



**PLAN 1
STRUCTURE
PLAN**

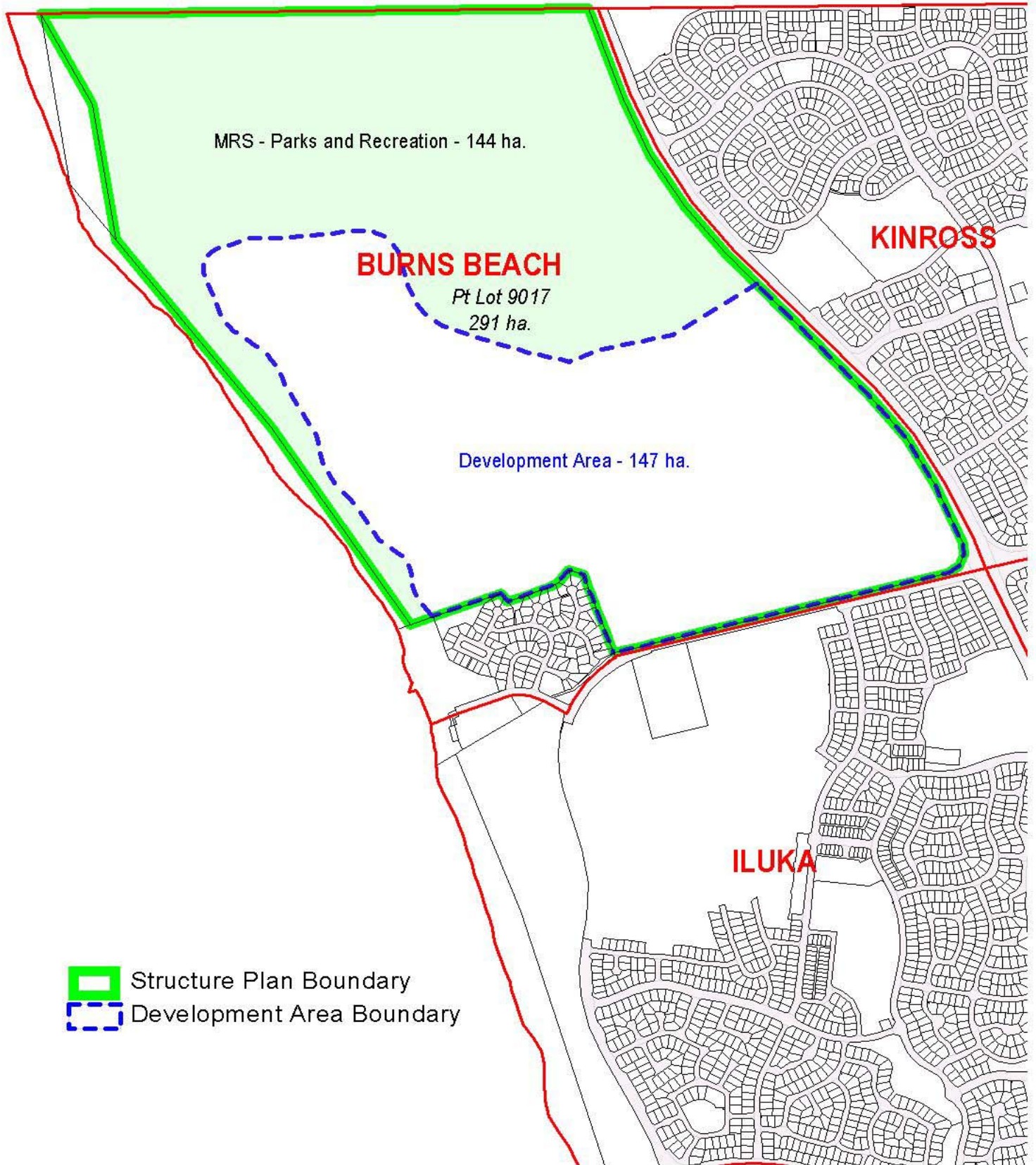
LEGEND

- Car Parking embayments (Location and number of bays subject to approval at subdivision)
- Subject to design guidelines
- Subject Site
- R20 Residential
- R40 Residential
- Local shop site
- Beach shop / Lunch bar / Restaurant site

Scale: 1:4000@A1

Revised: 5/10/2004 • P on No. PAC3097

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BURNS BEACH STRUCTURE PLAN

STRUCTURE PLAN NO. 10

This Structure Plan is prepared under the provisions of Part 9 of the City of Joondalup District
Planning Scheme No. 2

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EXECUTIVE SUMMARY

The Burns Beach site is located north of Burns Beach Road, west of Marmion Avenue, immediately north of the existing Burns Beach townsite. The subject land is approximately 290 hectares in area and consists of vegetated coastal land and portions of coastal dune ridges and landforms.

Just less than half of the site (144 hectares), reserved as Parks and Recreation under the Metropolitan Region Scheme, is to be retained for conservation purposes. The remaining portion of the western cell, totalling 147.5316 hectares, is to be developed for urban land uses.

The Burns Beach Structure Plan has determined the overall land use and form of development for the subject land. The Structure Plan has divided the site into the following precincts:

- Residential R20 Precinct;
- Residential R40 Precinct;
- Special Residential Precinct;
- Local shop precinct;
- Beach kiosk/restaurant precinct; and
- Parks and Recreation Reserve.

The overall vision embraced by the Structure Plan is to create a development which is environmentally, socially and economically sustainable. The design philosophy was to create a high quality residential environment with a strong community focus and a real sense of identity. Burns Beach will be a landmark, leading edge development.

The Structure Plan has emerged from a comprehensive community and stakeholder consultation process. The consultation process provided a range of opportunities for stakeholders input and engaged stakeholders in the preparation on the Structure Plan. The Structure Plan enjoys broad stakeholder support.

This Structure Plan is divided into two parts:

Part 1 – Statutory Planning

Part 2 – Explanatory Report

Part 1 of the report outlines the objectives and provisions for each precinct and reservation. Part 2 provides further explanation about the site and the rationale for the urban design.

PART 1 – STATUTORY PLANNING

As provided for under Part 9 of the Scheme, this part of the Structure Plan has the same force and effect as a provision, standard or requirement of the Scheme.

Part 1 of this Structure Plan is a general guide to future subdivision, zoning and development of the land included in the Burns Beach Structure Plan.

1.0 SUBJECT AREA

The Structure Plan area covers approximately 291 hectares of Lot 9017 on Deposited Plan 40143 and described on Certificate of Title Volume 2565 Folio 138 (refer Appendix 1). The land is bound by Marmion Avenue to the east, Burns Beach Road and the existing Burns Beach townsite to then south, the Indian Ocean to the west and vacant land to the north.

2.0 STRUCTURE PLAN PRECINCTS/RESERVATIONS

The Structure Plan divides the land into the following precincts:

- Residential R20 Precinct;
- Residential R40 Precinct;
- Special Residential Precinct;
- Local shop precinct;
- Beach shop/lunch bar/restaurant precinct; and
- Parks and Recreation Reserve.

The Burns Beach Structure Plan is shown at Plan 1 attached to this part of the report.

3.0 DEFINITIONS

The terms used in this part of the Structure Plan Report shall be interpreted in accordance with the City of Joondalup District Planning Scheme No.2 and as set out hereunder:

“STOREY” shall mean the vertical space extending from one habitable floor of a building to the floor above (or if there is no floor above, between the floor level and the ceiling) and shall be deemed to be no more than 3.5 metres. A loft space within a roof shall not be defined as a storey, whether habitable or otherwise.

“LOFT” shall mean a habitable or non habitable space contained wholly within the roof of a building including a space served by dormer type windows which may project forward of the main roof pitch. A loft space is not permitted to have a balcony or terrace.

“BUILDING HEIGHT” shall mean a maximum building height of 2 storeys or 6.5 metres to the top of the eaves or 7.5 metres to the top of an external parapet wall for a concealed roof and 10 metres to the apex of the roof, the height being measured vertically from natural ground level.

“NATURAL GROUND LEVEL” shall mean the finished level of the lot relative to the finished Australia Height Datum (AHD) level of the road that it fronts (existing or as established at subdivision stage) and immediately adjacent to the lot. The finished level of the lot shall be +/- 0.5 metres from the AHD level of the mid point of the road and measured from the midpoint of the frontage of each lot frontage.

“SINGLE DWELLING” shall mean a dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on Certificates of Titles with areas held in common property.

“R CODES” shall mean the Residential Design Codes of Western Australia, October 2002 or any such amendments or modifications thereto that may be current.

“THE SCHEME” shall mean the City of Joondalup District Planning Scheme No.2 (as amended) gazetted 28 November 2000 or such amendments or modifications thereto that may be current.

“PRIMARY STREET”, in the case of a lot located on a corner, shall mean that street which the lesser length boundary faces as demonstrated by Figure 1 below.

“SECONDARY STREET”, in the case of a lot located on a corner, shall mean that street which the greater length boundary faces by Figure 1 below.

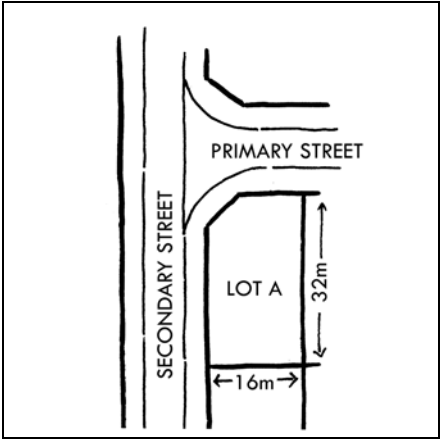


Figure 1: Primary & Secondary Street (not to scale)

“LOCAL SHOP” shall mean land and buildings used for the retail sale of convenience goods being those goods commonly sold in supermarkets, delicatessens and newsagents and operated during hours which may include or may extend beyond normal trading hours.

4.0 THE SCHEME

Unless provided for by specific requirements of this Structure Plan, all requirements shall be in accordance with the provisions of the City of Joondalup District Planning Scheme No.2 or such amendments or modifications thereto that may be current.

5.0 RESIDENTIAL R20 PRECINCT

5.1 Objectives

The objectives for the Residential R20 Precinct are:

- To provide for a variety of lot sizes and single residential dwelling types at a maximum density of R20.
- To provide residential homesites which have the correct solar orientation to facilitate the construction of energy efficient dwellings;
- To provide homesites with coastal proximity that derive benefit from ocean views and access to cooling sea breezes;
- To provide homesites which overlook parkland areas and streets to maximise passive surveillance opportunities and promote attractive streetscapes.
- To maintain a high level of pedestrian connectivity, amenity and safety.
- To ensure that the impact on the visual quality and aesthetics of the area are minimised, air conditioning or cooling units, hot water systems, solar panels, bin storage areas, TV antennae, satellite dishes and radio masts should be located such that they are screened from public view and they are located in a position to minimise noise impacts on neighbouring residences.

5.2 Provisions

The R20 residential density codes shall apply to future development within the Residential R20 Precinct. All dwellings are required to comply with the Residential Design Codes 2002 unless otherwise provided for in this Structure Plan.

- I. Dwellings constructed on corner lots must be designed to address both the primary and secondary street. Dwellings should face both the primary and secondary street at the corner and should be design to ‘turn the corner’ rather than focus visually interesting elevations only on the primary street. This can be achieved by the following:
 - having habitable rooms and major openings facing both the primary and secondary street;
 - by reducing the fencing along the secondary street boundary so that it is located at least 4 metres behind the front building line;

- having open style fencing along the front portion of the secondary street boundary rather than solid fencing.

Dwellings which address both the primary and secondary street are a superior urban design and streetscape solution and also increase the opportunity for casual surveillance of the street and the security of the area.

- II. The provisions of the City of Joondalup Policy 3.1.9 “Height and Scale of Buildings within a Residential Area” shall not apply.
- III. Dwellings shall be constructed to a maximum height of 2 storeys with loft areas within the roof space permitted.

6.0 RESIDENTIAL R40 PRECINCT

6.1 Objectives

- To provide for diversity in lot sizes and single dwelling types at a maximum density of R40;
- To provide lots that maximise the benefits of good solar orientation and facilitate the construction of energy efficient dwellings;
- To provide for smaller homesites around the parklands areas, adjacent to the coast and the local shop site.
- To provide homesites which overlook parkland areas and streets to maximise passive surveillance opportunities and promote attractive streetscapes.
- To maintain a high level of pedestrian connectivity, amenity and safety.
- To ensure that the impact on the visual quality and aesthetics of the area are minimised, air conditioning or cooling units, hot water systems, solar panels, bin storage areas, TV antennae, satellite dishes and radio masts should be located such that they are screened from public view and they are located in a position to minimise noise impacts on neighbouring residences.



Indicative photos of R40 residential development

6.2 Provisions

All dwellings are required to comply with the Residential Design Codes 2002 unless otherwise provided for in this Structure Plan.

- I. Front setbacks shall be a minimum of 3 metres with an average of 4 metres.
- II. To maximise winter solar penetrations, solar accessible courtyards are required. A nil setback onto a nominated side boundary is permitted to facilitate this. For north-south orientated lots the nil setback shall be on the western boundary (Refer Figure 2). For east-west orientated lots the nil setback shall be on the southern boundary (Refer Figure 2).

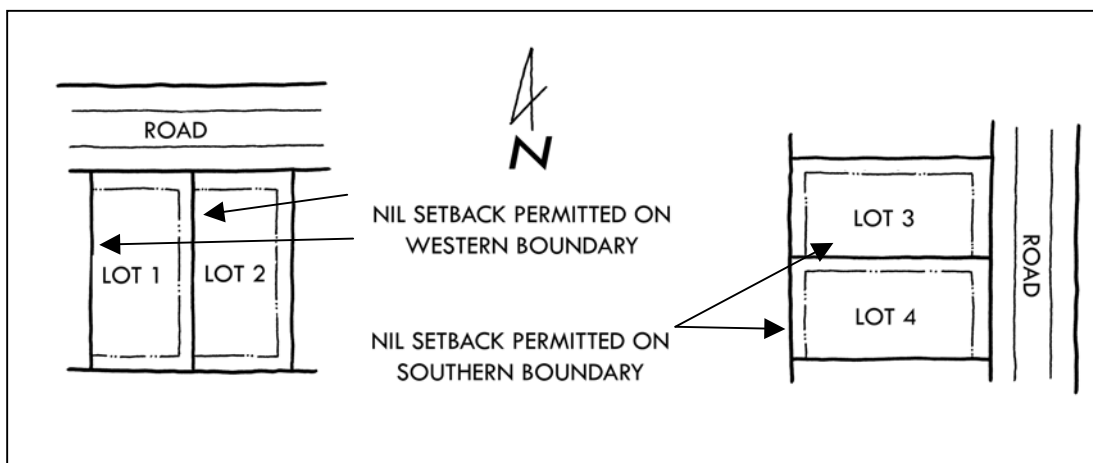


Figure 2: Nil Setback Provision (not to scale)

- III. Walls which have a nil setback shall not be higher than 3.5m for 2/3 of the length of the balance of the boundary behind the front setback permitted.
- IV. For side boundaries not subject to a nil setback, and where a side wall contains a major opening to a habitable room (as defined in the R-Codes), the minimum side setback shall be 2 metres in order to maximise solar access.
- V. Setback to a secondary street shall be a minimum of 1.5 metres.
- VI. The ground floor of a dwelling, including the garage, must be setback a minimum of 1.5 metres from the rear boundary. A 1.5m visual truncation to the garage opening must be provided. The first floor is permitted to have a nil setback to the rear boundary.
- VII. Each dwelling must provide a minimum of 2 on site covered car bays.

- VIII. Vehicular access and garage location is required to be from the rear laneway.
- IX. With the exception of corner lots, the dwelling is to be designed to address and face the primary street, with clearly defined pedestrian path to the front of the residence.
- X. An outdoor living area with a minimum area of 20 sqm and a minimum dimension of 4m which is directly accessed from a living area is to be provided in a location to best facilitate winter solar penetration. This may include space located in front of the street setback.
- XI. A minimum of 35% of the lot area is required to be provided as open space.
- XII. The provisions of the City of Joondalup Policy 3.1.9 “Height and Scale of Buildings within a Residential Area” shall not apply.
- XIII. Dwellings shall be constructed to a maximum height of 2 storeys with loft areas within the roof space permitted.
- XIV. Dwellings constructed on corner lots must be designed to address both the primary and secondary street. Dwellings should face both the primary and secondary street at the corner and should be design to ‘turn the corner’ rather than focus visually interesting elevations only on the primary street. This can be achieved by the following:
- having habitable rooms and major openings facing both the primary and secondary street;
 - by reducing the fencing along the secondary street boundary so that it is located at least 4 metres behind the front building line;
 - having open style fencing along the front portion of the secondary street boundary rather than solid fencing.

7.0 LOCAL SHOP PRECINCT

7.1 Objective

A local shop precinct is shown on the Structure Plan (refer Plan 1). A local shop precinct has been identified to allow for the development of a small retail facility in the centre of the Estate to cater for the daily needs of the local community. It is envisaged that a small lunch bar and/or restaurant/cafe would also be developed adjacent to the local shop to enhance the vitality of the Estate and extend activity beyond the day light hours. Residential development will also be permitted. Shop top housing or shop top office style of development is encouraged.

Any exterior lighting for a shop, lunch bar or restaurant should be configured so as to minimise any detrimental impact on adjoining residential development through light overspill.

The provision of on-street car parking and parking areas within the central POS opposite the site, together with the fact that the site is in a highly accessible area for pedestrians and cyclists, on site car parking for the local shop/lunch bar/restaurant should be minimised. The number of car bays required on site will be determined by Council and assessed against the merits of the specific case as part of a development application. Any car parking provided on site should be located at the rear of the building and be accessed from the rear laneway in order to comply with Mainstreet design principles. Mainstreet design principles encourage active land use-street interfaces with building frontages to streets with minimal setbacks and parking and service areas to the rear of the building.

7.2 Land Uses

The uses permitted within this site are as follows:

- Local Shop
- Shop
- Office
- Single Dwelling
- Group Dwelling
- Caretakers Flat/House
- Lunch Bar
- Restaurant

7.3 Provisions

A local shop site is required to be provided in this precinct. Wholly residential or office development is not permitted to occupy the entire precinct.

Non-residential development proposals within the local shop precinct shall be assessed in accordance with the District Planning Scheme, Council's policies, relevant Local Laws and the Building Codes of Australia, except where they have been varied in the following instances:

- I. Buildings shall be constructed to a maximum height of 2 storeys with loft areas within the roof space permitted.
- II. A minimum of two (2) on site car parking bays shall be provided and shall be accessed from the rear laneway.

- III. Setback from all street boundaries (primary and secondary) shall be a minimum of 2 metres. A larger setback is encouraged to cater for alfresco dining and footpath trading opportunities.
- IV. Setback from a side boundary shall be a minimum of 1 metre for the ground floor and 1.5 metres from the first floor.
- V. Setback from the rear boundary shall be 1.5 metres for a garage or carport and 6 metres for the main building. A 1.5m visual truncation to the garage opening must be provided.
- VI. To ensure that the impact on the visual quality and aesthetics of the area are minimised, air conditioning or cooling units, hot water systems, solar panels, bin storage areas, TV antennae, satellite dishes and radio masts should be located such that they are screened from public view and they are located in a position to minimise noise impacts on neighbouring residences.
- VII. Buildings constructed on corner lots must be designed to address both the primary and secondary street. Buildings should face both the primary and secondary street at the corner and should be design to 'turn the corner' rather than focus visually interesting elevations only on the primary street. This can be achieved by the following:
 - having habitable rooms and major openings facing both the primary and secondary street;
 - by reducing the fencing along the secondary street boundary so that it is located at least 4 metres behind the front building line;
 - having open style fencing along the front portion of the secondary street boundary rather than solid fencing.

Residential development within the local shop precinct shall be in accordance with the Mixed-Use Development Requirements of the Residential Design Codes 2002.

8.0 BEACH SHOP/LUNCH BAR AND RESTAURANT PRECINCT

8.1 Objective

A beach shop/lunch bar and restaurant are permitted within POS 6 as shown on the Structure Plan. The development of a shop/lunch bar and a restaurant is proposed to provide for opportunities for the local population and visitors to the area to enjoy the coastal environment and to increase the vibrancy of the area as a destination beyond day light hours.

The provision of on-street car parking and parking areas in the vicinity of the precinct, together with the fact that the precinct is in a highly accessible area for pedestrians and cyclists, on site car parking for the beach shop, lunch bar and restaurant should be minimised. The number of car bays required on site will be determined by Council and assessed against the merits of the specific case as part of a development application.

8.2 Land Use

The uses permitted within this precinct are as follows:

- Lunch Bar
- Shop (includes Fish & Chip shop, take away pizza shop)
- Restaurant/Cafe

8.3 Provisions

Development proposals within this precinct shall be assessed in accordance with the District Planning Scheme, Council's policies, relevant Local Laws and the Building Codes of Australia.

9.0 SPECIAL DESIGN PRECINCT

The land in this precinct is naturally very steep. Accordingly, special consideration must be given to the urban design and built form outcomes in the precinct.

9.1 Objectives

- To provide a Special Design Precinct within which endeavours will be made to maintain the general landform;
- To provide a Special Design Precinct within which endeavours will be made to accommodate level differences within individual dwelling design;
- To provide homesites which have the correct solar orientation and facilitate the construction of energy efficient dwellings;
- To provide homesites with ocean proximity that derive benefit from the cooling sea breezes;
- To maintain a high level of pedestrian connectivity, amenity and safety.

9.2 Provisions

Development of all lots within the Special Residential Precinct shall be in accordance with the R20 Residential Density Code except where defined on an approved Structure Plan at a higher density and development shall be assessed in accordance with the Residential Design Codes, District Planning Scheme, Council's policies, relevant Local Laws and the Building Codes of Australia, except where they have been varied in the following instances:

- I. Dwellings constructed on corner lots must be designed to address both the primary and secondary street. Dwellings should face both the primary and secondary street at the corner and should be design to ‘turn the corner’ rather than focus visually interesting elevations only on the primary street. This can be achieved by the following:
- having habitable rooms and major openings facing both the primary and secondary street;
 - by reducing the fencing along the secondary street boundary so that it is located at least 4 metres behind the front building line;
 - having open style fencing along the front portion of the secondary street boundary rather than solid fencing.

Dwellings which address both the primary and secondary street are a superior urban design and streetscape solution and also increase the opportunity for casual surveillance of the street and the security of the area.

- II. Dwellings shall be constructed to a maximum height of 2 storeys with loft areas within the roof space permitted.

This precinct will be the subject of further detailed engineering design given the steep nature of the topography in the area. At the completion of this design process, additional provisions will be added to this Structure Plan, if necessary, through a modification to the Structure Plan.

Access to the swimming beach located to the north of the Special Design Precinct will be accommodated from the perimeter road at some stage in the future. A Management Plan will need to be prepared by the relevant State and Local Government authorities in conjunction with the developer of the Burns Beach Structure Plan area for this area of Park and Recreation reserve. The future formal access road to the swimming beach would need to connect at some point to the perimeter road separating the Parks and Recreation reserve and foreshore reserve from the developable area within the “Urban Development” zone proposed as part of this Structure Plan. It has therefore been indicated on Plan 1 of the Structure Plan that a future road providing formal vehicular access to the future northern swimming beach will be constructed in the future. However, the final alignment and form of this road and the facilities to be provided at the beach is subject to the Management Plan prepared by relevant State and Local Government authorities, in conjunction with the developer of the Burns Beach Structure Plan area.

10.0 PARKS AND RECREATION RESERVE

The area depicted on the Structure Plan as “Parks and Recreation” Reserve is Reserved under the Metropolitan Region Scheme. Development of this land shall comply with the provisions applicable to “Parks and Recreation” Reserved land under the Metropolitan Region Scheme and the City of Joondalup District Planning Scheme No.2.

11.0 MODIFICATIONS TO THE STRUCTURE PLAN

All subdivision and development on the subject land must be generally in accordance with the Structure Plan.

**BURNS BEACH STRUCTURE PLAN NO 10
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
(CLOSED 9 DECEMBER 2004)**

NO	NAME OF SUBMITTOR	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COUNCIL'S RECOMMENDATION
1	R A & M Ford	9 Schnapper Court BURNS BEACH WA 6028	Requested details for the land behind their property. No comment at this stage.	The land behind the submitter's property has been shown on the Structure Plan as within the proposed Residential R20 Precinct.
2	T & J Franco	7A Aberdeen Way KINROSS WA 6028	Fully supportive of development of the site in view of anticipated associated traffic improvements along Marmion Avenue and Edinburgh Avenue, the addition of a primary school, improved foreshore access and the current inappropriate use of the land by off-road vehicles.	Adopt the draft Structure Plan.
3	Main Roads WA	N/A	No roads under Main Roads control and therefore no comment.	Adopt the draft Structure Plan.
4	Mr M Dunne	5 Schnapper Court BURNS BEACH WA 6028	<ul style="list-style-type: none"> Setbacks from high water mark should be the same as Iluka and Burns Beach areas. 	<ul style="list-style-type: none"> The boundaries of the subject site were determined when amendments to the Metropolitan Region Scheme and the City's District Planning Scheme No. 2 (Amendment No. 21) were approved and the developable portion of land was rezoned to "Urban Development". The Environmental Protection Authority (EPA) assessed the proposal at the rezoning stage. The draft Structure Plan reflects the approved boundaries. The Western Australian Planning Commission's (WAPC) Policy DC 2.3 sets out foreshore reserve width requirements for the subdivision of land and provides a guideline of 100 metres for coastal reserves. However, each application needs to be assessed on its merits and it may not be appropriate to require the same setback as provided in Iluka or the existing Burns Beach

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SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
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NO	NAME OF SUBMITTOR	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COUNCIL'S RECOMMENDATION
			<ul style="list-style-type: none"> • Housing should not encroach onto or be adjacent to sand dunes. • Building setbacks should be consistent along this portion of the coast. 	<p>residential area. Since the WAPC are the determining authority for both the Structure Plan and subdivision processes, the developers have been liaising with the WAPC on the draft Structure Plan and initial comments received by the City from the WAPC do not raise concerns in this regard.</p> <ul style="list-style-type: none"> • Refer to above. • For the above reasons, it may be appropriate for different building setbacks to be achieved on the subject site as opposed to, say, in Iluka where there may be different land forms.
5	Ms C Lancee	3 First Avenue BURNS BEACH WA 6028	<ul style="list-style-type: none"> • Considers 100m set back from high tide is inadequate to protect dunes – wants 300m. • Loss of habitat for animals. • Considers the proposed parks are too small to be useful. 	<ul style="list-style-type: none"> • See submission 4. • The subject site has been zoned for development and can therefore ultimately be developed to the City's specifications when the land is subdivided. • The proposed public open spaces (POS) have been located to facilitate access within walking distance of residences so they serve as neighbourhood parks and promote a community focus, to support some drainage facilities and also to enable the preservation of some mature native trees and vegetation. None of the POS areas are less than is 0.5 hectares

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(CLOSED 9 DECEMBER 2004)**

NO	NAME OF SUBMITTOR	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COUNCIL'S RECOMMENDATION
				(500m ²) in area with as many over 1.0 hectare in area. The largest proposed POS is the minimum size for a senior sized sporting oval (POS 14 adjacent to the primary school) and, overall, the variety of POS sizes provides ample recreational opportunities for future residents.
6	Moonvale Enterprises Pty Ltd	4 Burns Place BURNS BEACH WA 6028	Considers 100m set back from high tide is inadequate to protect dunes.	See submission 4.
7	Mr N Gerick 2 nd submission by submitter	14A Fourth Avenue BURNS BEACH WA 6028	Wants a 400m buffer between dunes and development to protect them and the wildlife.	See submission 4.
8	Mr N Gerick 3 rd submission by submitter	11 Schnapper Court BURNS BEACH WA 6028	Wants a 400m buffer between dunes and development to protect them and the wildlife.	See submission 4.
9	Mr N Gerick 4 th submission by submitter	15 Third Avenue BURNS BEACH WA 6028	Wants a 400m buffer between dunes and development to protect them and the wildlife. Considers the dune will be desecrated over time.	See submission 4.
10	B & D Edwards	92 Fairway Circle CONNOLLY WA 6027	Wants the site to be developed as a sanctuary and the remaining bush to be preserved.	The subject site is in private ownership and it is the owner's prerogative to develop it according to the zoning of the land and any requirements of the City. The adjacent 144 hectare portion of land to the north of the subject site will remain as bush as a regional reserve under the Metropolitan Region Scheme.
11	D M Smith	5 Abalone Place BURNS BEACH WA 6028	Wants the narrow open space abutting the northern boundaries of the existing Burns Beach area to remain as open parkland and to also act as a buffer between the old and the new residential areas	See Attachment 5 to this report
12	Western Power	N/A	No objection.	Adopt the Structure Plan.

**BURNS BEACH STRUCTURE PLAN NO 10
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
(CLOSED 9 DECEMBER 2004)**

NO	NAME OF SUBMITTOR	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COUNCIL'S RECOMMENDATION
13	Telstra	N/A	No objection.	Adopt the Structure Plan.
14	P Barbara	10 Third Avenue BURNS BEACH WA 6028	No objection, however considers that the sump adjoining the park should be incorporated to be less of an eyesore, and more development of the foreshore with a shop and restaurant are requested.	The final details about the use and location of a drainage sump are normally determined at subdivision stage, having regard for such factors as the slope of the land and fencing and screening opportunities. The proposal currently includes the provision of a shop, lunch bar or restaurant in conjunction with POS 6 on the foreshore at the western end of the proposed central boulevard.
15	C Docherty	3 Fourth Avenue BURNS BEACH WA 6028	Wants a road between the old and the new residential areas of Burns Beach to act as a buffer zone.	Lots bounded by two roads, as would result should a road be constructed at the rear of the existing lots in Burns Beach, are not generally a good planning outcome from a residential amenity point of view. The City is not supportive of this suggestion.
16	J W Penwill	Member of Burns Beach Syndicate (Owners of Pt Lot 1017 Burns Beach)	<ul style="list-style-type: none"> Wants the existing hall, shops, caravan park and beach area to be further developed to serve the whole area and avoid the "ghetto mentality which is a feature of many established estates". 	<ul style="list-style-type: none"> The existing café and the caravan park at Burns Beach are not the subject of the Structure Plan area and are privately owned by different landowners. Jack Kikeros hall and the foreshore area are managed by the City of Joondalup. There are no funds available in the near future to further develop the hall, however a significant amount of money has been allocated in the City's capital works program for maintenance work over the next couple of years. .
17	E & R Slavin	11 Third Avenue BURNS BEACH WA 6028	<ul style="list-style-type: none"> Wants proposed Cod Way access should only be for pedestrians. Concerned that car parking along the 	<ul style="list-style-type: none"> At this stage Cod Way is proposed for pedestrian use only, however the connection is wide enough for it to be converted to a road at subdivision stage should this be desirable. The applicant has reassessed the car

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NO	NAME OF SUBMITTOR	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COUNCIL'S RECOMMENDATION
			<p>foreshore is inadequate (80 bays) and that at least 150 bays are required.</p> <ul style="list-style-type: none"> Wants land adjacent to Mulloway Court, Abalone Place and Fourth Avenue to be open space or park. 	<p>parking provisions and suggested that up to 120 bays could be provided along the foreshore road and adjacent to POS 6. The applicant will be advised to provide these bays, including details of the location, size and form of the bays, within the Foreshore Management Plan submitted to the City for assessment at the subdivision stage.</p> <ul style="list-style-type: none"> See Attachment 5 to this report.
18	Water Corporation	N/A	No objection. Advised that a waste water pump station will need to be provided by the developer, and high spots above 48 metres AHD will need to be recontoured to enable acceptable water supply pressures.	Adopt the draft Structure Plan. The applicant will be advised regarding the need for a waste water pump station.
19	P Cook	1 Second Avenue BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	See Attachment 5 to this report.
20	D Grieve	10A Mulloway Court BURNS BEACH WA 6028	<ul style="list-style-type: none"> Development should not proceed until traffic conditions on Marmion Avenue have been investigated. Clearing should occur in stages to minimise sand erosion. 	<ul style="list-style-type: none"> A traffic report which includes details of current and projected traffic conditions on Marmion Avenue, has been submitted to the City and is currently being assessed in conjunction with Main Roads WA as the responsible authority for regional roads, such as Marmion Avenue. . It is likely that clearing for development will occur in stages in line with intended land releases, as is normal practice.
21	J Wood	2 Seton Lane KINROSS WA 6028	Wants coastal bush retained for public enjoyment and habitats.	See submission 10.
22	Joondalup Community	c/o 8 Stockdale Avenue	Opposes the proposal, for the following	

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	Coast Care Forum Inc	SORRENTO WA 6020	<p>reasons, and provides recommendations:</p> <ul style="list-style-type: none"> • Need to tag and preserve the stand of Christmas trees and all other native vegetation in the proposed POS at the corner of Burns Beach Road and Marmion Avenue. • Concern about the width, design and drainage into the coastal reserve and claims the proposal is contrary to City's policy. • Notes present evidence of coastal erosion and suggests widening the coastal foreshore reserve from 90-100 metres to 200 metres, disputing the claim that there are "layered limestone cliffs" to provide effective storm wave barriers to dunes. • Disputes claim that "the coastline is stable and not accreting or eroding" and that the coast of the western cell has been relatively stable over the last 50 years. • Wants native plants to be salvaged from areas to be cleared. • Objects to lack of consultation by the 	<ul style="list-style-type: none"> • Any identified significant trees, in particular the Christmas trees in POS 15, will need to be adequately tagged during site works. This will occur at the subdivision stage. • Details of drainage are finalised at subdivision stage and will be assessed in accordance with the City's policies, including Policy 5.4.3 – Prevention of Stormwater Drainage Into Natural Areas, including reserve land. • See submission 4. • The EPA provided its comments about the environmental constraints of the land during the rezoning process and the decision was made to approve the rezoning to enable development of the land. The DPI's environmental officers will also undertake some assessment of the environmental issues during the Structure Plan process. • The developer may choose to salvage some plants, however it is noted that native plants are generally not transplantable. • The City has consulted CALM and its

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			<p>developer and the City with the marine branch of the Department of Conservation and Land Management.</p> <ul style="list-style-type: none"> • Wants bush regeneration companies to be given the opportunity to salvage native plants and seeds in areas to be cleared, suggesting time be made available before clearing commences. • Notes that the foreshore management plan in the Structure Plan proposes planting of weed species in the POS areas. • Recommends contours of the dunes facing the beach remain unchanged and these be rehabilitated. 	<p>comments are noted in submission 93.</p> <ul style="list-style-type: none"> • This is an option the developer may wish to pursue and the City can advise the applicant of this request. • The City is aware that some proposed species of plants may not be desirable and will continue to deal with the developer at the subdivision stage to ensure suitable species are planted. • The developers have indicated their intention to generally retain the natural landform of the site. Some dune rehabilitation will be undertaken as deemed appropriate by the City and DPI.
23	ING Real Estate Investment Management Pty Ltd	Lakeside Joondalup Shopping Centre 420 Joondalup Drive JOONDALUP WA 6027	Supports the proposal, especially limiting retail to a local shop only.	Adopt the draft Structure Plan.
24	Name withheld by request	Address withheld by request	<ul style="list-style-type: none"> • Wants a 30m buffer zone between the old and the new residential areas of Burns Beach set aside as public open space (POS) with a dual use path joining existing dual use path on Burns Beach Road, connecting with proposed path north of the beach car park. • Wants angled car parking along the proposed coastal road, not a separate car park that cuts into the dunes. 	<ul style="list-style-type: none"> • See Attachment 5 to this report. • See Attachment 5 to this report.

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			<ul style="list-style-type: none"> • Wants undergrounding of power supply to extend to existing Burns Beach residences. 	<ul style="list-style-type: none"> • Programs for the undergrounding of power supplies are generally determined by Western Power. In the event of subdivision of land, undergrounding would be a requirement of subdivision, however there would be obligation on the part of the developer to extend this opportunity for existing Burns Beach properties.
25	Friends of Marmion Marine Park Inc	c/o 32 Princeville Tor CONNOLLY WA 6027	<ul style="list-style-type: none"> • Oppose proposal because they consider that the developer has failed to address effects of development will have on the adjacent Marmion Marine Park in terms of the following: <ul style="list-style-type: none"> - no assessment of effects 1600 people will have on the Park; - lack of detailed drainage plans to demonstrate chemicals and fertilizers will not enter the Park; - foreshore reserve is an average of 90 metres which does not comply with the State Government's policy of 150 metres. <ul style="list-style-type: none"> • Understands CALM has not been contacted regarding the proposal. • Wants natural contours of land within foreshore reserve retained where possible. • Considers POS at the corner of Burns Beach Road and Marmion Avenue is too small to protect the Christmas trees and wants drainage sump removed. 	<ul style="list-style-type: none"> • The developer is not required to assess the impacts of development of the subject site on the Marmion Marine Park. The subject site has been suitably zoned to enable residential development. Refer also to submissions 4 and 22. • CALM has been consulted and its comments are noted in submission 93. • Requirements for development within the foreshore reserve will be assessed by the City and DPI within a foreshore management plan. • The proposed area of POS 15 where the Christmas trees are located is considered sufficient. A drainage sump is the most appropriate drainage option to facilitate preservation of these trees.

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NO	NAME OF SUBMITTOR	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COUNCIL'S RECOMMENDATION
			<ul style="list-style-type: none"> Wants she-oak stand in north-west corner of the site protected. 	<ul style="list-style-type: none"> It is unclear where this stand of trees is located, however POS 1 is proposed in this location and may enable preservation of she-oak.
26	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	See Attachment 5 to this report.
27	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	See Attachment 5 to this report.
28	67 signature petition	Refer petition for addresses	<ul style="list-style-type: none"> Petition of 67 signatures received objecting to proposal from other submitters that a car park be established along Burns Beach Road adjacent to existing residences. Considers that a small car park/angled parking should be provided on Crown land along Burns Beach Road to provide a connection to the desired POS surrounding the existing Burns Beach residences and as relief for parking at Burns Beach. Considers that proposed POS will require on-going watering and maintenance and proposes a reduction to only 4 of the proposed 15 spaces. 	<ul style="list-style-type: none"> The proposal for a car park along Burns Beach Road is not the subject of the Structure Plan proposal. See also submission 4. See Attachment 5 to this report. See Attachment 5 to this report.
29	M & S van Kleef	19 Fourth Avenue BURNS BEACH WA 6028	<ul style="list-style-type: none"> No specific objection to proposal, however objects to other Burns Beach residents speaking on her behalf. Opposes suggestions put by other Burns Beach residents for the retention of open space between old and proposed new residences, or additional parking being provided along Burns Beach Road adjacent to her property. 	<ul style="list-style-type: none"> Individuals have the opportunity to make their own submission. See Attachment 5 to this report.

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			<ul style="list-style-type: none"> Requests a "Welcome to Burns Beach" sign be erected at Fourth Avenue with information on the existing "village". 	<ul style="list-style-type: none"> This request is a separate issue from the draft Structure Plan that does not impact on the Structure Plan and therefore will not be considered at this time.
30	J Taylor on behalf of Burns Beach Ratepayers and Residents & Community Recreation Assoc	c/o 8 Schnapper Court BURNS BEACH WA 6028	<ul style="list-style-type: none"> Wants an open space buffer along northern and eastern boundaries separating new and established development. Concerned about proposed maximum 10 metre building height and suggests 8.5 metres. Concerned about lack of car parking within the subdivision, particularly close to the beach. 	<ul style="list-style-type: none"> See Attachment 5 to this report. The proposed building height within the Structure Plan is 10 metres. The applicant has now amended this to 9.5 metres which is the maximum building height within the Hillarys and Cook Avenue Structure Plans. The maximum building height allowable in Iluka opposite the subject site is in accordance with the Residential Design Codes (9m). Provisions for on-street parking, especially adjacent to POS areas, are assessed at the subdivision stage. Nevertheless, the developer has determined that up to 120 bays could be provided along the proposed foreshore road and POS 6.
31	N Gerick	15 Third Avenue BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
32	V P & C Schwier	32 Second Avenue BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
33	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
34	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.

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35	I Holdijk	8 Malloway Court BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
36	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
37	W & V Brogan	8 Abalone Place BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
38	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
39	S Krouzecky	14 Schnapper Court BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
40	P & M Beckingham	16 Fourth Avenue BURNS BEACH WA 6028	<ul style="list-style-type: none"> • No particular objections to the draft Structure Plan. • Opposes proposals from other residents to develop a road along the northern and eastern boundaries of existing properties and supports “green barrier” in this area to provide a separation. • Opposes Cod Way being developed as a road. • Opposes additional car parking being provided along Burns Beach Road. 	<ul style="list-style-type: none"> • Adopt the draft Structure Plan. • The proposal for a car park along Burns Beach Road is not the subject of the Structure Plan proposal. See also submission 4. • See submission 17. • See Attachment 4 to this report.
41	S Bosich	11 St Helena Way ILUKA WA 6028	<ul style="list-style-type: none"> • Opposes clearing of natural bushland and habitat, especially Christmas trees on the corner of Burns Beach Road and Marmion Avenue, and wants the area preserved as regional open space. 	See submission 10. In addition, POS 15 has been specifically designed to retain the stand of Christmas trees, as well as other remnant vegetation as much as possible rather than be a manicured parkland.
42	J Crough	4 Cod Way BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
43	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
44	Su-Anne Crough	4 Cod Way	Standard proforma submission – See	Refer to Attachment 5 to this report.

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		BURNS BEACH WA 6028	Attachment 4 to this report.	
45	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
46	N Richardson	8 Murray Drive HILLARYS WA 6025	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
47	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
48	R De Giorgio	11 Turtle Point Cove JANDAKOT WA 6164	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
49	M Orifici	1 Unicorn Place CRAIGIE WA 6025	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
50	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
51	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
52	M & J Williams	124 Northwood Street WEST LEEDERVILLE WA 6007	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
53	T Vallow	58 Holmes Street SHELLEY WA 6148	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
54	L Orifici	1 Unicorn Place CRAIGIE WA 6025	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
55	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
56	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
57	E W & V A Pritchard	16 Malloway Court BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report. <ul style="list-style-type: none"> Comments that footpaths, dual use path along the foreshore, landscaping and street parking are not shown on the draft Structure Plan. 	Refer to Attachment 5 to this report. <ul style="list-style-type: none"> A Structure Plan is a broad plan of how a site will develop. Details of footpaths, landscaping and on-street parking are required at the subsequent stage of development of the subject site, the

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			<ul style="list-style-type: none"> • Comments that types and number of shops in Local Shop Precinct are not noted and supports alfresco development. • Comments on existing car parking problems in Burns Beach and Iluka area. • Suggests a need for a swimming beach. • Supports smaller POS areas distributed throughout the site. • Criticises the time provided for public comments and requests extension. 	<p>subdivision stage, and therefore not required to be detailed on the Structure Plan.</p> <ul style="list-style-type: none"> • A shop is defined under the City's District Planning Scheme No. 2 (DPS2). Alfresco areas could form part of a development application for a shop. The number of shops that could be developed will depend on the future lot size and therefore possible floorspace. • The current car parking problems are independent of the Structure Plan area, however additional parking along the foreshore is proposed to cater for the anticipated increase in visitors once the area is further developed. • A potential future swimming beach is noted on the Structure Plan plan adjacent to the regional reserve. Discussions are proceeding with CALM and DPI on this matter • See Attachment 5 to this report. • The 28 days public consultation time approved by the Joint Commissioners when the draft Structure Plan was initiated is standard and was therefore considered adequate. Furthermore, the developer conducted separate public consultation prior to the submission of the Structure Plan (see submission 91).
58	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.

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			<ul style="list-style-type: none"> Notes need for traffic lights at the intersection of Burns Beach Road and Marmion Avenue. Opposes any vehicle access into existing Burns Beach residential area. 	<ul style="list-style-type: none"> See submission 20. See submission 17.
59	J Peck	17 Third Avenue BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report. Wants the developer to provide toilet, shower blocks, free BBQ facilities, bicycle racks, 50m salt water pool, kayak and canoe launching facilities, and a future “Intercontinental Hotel” developed on one of the foreshore POS’.	Refer to Attachment 5 to this report. Details of facilities to be located within the foreshore POS are not yet finalised and continue to involve the City and the DPI. The current facilities at Burns Beach will also be taken into account. It is not reasonable for the developer, however, to fully bear the cost of providing public facilities located outside the Structure Plan area, nor would some uses proposed by the submitter be suitable on public land. Details of any facilities on the foreshore will be included in the Foreshore Management Plan to be submitted to the City.
60	J & G Gudsell	PO Box 760 JOONDALUP WA 6919	Standard proforma submission – See Attachment 4 to this report. <ul style="list-style-type: none"> Objects to location of primary school near the corner of Burns Beach Road and Marmion Avenue for safety reasons. 	Refer to Attachment 5 to this report. <ul style="list-style-type: none"> The proposed location of the primary school has been determined in consultation with the Department of Education, the City and the DPI and is considered to be satisfactory. It is less desirable option to locate a school in the middle of a residential area where traffic and noise associated with this use can significantly impact on residential amenity.
61	O & R Thomas	5A Third Avenue BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
62	A Novakovic	10 Mulloway Court	<ul style="list-style-type: none"> Wants a green buffer zone between the 	<ul style="list-style-type: none"> Refer to Attachment 5 to this report.

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		BURNS BEACH WA 6028	<p>old and the new residential areas of Burns Beach.</p> <ul style="list-style-type: none"> • Considers the 100 metres foreshore setback is inadequate, citing the setback for the Iluka development which is protected by cliffs as opposed to sand dunes at Burns Beach. • Cites car parking as a problem that should be dealt with at his stage. • Supports non-vehicular access on Cod Way to conserve the quietness of existing Burns Beach residential area. • Questions traffic problems associated with the proposed school location. • Supports the preservation of large trees and suggests that the site be created as a coastal reserve. 	<ul style="list-style-type: none"> • See submission 4. • See submission 57. • See submission 17. • See submission 60. • See submission 10.
63	Name withheld by request	Address withheld by request	<p>Standard proforma submission – See Attachment 4 to this report.</p> <ul style="list-style-type: none"> • Considers that a minimum 150 metre setback to the coast needs to be provided to protect the fragile dune system. 	<p>Refer to Attachment 5 to this report.</p> <ul style="list-style-type: none"> • See submission 4.
64	J Hollywood	9 Third Avenue BURNS BEACH WA 6028	<p>Standard proforma submission – See Attachment 4 to this report.</p> <ul style="list-style-type: none"> • Objects to maximum 10 metres building height and considers this should be reduced to 8.5 metres. • Considers there are too many parks and that 2 or 3 larger parks would be more economical. • Requests more information on the 	<p>Refer to Attachment 5 to this report.</p> <ul style="list-style-type: none"> • See submission 30 • Refer Attachment 5 to this report. • The dual use path along the foreshore

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			<p style="text-align: center;">provision of a dual use path.</p> <ul style="list-style-type: none"> • Requests undergrounding of power lines along Burns Beach Road prior to development. • Suggests 500 metres buffer zone to the coast to avoid problems of houses being too close to dunes and the ocean. • Wants a safe swimming beach developed by the developer in conjunction with the City of Joondalup. • Wants Banksia at the corner of Burns Beach Road and Marmion Avenue protected. • Wants plenty of parking around the primary school sporting oval and along the foreshore. 	<p>that currently runs from Ocean Reef to Burns Beach will be required to be extended along the length of the foreshore adjacent to the Structure Plan area. The details of the path will be considered by the City at the subdivision stage.</p> <ul style="list-style-type: none"> • See submission 24. • See submission 4 • See submission 57. No sites with safe beach access have been identified by the City adjacent to the Structure Plan area. Discussions have therefore begun between the developer, CALM, DPI and the City regarding the possible development of a future swimming beach immediately north of the site adjacent to the northern regional open space. • See submission 41. • See submission 17. The City will assess the adequacy of parking adjacent to key public areas, such as the sporting oval and adjoining POS areas, and the primary school at the subdivision stage.
65	A Read	23 Second Avenue BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	<ul style="list-style-type: none"> • Refer to Attachment 5 to this report.

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			<ul style="list-style-type: none"> Strongly objects to any development of the 55 hectares SE portion of land at the corner of Burns Beach Road and Marmion Avenue because it is one of the last remnant bushland area with unique vegetation and acts as habitat to fauna and birdlife. Wants a transfer of this land with a portion of the reserved land north of the site. 	<ul style="list-style-type: none"> See submission 64. In addition, it must be acknowledged that the environmental issues associated with the whole site were assessed by the DEP at the Metropolitan Region Scheme amendment stage and this portion of the subject site has now been zoned appropriately for development. Further reservation or transfer of land deemed suitable for development is unlikely to be supported.
66	Name withheld by request	Address withheld by request	<p>Standard proforma submission – See Attachment 4 to this report.</p> <ul style="list-style-type: none"> Expressed disappointment that the State Government allowed rezoning of the land which would see the loss of bushland and habitat. Questioned how dust, noise and disposal of rubbish would be monitored during construction. 	<p>Refer to Attachment 5 to this report.</p> <ul style="list-style-type: none"> No comment is made on this issue, however it is noted that 144 hectares of the land located immediately north of the developable area of the Structure Plan will be retained as regional open spaces. There are adequate regulations in place that the City will enforce to control dust, noise and disposal of rubbish at the subdivision and development stages.
67	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
68	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
69	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
70	B & S English	14 Malloway Court BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
71	D Loveridge & S Tonkin	11 Malloway Court BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
72	A & S Mijat	20 First Avenue	Standard proforma submission – See	Refer to Attachment 5 to this report.

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		BURNS BEACH WA 6028	Attachment 4 to this report.	
73	S & P Bolger	6 Malloway Court BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
74	J & A Dixon	7 Abalone Place BURNS BEACH WA	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
75	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
76	K T & L Campbell	35/35 Ocean Parade ILUKA WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
77	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
78	E Wright	33/35 Ocean Parade ILUKA WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
79	J Campbell	43/35 Ocean Parade ILUKA WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
80	R E Luxford	32/35 Ocean Parade ILUKA WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
81	R J Watson	37/35 Ocean Parade ILUKA WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
82	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
83	Name withheld by request	Address withheld by request	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
84	H Gerke	11/35 Ocean Parade ILUKA WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
85	E Faint	12/35 Ocean Parade ILUKA WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
86	C Lancee	3 First Avenue BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
87	Name withheld by request	Address withheld by request	Standard proforma submission (minus foreshore parking issue) – See Attachment 4 to this report.	Refer to Attachment 5 to this report, minus foreshore parking issue.
88	S Laurence	10 Third Avenue BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.

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89	M & S Godwich	6 Fourth Avenue and 8 Fourth Avenue BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
90	N & D Barnes	4 Third Avenue BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report.	Refer to Attachment 5 to this report.
91	B Sutherland on behalf of Burns Beach Ratepayers and Residents & Community Recreation Assoc	12 Malloway Court BURNS BEACH WA 6028	Standard proforma submission – See Attachment 4 to this report. <ul style="list-style-type: none"> • Wants more parking provided near the beach. • Wants the dual use path extended the whole length of the development. • Considers that a road could also be an adequate buffer around the existing Burns Beach residences. • Objects to maximum 10 metres building height and suggests the proposed building height will deny residents ocean views and cooling breezes. • Wants future beach access approximately 2km north of the site. • Criticises claim that home sites facilitate solar orientation in view of the layout of roads and therefore future blocks. 	Refer to Attachment 5 to this report. <ul style="list-style-type: none"> • See submission 17. • See submission 64. • See submission 15. • See submission 30. • See submission 57. • The WAPC'S Liveable Neighbourhoods (LN) document sets out desirable orientations of lots to take advantage of solar access in winter and sun deflection in summer. Based on a draft subdivision plan for the subject site, nearly 70% of the proposed lots meet the desired orientations. In addition, the applicant claims that another 44% of the lots that don't meet these orientations are within 3-4⁰ of them and therefore would be adequately orientated. It is noted that the

**BURNS BEACH STRUCTURE PLAN NO 10
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING
(CLOSED 9 DECEMBER 2004)**

NO	NAME OF SUBMITTOR	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COUNCIL'S RECOMMENDATION
			<ul style="list-style-type: none"> • Criticises the opportunities to participate in the public consultation process undertaken by Peet & Co. • Criticises the City's public consultation process in that concerned local groups were not provided with copies of the proposal. 	<p>LN is not a statutory document and a developer is not compelled to comply with its provisions. Notwithstanding this, the careful design of dwellings is extremely important in ensuring energy efficiency, such that energy efficiency can still be maximized to acceptable levels, irrespective of lot orientation.</p> <ul style="list-style-type: none"> • The consultation program undertaken by Peet & Co. was specifically required by the Joint Commissioners when Amendment No. 21 for the rezoning of the site was initiated. A consultation program was compiled and approved by the City for the public consultation that extended over 3 months and consisted of meetings and interviews with interest and focus groups and stakeholders, arranged through individual letters and public meetings advertised via the local newspaper. The City had no involvement in this process other than to approve a consultation program and is therefore unable to comment further. • The Structure Plan was made available on the City's website, and hard copies were available at the City's libraries and administration building for viewing in the normal manner.
Submissions received AFTER close of advertising period				
92	Quinns Rocks Environmental Group	PO Box 27 QUINNS ROCKS WA 6030	<ul style="list-style-type: none"> • Opposes the development of the land because of its conservation value. • Suggests modifications of Structure 	<ul style="list-style-type: none"> • See submission 10.

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NO	NAME OF SUBMITTOR	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COUNCIL'S RECOMMENDATION
			<p style="text-align: center;">Plan to include the following:</p> <ul style="list-style-type: none"> - development controls for the Special Design Precinct that maintain the topography as much as possible; - the installation of fencing along the northern boundary to the reserve land; - transfer of the reserve land as soon as possible for management by a competent authority; - inclusion of community stakeholders in the preparation of a management plan for the reserve land; - preparation of a foreshore management plan in consultation with community stakeholders; - enlargement of POS 11 by 4 hectares as indicated by the Ministers for Environment and Planning and Infrastructure to provide an interface 	<ul style="list-style-type: none"> - The developer has stated that it is intended to maintain the natural topography of the site where possible, however the portion of the site denoted as a Special Design Precinct is the most undulating and difficult land on the site which is likely to need significant retaining to provide developable lots of suitable dimensions. A formal modification to the Structure Plan will be required at a later date to include specific development provisions, including cut and fill and subsequent retaining. - CALM will require adequate fencing to protect the reserve. - The regional reserve will be vested in CALM for care and management when the subdivision is approved. - As the responsible authority for care and management of the reserve land, CALM will prepare a management plan and will decide if community input is warranted. - A foreshore management plan is currently being prepared and assessed by the City. The community has had opportunities to participate in the development of the subject site and associated foreshore during the public consultation held by both Peet & Co. and the City and it is therefore not appropriate to require further consultation. - The City is unable to provide any evidence of a commitment to add 4 hectares to the subject site to provide a total area of 148 hectares

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			<p>with the reserve land and to preserve more Banksia woodland;</p> <ul style="list-style-type: none"> - design and develop POS 15 to retain bushland and enhance vegetation quality; - use of locally occurring species in landscaping of POS' and streetscapes and avoidance of known weed species. 	<p>adjacent to the regional reserve. It is noted that the Structure Plan boundary shown accords with the boundary of the approved Amendment No. 21 to rezone the subject site to "Urban Development". An original Structure Plan plan showed this area as 4 hectares, however the City required a redistribution of POS in order to achieve a larger sized sporting oval as well as meet drainage requirements, resulting in POS 11 being reduced in size. Furthermore, the more even distribution of open space over the subject site that is proposed supports LN principles of good public accessibility. It is noted that POS 11 is still 5330m² in area and provides some interface the northern reserve land. With the exception of a drainage swale of 920m², the developer intends to retain all natural vegetation in POS 11, including all Banksia.</p> <ul style="list-style-type: none"> - POS 15 has been designed to retain as much of the bushland as possible, rather than be a manicured park. - See submission 22. In addition, the City will assess landscaping plans at the subdivision stage to ensure that suitable species are planted, and would strongly encourage the use of local native vegetation where possible.
93	Department of Conservation and Land Management (CALM)	N/A	<ul style="list-style-type: none"> • No objection and notes that the northern portion of Lot 9017 is recognised as a Bush Forever site. • Provided advice on issues that will need to be addressed at the interface between the site and the northern reserve land 	<p>Adopt the draft Structure Plan.</p> <ul style="list-style-type: none"> • The interface issues will be addressed at the subdivision and development application stages of development of the

**BURNS BEACH STRUCTURE PLAN NO 10
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			(fencing, a road buffer, fire management and access for fire vehicles, weed control, clearing and rubbish)	site and the developer is currently working on these in consultation with CALM and the DPI.
94	Public Transport Authority (Transperth)	N/A	No objection and advised that the roads and roundabouts will need to be constructed to accommodate Transperth buses, with a bus terminus to be located adjacent to POS 3.	Adopt the draft Structure Plan. Details of roads and road treatments will be finalised at the subdivision stage.
	M Moon	9 Carew Place GREENWOOD WA 6024	<ul style="list-style-type: none"> • The land use has not been determined for each precinct. • Development controls are not in place for residential uses other than a dwelling in each precinct. • NLA (net lettable floor area) and GLA (gross lettable area) have not been identified as per the City's Centres Strategy or the State Centres Strategy or District Planning Scheme No. 2 (DPS2). 	<ul style="list-style-type: none"> • The objectives of each proposed Precinct in the draft Structure Plan clearly state the intended land uses. Moreover, these are specifically set out in the Local Shop Precinct where a range of land uses are permitted. • As stated in section 4.0 The Scheme, unless otherwise provided for by specific requirements of this Structure Plan, all requirements shall be in accordance with DPS2, which in turn refers to the requirement to conform to the provisions of the R Codes. • The City's DPS2 and Policy 3.2.8 – Centres Strategy, which is based on the Metropolitan Centres Strategy, sets out NLA for Commercial and Centre Zones only. The subject site is zoned "Urban Development" and, therefore, there is no need to refer to either of these documents in the report. The two proposed commercial lots are approximately 500m² each in area are proposed as a corner store and kiosk type developments which would have no significant impact in terms of floorspace.

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NO	NAME OF SUBMITTOR	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	COUNCIL'S RECOMMENDATION
			<ul style="list-style-type: none"> • Single dwelling is not identified in the DPS2 or Residential Design Codes (Rcodes) and this structure plan does not identify development controls for single dwelling or what uses apply to single dwelling. • Residential density only applies to single house, grouped dwelling and multiple dwelling - all other residential development this structure plan is silent on. No density or intensity of development determined. • Provisions are ambiguous – non-residential is not defined. • Clause 11.0 Modifications to the Structure Plan is unnecessary. • Any discretion given to the density of development or height should have a limit as unlimited discretion takes away the power of a Council to control development in the City. 	<ul style="list-style-type: none"> • Whilst the term single dwelling is not identified in DPS2 or the R Codes, it is defined in the draft Structure Plan. It is therefore unnecessary to separately state the allowable land use. • Residential density applies to any type of residential development. The draft Structure Plan refers only to single and grouped dwellings with densities of R20 and R40 stated for the two residential Precincts. • The only non-residential land uses stated in the draft Structure Plan are noted within the Local Shop Precinct and are either defined in this document (local shop) or in DPS2. • This clause serves simply to reinforce processes of land development. • Any development applications within the Structure Plan area will need to comply with its provisions, or the R Codes where not otherwise stated. Separately, the Council regulates Delegated Authority by its annual review of this process and adopting the desired level of delegation.

1. Want a 30m buffer zone between the old and the new residential areas of Burns Beach set aside as public open space (POS) for the following reasons:
 - to retain natural bush, and flora species as habitats;
 - to allow for dual use path as a natural extension of existing dual use path on Burns Beach Road and connecting with proposed path north of the beach car park;
 - to provide a green interface and enhance both residential areas;
 - to add value to new blocks backing onto this; and
 - to attract the attention of conservation groups to help establish a local conservation effort, including schools participation, to maintain weed control.

2. Consider that parking along the foreshore needs to be addressed and that a small car park/angled parking should be provided on Crown land along Burns Beach Road to provide a connection to the desired POS surrounding the existing Burns Beach residences, as well as relief for parking at Burns Beach.

3. Consider that the proposed POS will require on-going watering and maintenance and proposes a reduction to only 4 of the proposed 15 spaces with an overall reduction of 1600-1800m² of POS needing maintenance.

ATTACHMENT 5 APPLICANT RESPONSE AND CITY'S COMMENTS ON PROFORMA SUBMISSION

1. Open Space Buffer

The applicant has submitted a response to the desire for an open space buffer zone and the points raised follow, including the City's comments:

- (i) The new urbanism principles of the Western Australian Planning Commission's Liveable Neighbourhoods (LN) document facilitate connections between and the integration of existing communities. The buffer proposal does not support such connections.

City's Comment

The City concurs with this statement.

- (ii) LN also requires that lots front open spaces to minimize potential problems with property security and also to encourage passive surveillance.

City's Comment

The City concurs with this statement. Moreover, the proposal for an open space buffer is contrary to the City's Policy 3.2.6 – Subdivision and Development Adjoining Areas of Public Open Space which aims to maximize the outlook onto and casual surveillance of public spaces by adjoining properties and streets. This Policy states that lots should be orientated to front, and therefore overlook, areas of open space. The existing lots in Burns Beach, and potentially proposed lots in the Structure Plan area, would then back onto the open space which does not accord with the Policy.

In real terms, it is likely that the area could become a "no mans land". Given the general state of existing vegetation and the lack of surveillance, from a planning point of view, creation of these types of spaces are best avoided.

- (iii) The existing Burns Beach residences currently do not address or orient towards the vacant land that is suggested to be open space. As shown on the attached photos, rear fences are not uniform and are unattractive which the developer intends to remedy by replacing these fences at the development stage.

City's Comment

This point has in part been addressed above under point (iii). It is also noted that the existing rear fencing to the existing residences would be contrary to Policy 3.2.6 in the event of an open space buffer being provided because it is not visually permeable and, therefore, does not encourage passive surveillance of the open space.

- (vi) In the absence of lots fronting the open space, and therefore minimal passive surveillance, the open space may become an unsafe and unattractive space where "undesirables" gather.

ATTACHMENT 5 APPLICANT RESPONSE AND CITY'S COMMENTS ON PROFORMA SUBMISSION

City's Comment

The City concurs with this statement. Moreover, the likely result is that local residents would be unable to fully utilise the open space for the purpose it was intended.

- (v) As a result of the above, the open space would become rundown and unattractive interface with the proposed new residential lots that could not be retrospectively influenced by the developer or the City.

City's Comment

Public open space is generally managed and maintained by the City, thereby removing ongoing obligations by the developer. Inappropriate use of POS can impose additional burdens on the City.

- (vi) The suggested 30m width of the open space would not be useable or functional for active recreation, especially if it incorporates a path system. There would be no substantial community or social benefit resulting from this proposal.

City's Comment

The City generally agrees with this statement, nevertheless it is acknowledged that it would serve as a "green" buffer which may give some visual relief for some existing residents. The wisdom of providing a path at the rear of properties is questionable in terms of property security.

- (vii) The existing native vegetation in the proposed 30m open space buffer is minimal and degraded and the area is currently used as a dumping ground (see attached photos). It has not been "cherished" or considered in terms of the amenity of this area by the local residents.

City's Comment

The state of the proposed buffer land as shown in the photos has been confirmed. It is not possible to determine whether the area would be any better cared for by the local residents if it were created as formal public open space.

- (viii) Creation of an open space buffer will require the redistribution of open space throughout the Structure Plan area to meet the minimum 10% POS requirement which would cause some areas to be deficient in or devoid of useable open space.

City's Comment

The State Government's LN document requires public open space to be accessible and located within walking distance of most dwellings. The redistribution of the POS within the Structure Plan area would be a major exercise that would also have to include consideration of the capacity for these spaces to be utilized for drainage. The current proposal is generally satisfactory in the location and sizes of POS.

ATTACHMENT 5 APPLICANT RESPONSE AND CITY'S COMMENTS ON PROFORMA SUBMISSION

With regard to the statement that a landscape buffer zone value-adding to new lots, the use, safety and maintenance of the space would play a large part in the market value of lots adjoining the space. These factors are not, however, planning issues that need to be considered in the Structure Plan process.

In addition to the above comments, the applicant notes that the maximum ground level difference at the fence line between the existing residences and the proposed lots would be 0.5 metres which accords with the requirements of the Residential Design Codes in terms of privacy and overlooking.

With regard to the desire of the submitter to retain the bushland within a buffer zone as habitats, the applicant notes that 144 hectares of land adjacent to the subject site has been retained as regional reserve through the process of rezoning which would continue to provide habitats for native fauna. Conservation groups would need to approach the Dept of Conservation and Land Management (CALM) regarding the conservation projects and weed control on the reserve land.

2. Parking

Public parking provisions along the foreshore will be considered at the subdivision stage in conjunction with a foreshore management plan required by the City and the Department for Planning and Infrastructure. The City is not considering the development of the road reserve land along Burns Beach Road in association with development of the Structure Plan area at this time or otherwise. Once parking has been established along the foreshore in accordance with the foreshore management plan, any current parking shortages experienced at Burns Beach are expected to be relieved.

3. Open Space

It is acknowledged that the POS areas will need to be managed and maintained by the City, however reducing the number of POS areas will not necessarily alter the watering and maintenance requirements as the total overall area is required to be the same (10% of the subdivision). Moreover, the proposed distribution of open space facilitates drainage requirements for the site which would otherwise result in the construction of extensive drainage sumps and, therefore, reduce the overall functionality and usability of the POS areas.







22. Feb. 2005 9:46

PLANNING & INFRASTRUCTURE

No. 0788 P. 2



Department for Planning and Infrastructure
Government of Western Australia

Our Ref: 801/2/34/9
Enquiries: Robyn Watts

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

Attention: Graeme Catchpole

Dear Sir

**REQUEST FOR COMMENTS ON SUBMISSION
BURNS BEACH STRUCTURE PLAN**

I refer to your request for comments on a submission presented to the City with respect to its assessment of the Burns Beach Structure Plan, and offer the following comments.

The alignment and width of the foreshore reserve was the result of an exhaustive process including assessment of detailed environmental documentation by a review team set up by the Minister for the Environment. This team comprised professionals from the Department for Planning and Infrastructure and the Department for Environment, with an independent chairperson. A rigorous analysis of the information available was undertaken by this team. This information included an assessment of coastal dune and shoreline stability, and took into account System 6 recommendations. The final alignment of the reserve also took into account the need for a hard (road) interface between urban development and the foreshore.

Further, the alignment of the foreshore reserve as part of an MRS amendment required approval from not only the Minister for Planning and Infrastructure and the Minister for the Environment, including consideration of appeals against the environmental outcome, but was also subject to a Parliamentary process.

The important issue now is to focus on appropriate management of the foreshore.

The proponents have prepared a foreshore management plan, which is currently being assessed by coastal experts from this Department and also I understand by the City. This plan includes commitments by the proponents for restorative and rehabilitative works, and the protection of conservation areas, within the foreshore reserve. In the long term the foreshore is likely to be vested in the City of Joondalup, consistent with other vesting along the coast.

22. Feb. 2005 9:47

PLANNING & INFRASTRUCTURE

No. 0788 P. 3

CALM was consulted and involved in the assessment of the foreshore reserve.

I trust that the information provided is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Rob Griffiths', written in a cursive style.

Rob Griffiths
Director
Environment and Natural Resources Planning

22 February 2005