typically larger as part of warehouse/storage and showroom developments suggesting there is a level of adaptability into the future for other uses that can be considered in the City Centre precinct.
Landscaping	As there is a nil setback requirement, landscaping isn't considered to be required.
Parking	The non-residential parking rate of 1 bay per 75sqm is not dissimilar to standard warehouse parking rates which usually

	range from 1 bay per 50sqm to 1 bay per 100sqm. Whilst slightly less than typically required for a showroom development, other uses similar to this have existed in adjoining precincts with the same parking requirements.
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5. The subject site has remained vacant since the lot was created, this is despite a number of sales and leasing campaigns and the property changing hands in recent years (since the adoption of the ACP). Throughout this process it has become very apparent that the market demands for the site are not being facilitated by the planning framework. These observations are reflected in a letter from WA Commercial Real Estate (Attachment 3) who have been the sales and leasing agent for the property since November of 2023, with prior agents having similar issue.

We consider the proposed amendment appropriate for initiation and approval with the land use being consistent with what already exists in the area and a built form outcome likely to comply with the various development requirements applicable to the City Centre precinct in the ACP.

7.0 CONCLUSION

In light of the above, the proposed scheme amendment is considered appropriate and justified given the comprehensive assessment above demonstrating the suitability against the prevailing context of the area.

The proposed additional use will enable development at an underutilised site that remains the only vacant property within the City Centre precinct in the ACP, west of Joondalup Drive. Allowing a 'Warehouse/Storage' and/or 'Bulky Goods Showroom' development at the site will also not compromise or prejudice the intent of the ACP with a development of this nature being:

- Consistent with other built form and land uses in the immediate vicinity.
- Capable of approval under the existing framework on the northern side of Delage Street.
- Capable of compliance with nearly all development requirements applicable under the ACP.

As a result, we are of the view that the proposed amendment to the *City of Joondalup Local Planning Scheme* warrants favourable consideration and subsequent approval by the City and the Western Australian Planning Commission.

ATTACHMENT 1 – Certificate of Title

WESTERN



AUSTRALIA

TITLE NUMBER

Volume

Folio

1842

751

RECORD OF CERTIFICATE OF TITLE UNDER THE TRANSFER OF LAND ACT 1893

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

BGRoberts
REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 55 ON PLAN 16942

REGISTERED PROPRIETOR: (FIRST SCHEDULE)

APACHE INVESTMENTS AUSTRALIA PTY LTD OF PO BOX 125 SOUTH PERTH WA 6151

(T P082250) REGISTERED 21/3/2022

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: (SECOND SCHEDULE)

1. E257785 RESTRICTIVE COVENANT BURDEN REGISTERED 15/12/1989.
2. P128835 MORTGAGE TO NATIONAL AUSTRALIA BANK LTD REGISTERED 29/4/2022.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1842-751 (55/P16942)
PREVIOUS TITLE: 1702-420
PROPERTY STREET ADDRESS: 15 DELAGE ST, JOONDALUP.
LOCAL GOVERNMENT AUTHORITY: CITY OF JOONDALUP



Application E130166
Volume 1702 Folio 420

WESTERN



AUSTRALIA

1842 751

CERTIFICATE OF TITLE

UNDER THE "TRANSFER OF LAND ACT, 1893" AS AMENDED

I certify that the person described in the First Schedule hereto is the registered proprietor of the undermentioned estate in the undermentioned land subject to the easements and encumbrances shown in the Second Schedule hereto.

Dated 20th June, 1989

REGISTRAR OF TITLES



ESTATE AND LAND REFERRED TO

Estate in fee simple in portion of Swan Location 3324 and being Lot 55 on Plan 16942, delineated on the map in the Third Schedule hereto, limited however to the natural surface and therefrom to a depth of 12.19 metres.

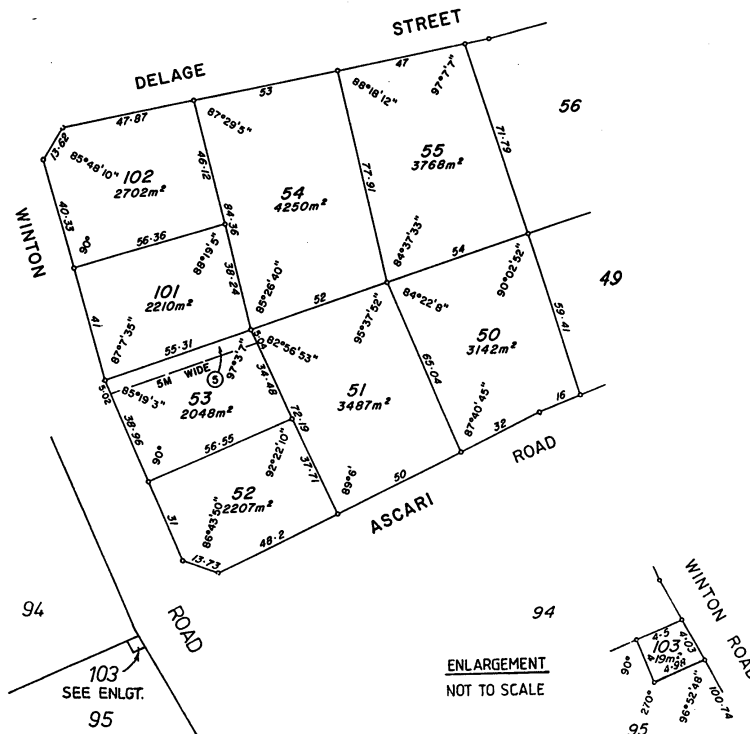
FIRST SCHEDULE (continued overleaf)

Joondalup Development Corporation of 1st Floor, AMP Building, 140 Saint George's Terrace, Perth.

SECOND SCHEDULE (continued overleaf)

NIL

THIRD SCHEDULE





NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS.

E67590/3/89-20M-L/4664

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

Superseded - Copy for Sketch Only

Page 1 (of 2 pages) 1842 751
VOL. FOL.

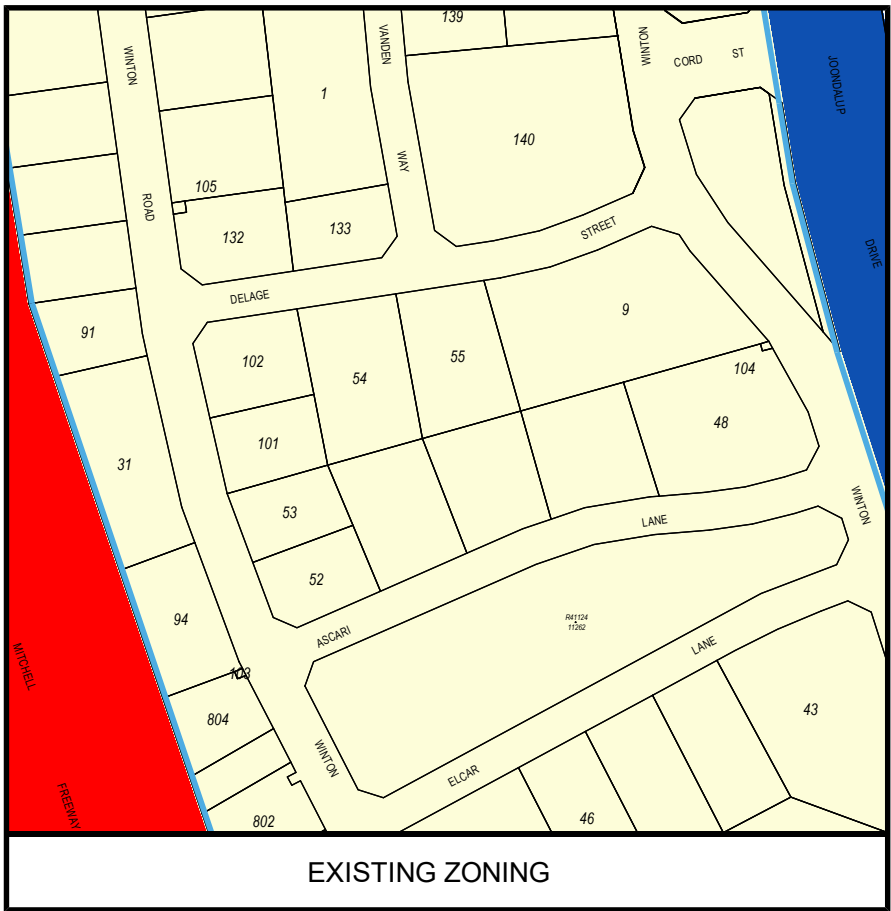
FIRST SCHEDULE (continued)							NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS	
REGISTERED PROPRIETOR		INSTRUMENT		REGISTERED	TIME	SEAL	CERT. OFFICER	
		NATURE	NUMBER					
New Century Holdings Pty Ltd, of 85 Circe Circle, Dalkeith.		Transfer	E257785	15.12.89	9.56			

SECOND SCHEDULE (continued)											NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS										
INSTRUMENT		PARTICULARS		REGISTERED	TIME	SEAL	CERT. OFFICER	CANCELLATION	NUMBER	REGISTERED OR LODGED	SEAL	CERT. OFFICER									
NATURE	NUMBER	E257785		contains a restrictive covenant expiring on 31.12.2010		15.12.89	9.56														
Transfer																					

ATTACHMENT 2 – Scheme Amendment Plan



CITY OF JOONDALUP LOCAL PLANNING SCHEME No. 3

Planning and Development Act 2005



LEGEND


REGION SCHEME RESERVES (MRS)

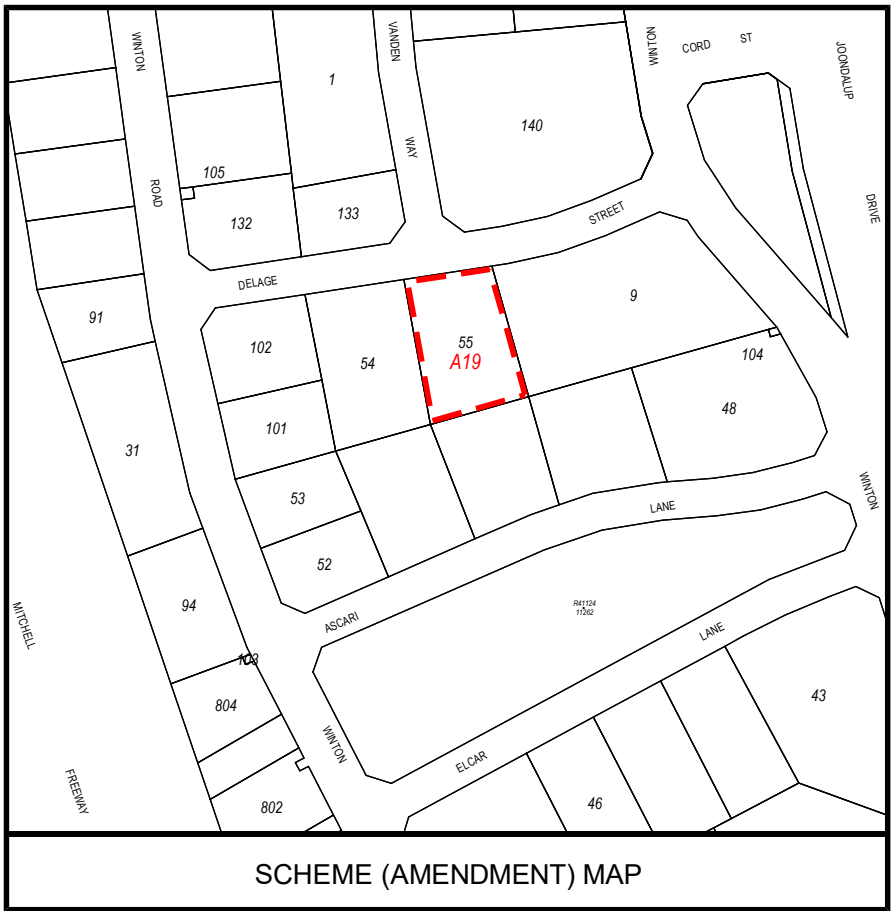
-  OTHER REGIONAL ROADS
-  PRIMARY REGIONAL ROADS

LOCAL SCHEME ZONES

-  CENTRE

OTHER CATEGORIES

-  ADDITIONAL USES



N
SCALE: 1:4000
DATE: 19.10.2012

Amendment No.

ATTACHMENT 3 – Commercial Market Commentary

4 December 2024

Reegan Cake
Planning Manager
Dynamic Planning and Developments
Suite 15/29 Collier Road MORLEY WA 6062
E: reegan.cake@dynamicplanning.net.au

WA Commercial Real Estate have formally been advertising the property for sale from November 2023. The property was on the market for lease with another agent from February 2023 advertising a medical/office/education development, but they were unsuccessful at securing these types of tenants.

Most parties that have enquired on the property have all required a warehouse/storage component. It is fair to say the expectation from potential buyers/developers is that warehouse would be allowed in this location as it would be consistent with all the surrounding development.

The parties that are more commercial like office/medical have confirmed their preference is the other side of Joondalup Drive and have not participated in the buying or leasing process.

Should you have any further queries please do not hesitate to contact me.

Your sincerely



Daniel Sanzone
Managing Director