

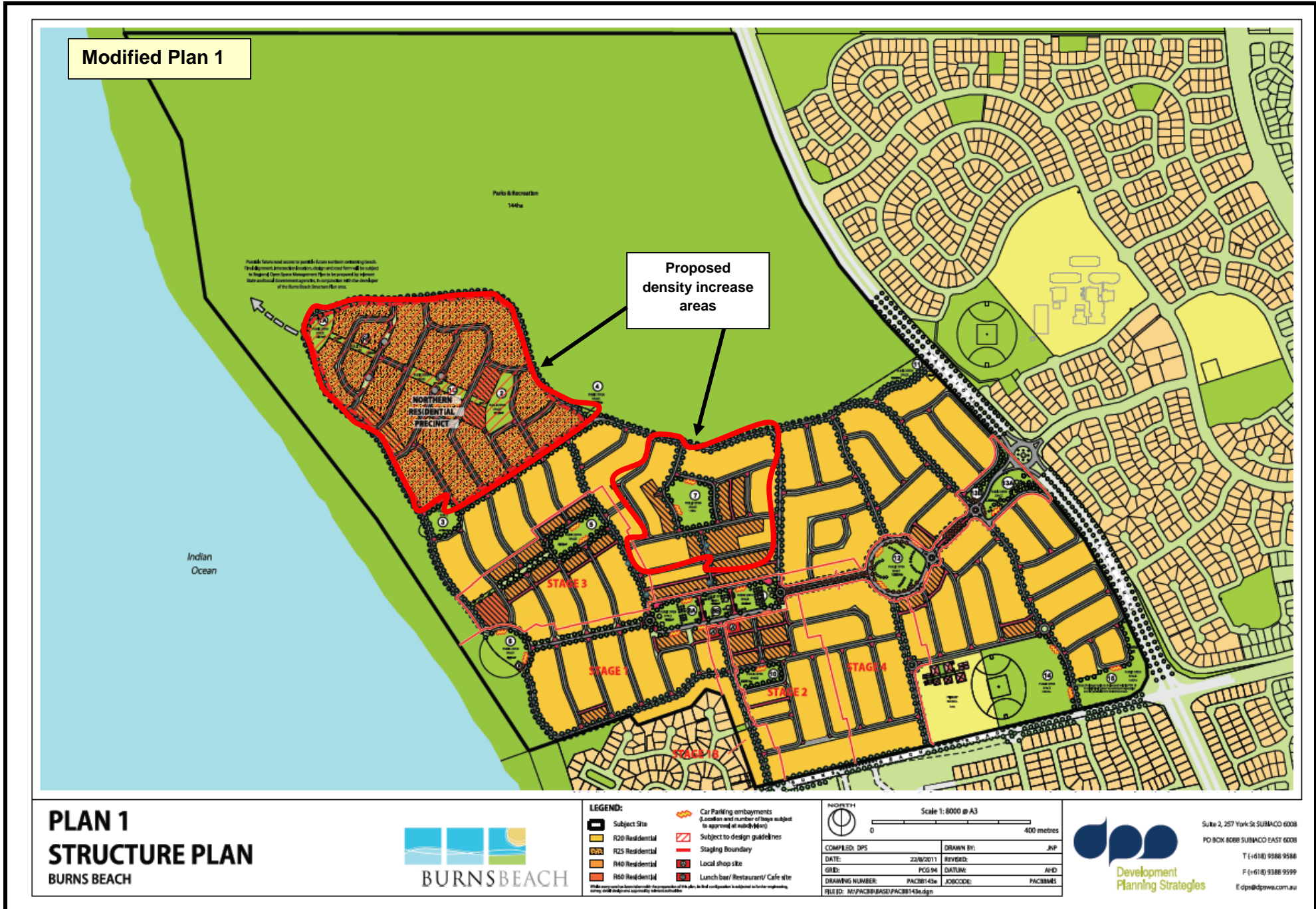


Existing Plan 1

Proposed density increase areas

PLAN 1  
STRUCTURE PLAN

Legend and scale information including symbols for roads, parks, utilities, and landscaping, along with a scale bar and north arrow.





Statutory Planning Section (PART 1)

1. Amend the Burns Beach Structure Plan 1 by:
  - Rezoning the portions of Burns Beach estate as indicated on the Amended 'Plan 1 – STRUCTURE PLAN' from 'R20 Residential' to 'R40 Residential'; and
  - Rezoning the 'R20 Residential' zone to 'R25 Residential' within the 'Northern Residential Precinct'.

2. Amend the Structure Plan text by:

- i. Modifying PART 1 - Section '9.2 Land Use and General Provisions' from:

"Development of all lots within the Northern Residential Precinct shall be in accordance with the R20 residential density code except where defined on the approved Structure Plan at R40 and R60, 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:

Land use permissibility and general provisions in the Northern Residential Precinct shall be the same as those within the Residential zone under the City's District Planning Scheme No 2. For lots within the Northern Residential Precinct with a R20 residential density code, the provisions of the Residential R20 Precinct apply."

To read:

"Development of all lots within the Northern Residential Precinct shall be in accordance with the R25 residential density code except where defined on the approved Structure Plan at R40 and R60, 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:

Land use permissibility and general provisions in the Northern Residential Precinct shall be the same as those within the Residential zone under the City's District Planning Scheme No 2. For lots within the Northern Residential Precinct with a R25 residential density code, the provisions of the Residential R20 Precinct apply."

- ii. Modifying PART 2 – Section '10.4 – Northern Residential Precinct- Density' from:

"The bulk of the development in the Northern Residential Precinct will conform with the R20 Code. A number of smaller pockets of R60 AND R40 development are proposed surrounding the large park at the high point of the Precinct, and also adjacent to the coastal road. These have been shown on the Structure Plan (Plan 1) and the below extract from the Structure Plan. The increased amenity value of the open space areas and coastal proximity provides the opportunity for increased density in these areas."

To read:

"The bulk of the development in the Northern Residential Precinct will conform with the R25 Code. A number of smaller pockets of R60 AND R40 development are proposed surrounding the large park at the high point of the Precinct, and also adjacent to the coastal road. These have been shown on the Structure Plan (Plan 1) and the below extract from the Structure Plan. The increased amenity value of the open space areas and coastal proximity provides the opportunity for increased density in these areas."

Minor modifications to Part 2 – Explanatory Report of the Burns Beach Structure Plan (Structure Plan No 10) may be undertaken at the discretion of Council if required.

PROPOSED MODIFICATIONS TO BURNS BEACH STRUCTURE PLAN  
SCHEDULE OF SUBMISSIONS FOLLOWING ADVERTISING  
(CLOSED 23 FEBRUARY 2012)

NO	NAME AND ADDRESS OF SUBMITTER	DESCRIPTION OF AFFECTED PROPERTY	SUBMISSION SUMMARY	OFFICER OR COUNCIL'S RECOMMENDATION
1	S Toose 27 Marginata Place Wanneroo WA 6065	N/A	<p>Objection.</p> <p>Can't believe the level of greed and selfish interest in changing the coding of undeveloped land in the northern area on the part of developers and the majority of Councillors.</p> <p>Let's consider the concerns of the environment, the need for open space for visitors to the area and the quality of life for future families jammed into small lots so close together.</p>	<p>Noted.</p> <p>The proposed density increases are in line with the State Government's strategic plan, <i>Directions 2031 and beyond</i>, which aims to facilitate the future population growth for the state. The proposed density increases will contribute to the achievement of infill targets set for the northwest sub region and promote housing affordability and lifestyle choice.</p> <p>The land subject to the density increase has always been identified for residential development. The Developer is required to provide public open space (POS) at a rate of 10% of the development area. The majority of this has been provided and further POS will be provided as the area is further subdivided. The POS will be located as shown on the structure plan. The density increase provides the opportunity for additional people to live in the area and benefit from and ensure the infrastructure is used to its full potential.</p>
2	J Esterhuizen 69 Weymouth Boulevard Quinns Rocks WA 6030	38 Garners Way Burns Beach WA 6028	<p>Objection.</p> <p>Is distressed to receive the letter detailing the proposed changes and feels it is unfair to those who have already purchased land in the area if this is allowed to go ahead.</p> <p>The estate plan and information provided by</p>	<p>Not supported.</p> <p>While it is acknowledged that the submitter is unhappy with the applicant's proposal, the concerns raised in this submission should be raised directly with Peet.</p>

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			<p>the sales offices illustrates the future blocks and zonings within the estate. If they'd had been aware that the area in which they purchased their block was going to be of a higher density than they were led to believe then they would not have purchased the block in this area. They would have bought in one of numerous other development areas with similar density for a fraction of the price.</p> <p>Peet market Burns Beach as being an exclusive, upmarket development with an enviable lifestyle. They were willing to pay the large premiums for their land on this concept and the future capital growth it would encompass. I feel the proposed modifications are not in line with this marketing strategy.</p> <p>Believes strongly that by requesting these modifications that Peet has misled the people who have already bought land in Burns Beach. Their property is their single largest investment and these changes will impact on its value.</p>	
3	N Rubelli 69 Weymouth Boulevard Quinns Rocks WA 6030	19 Waterhouse Meander Burns Beach WA 6028	<p>Objection.</p> <p>Purchased the property at premium prices, in good faith, and on the expectation that Peet would deliver the upmarket lifestyle estate as envisaged in their advertising material and website.</p> <p>At the time of purchase, and to this day,</p>	<p>Not supported.</p> <p>While it is acknowledged that the submitter is unhappy with the applicant's proposal, the concerns raised in this submission should be raised directly with Peet.</p>

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			<p>Peet's promotional material and website carries an estate plan. Had the estate plan simply been silent on the particular usage of the undeveloped sections of the estate, one could argue that any buyer might have been obliged to make the necessary inquiries, or accept the consequences of Peet's density decisions.</p> <p>As the detailed plan does exist, any unilateral change to the usage would imply that there was a material misrepresentation of the facts at the point of sale, and buyers should be entitled to halt the process, or to be compensated for damages.</p> <p>Trusts the City will see its way clear to blocking this proposal, as every business has had to endure the consequences of economic downturn, and has had to survive with less.</p>	
4	BG Regts 22 Malurus Turn Tapping WA 6065	11 Garners Way Burns Beach WA 6028	<p>Objection.</p> <p>Opposes the proposed amendments and comments as follows:</p> <ol style="list-style-type: none"> <li>1. The original Structure Plan was divided into a number of precincts including a Residential R20 Precinct. It is therefore clear that the issue of appropriate density was considered at length at the time of the original Structure Plan.</li> <li>2. The objectives for the Residential R20 Precinct were stated as being:</li> </ol>	<p>Not supported.</p> <p>While the densities proposed with the original structure plan were deemed appropriate at the time, however recent State Government strategic plans and policies encourage density increases to facilitate infill development to accommodate future population growth.</p>

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			<p>a) To provide for a variety of lot sizes and single residential dwelling types at a maximum density of R20. This objective can be met by existing R20 zoning as acknowledged in various parts of the original Structure Plan.</p> <p>b) To provide residential home sites which have the correct solar orientation to facilitate the construction of energy efficient dwellings. No benefit in proposed amendments;</p> <p>c) To provide residential homesites with coastal proximity that derive benefit from ocean views and access to cooling sea breezes. Arguable that increased density will decrease outlook (views) and breeze flow thereby offending an original objective of the structure plan.</p> <p>d) To provide homesites which overlook parkland areas and streets to maximise passive surveillance opportunities and promote attractive streetscapes. Increased density leads to less attractive streetscapes. Increased density around public open space will inhibit views of that space by others and will create a 'boxed in' feel;</p> <p>e) To maintain a high level of pedestrian connectivity, amenity and</p>	<p>The proposed modifications continue to provide for a variety of lot sizes and housing types.</p> <p>This objective is met through the lot layout at the subdivision stage and through the design of the dwellings which is still achievable regardless of the proposed density and lot size.</p> <p>This objective is assessed and can be met through the design of the dwellings.</p> <p>The objective refers to the dwellings abutting the public open space. The additional dwellings will insure there is a greater opportunity to promote passive surveillance. The density increase doesn't automatically result in a decrease in streetscape amenity; this is dependent on the individual dwelling design.</p> <p>The density increase will not impact on the pedestrian connectivity as the location of</p>
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			<p>safety. No benefit to this objective in the proposed amendments. It is arguable that increased pedestrian flow will reduce amenity of the affected areas;</p> <p>f) To ensure that the impact on 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. The visual quality and aesthetics of the affected (and surrounding) areas will be reduced. Noise and visual impacts will be increased thereby offending the original objectives of the structure plan.</p> <p>3. At 5.2 it was stated 'The R20 residential density codes shall apply to future development within Residential R20 Precincts.'It is reasonable for purchasers to expect that the original structure plan would be adhered to. It is unfair to those who have already purchased land to now amend the structure plan.</p> <p>4. At 9.0 it was stated 'The land in this precinct is naturally very steep,</p>	<p>roads and pathways are not proposed to change. The additional dwellings will contribute to a greater opportunity for passive surveillance in the area which in turns improves the safety of the area.</p> <p>The future dwellings will be required to be address the development provisions of the structure plan which have been created to achieve this objective.</p> <p>Structure plan may be reviewed and amended throughout the lifetime of the plan. It is not unreasonable for changes to occur to a structure plan in response to changing needs of the community and relevant State and Local government plans and polices.</p> <p>There is no new proposal to change the levels other than what is necessary to</p>
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			<p>Accordingly, special consideration must be given to the urban design and built form outcomes in the precinct'. Topography was also noted at 10.4 as was the need for levelling and retaining walls. (12.1). These issues were known to the developer at the time of the original structure plan, have not changed(it is still the same land) and were addressed in the original structure plan. As such, they do not form a legitimate bases upon which amendment may now be sought.</p> <p>5. The vision espoused at 10.1 is 'is to create a high quality, vibrant coastal residential settlement embracing social, environmental and economic sustainability' and 'a place with high levels of amenity and liveability in an attractive location where people by choice will want to live, work and play. The proposed amendments will reduce overall amenity, liveability and attractiveness of the estate.</p> <p>6. At 10.3 it states 'The majority of the subject land is proposed for residential development at a density of R20. Within the R20 Code however, a variety of lot sizes will be produced. This acknowledges there is sufficient flexibility within the R20 Code and that the proposed amendments are not necessary.</p>	<p>facilitate the ongoing development of the area as was outlined in the original structure plan.</p> <p>The proposed amendments are not considered to impact on the quality of the residential development.</p> <p>This statement does not limit the level of variety to be provided in regard to lot size or dwelling design. The modifications are considered appropriate to continue providing for a variety of lot sizes.</p>
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			<p>7. The plan already allows for sufficient socio-economic and demographic diversity through the existing densities.</p> <p>8. The proposed increase to R25 will result in a 'boxing in' public open space, thereby reducing the general outlook of the surrounding homes as well as the amenity of the open space itself.</p> <p>9. There will be a negative visual impact through loss of outlook (increased visual density- i.e. more roofs (sic)) and 'closing in' of some areas.</p> <p>10. Greater density of dwellings will result in greater traffic, parking and pedestrian loads which will decrease the amenity of the suburb.</p> <p>Believes the proposed amendments are unfair to those who have already purchased land (in reliance on the existing structure plan) and are based on economic (increased number of lots for sale and pricing flexibility) rather than on any genuine attempt to improve the amenity of the suburb.</p>	<p>The proposed plan improves the opportunities for further socio economic and demographic diversity.</p> <p>The lots proposed to be recoded to R25 will still be developed in accordance with the provisions for the land coded R20 so aside from the lot sizes the development will be consistent in character.</p> <p>The proposed density increase is not considered to detrimentally impact on the visual amenity of the area.</p> <p>The increase in the number of dwellings is unlikely to increase traffic or pressure on public open space to unsustainable level. Additional residents in the area will allow better use of the infrastructure provided.</p> <p>While it is acknowledged that the submitter is unhappy with the applicant's proposal, the concern raised in this submission should be raised directly with Peet.</p>
5	A Hill 27 Fourmile Avenue Burns Beach WA 6028	27 Fourmile Avenue Burns Beach WA 6028	<p>Objection.</p> <p>They attended an informal open meeting of the Burns Beach Rate payers Association on 13 February 2012. This meeting was attended by Mayor Troy Pickard, who addressed the meeting and answered</p>	<p>Noted.</p> <p>While it is acknowledged that the submitter is unhappy with the applicant's proposal, the concern raised in this submission should be raised directly with Peet.</p>

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			<p>questions raised from the attendees. A representative from the Peet also addressed the meeting. Having reviewed the City of Joondalup Agenda for the Briefing Session of 15th November 2011, having listened to the Briefing Session, and having attended the Burns Beach ratepayers Association Meeting, it is clear to them that the Peet request for the modifications is driven by the commercial interests of Peet.</p> <p>The Agenda for the Briefing Session referred to the Modification providing greater choice in lot sizes for purchasers. They would contend that there is ample choice within existing developments in the general vicinity of Burns Beach (e.g. Satterley Catalina Estate) for those purchasers that may be interested in purchasing a relatively small, more affordable, block.</p> <p>The agenda for the Briefing Session states that the proposed modifications are considered to be relatively minor. Whilst a change from R20 to R25 may possibly fit this description, a change from R20 to R40 can only be considered as a substantial change.</p> <p>They oppose the proposed modifications to the Existing Burns Beach Structure Plan. They do not perceive that there is justification (such as tangible benefit to the City of Joondalup or the residents of Burns</p>	<p>The proposed density increases are in line with the State Government's strategic plan, <i>Directions 2031 and beyond</i>, which aims to facilitate the future population growth for the state. The proposed density increases will contribute to the achievement of infill targets set for the northwest sub region and promote housing affordability and lifestyle choice.</p> <p>There already is land coded R40 within stage 7 of the structure plan area, as such the proposed modification is considered to be consistent with the densities in that stage.</p> <p>The increase in the number of dwellings is unlikely to increase traffic or pressure on public open space to unsustainable level. Additional residents in the area will allow better use of the infrastructure provided.</p>
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			Beach) from the proposed Modifications. A minor change from R20 to R25 may be acceptable providing an assessment by City of Joondalup verifies that the currently planned amenities and infrastructure are designed to accommodate such a minor change.	
6	D& A Mann 16 Southport Loop Burns Beach WA 6028	16 Southport Loop Burns Beach WA 6028	<p>Objection.</p> <p>Strongly opposes the developers application for increased housing density to the Northern Residential precinct.</p> <p>They purchased land &amp; built their home based on the original Burns Beach Structure plan, which has already been changed number of times previously. This application will lower the amenity of the estate, lower our enjoyment of the estate; increase traffic &amp; increase pressure on public open spaces.</p> <p>Clear plans showing lot sizes, changes &amp; positions to the Northern Residential precinct have not been made available for public scrutiny by the developer. These should have been made available with the public notice. Request that the council seeks these from the developer &amp; that they are made available for public comment.</p> <p>Look to both our local councillors &amp; mayor to strongly oppose the application &amp; support</p>	<p>Not supported.</p> <p>While it is acknowledged that the submitter is unhappy with the applicant's proposal, the concerns raised in this submission should be raised directly with Peet.</p> <p>The increase in the number of dwellings is unlikely to increase traffic or pressure on public open space to an unsustainable level. Additional residents in the area will allow better use of the infrastructure provided.</p> <p>As the proposed modifications relate to the recoding of the area, detailed subdivision plans are not required at this point.</p> <p>The proposed density increase is not considered to detrimentally impact on the amenity of the area.</p>

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			<p>the community in opposing this application. The city is now known as one of the most liveable cities in the world, developments of this type will do nothing for the ambience of the city.</p> <p>If the developers manage to push this cash grab through the council should pressure for an increase to the public open spaces &amp; community facilities as a minimum within the Northern Residential precinct.</p>	<p>The Developer is required to provide public open space (POS) at a rate of 10% of the development area. The requirement is not influenced by the proposed densities of the land to be developed. The majority of the POS has been provided and POS for the Northern Residential precinct will be provided in accordance with the structure plan.</p>
7	F Marsden 58 Clontarf Terrace Canning Vale WA 6155	38 Fourmile Avenue Burns Beach WA 6028	<p>Objection.</p> <p>Owns Lot 618 Fourmile Avenue Burns Beach .They purchased this land a premium price in February 2011.They paid this price because this estate was marketed as a prestigious estate with a large number of lots with large lot sizes.</p> <p>They purchased their land at Burns Beach estate rather than Brighton estate or other costal estates in the area that were cheaper because of the size of the lots.</p> <p>Believes that by increasing the density of undeveloped land this will devalue their land . There will be more houses built and they will be smaller houses.</p>	<p>Not supported.</p> <p>While it is acknowledged that the submitter is unhappy with the applicant's proposal, the concerns raised in this submission should be raised directly with Peet.</p>
8	Name and address withheld	Not applicable.	<p>Objection.</p> <p>As future residents of Burns Beach Estate, They are opposed to the proposed modifications to the Burns Beach Structure</p>	<p>Noted.</p> <p>Notwithstanding that the developer chose to</p>



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			<p>Plan.</p> <p>The item of greatest concern is increasing the residential density coded R20 in 'Stage 7' to R40. This change splits several traditional 18m lots into Front Garage, "Cottage Lots" of 11 to 13m Frontage. This is indifferent to all other known "Cottage Lots" in the Estate, where a rear garage provides the opportunity for an elegant elevation (i.e front of the house is "not all garage").</p> <p>Believes this is against the intent of the Burns Beach Building Guidelines and Covenants Brochure In this brochure, the cottage lot examples provided are rear garage in order to showcase quality "narrow lot" homes expected in the estate. Due to these proposed changes, it is unclear if a house with 11m Frontage / 6m of garage can meet the following in the building guideline brochure (<b>Point 2, Pg 6, Articulation of Facades</b> " Front entries clearly visible, Projections/indentations to facade, Feature elements". Therefore, we are not in favour of these traditional lots changing to a narrow lot/front garage, as it is likely to lower the appeal of these homes and against the uniformity of design in the estate as a whole.</p> <p>In addition, we are also not in favour of increasing the residential density in the Northern Residential Precinct to R 25. This will reduce the exclusivity of the estate</p>	<p>create lots with 18 metre frontages, the minimum lot frontage permitted under R20 is 10 metres.</p> <p>Under the Residential Design Codes at the R40 density there is no minimum frontage width stated, however the developer proposes frontages in excess of 10 metres, which is consistent with the minimum frontage requirements of R20.</p> <p>This comment is in regards to the building guidelines created by the developer. The City assesses residential development within the structure plan area in accordance with the structure plan adopted by the City not in accordance with any other guidelines the developer may have developed.</p> <p>The exclusivity of an area is not a planning consideration.</p>
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			and offer no known benefit to existing residents.	
9	C Lundstrom 20 Campbell Drive Hillarys WA 6025	N/A	<p>No objection.</p> <p>My understanding is that support of the proposed modifications to the Burns Beach Structure Plan means that we will get a few more of smaller (and cheaper) blocks.</p> <p>This is a great idea, since it means that the small guy, who is maybe not a full millionaire, still gets a chance to build and live within walking distance of the beach, and not suburbs away.</p> <p>And since I cannot see any drawbacks for the community, I am all for it.</p>	Noted.
10	Water Corporation PO Box 100 Leederville WA 6902	N/A	No objection.	Noted.
11	72 signature petition	Various	<p>Does not agree with increasing:</p> <p>a) The residential density of undeveloped land coded R20 in the Northern Residential Precinct to R25 and</p> <p>b) the residential density of part of the undeveloped land coded R20 in Stage 7, to R40.</p> <p>The purchasers of the land had an expectation of the level of amenity that they were buying into and if there is an increase in people, then there is increased pressure on the existing facilities like public open space and parking.</p>	<p>Not supported.</p> <p>The increase in the number of dwellings is unlikely to increase traffic or pressure on public open space to an unsustainable level. Additional residents in the area will allow better use of the infrastructure provided.</p>

