

DEVELOPMENT APPLICATION



LOT 27 (NO.12) LINCOLN LANE, JOONDALUP

**PROPOSED CHANGE OF USE ('RECREATION – PRIVATE')
(PORTSIDE BOULDERS)
CITY OF JOONDALUP**

Contents

1.0	INTRODUCTION	4
2.0	LOCATION & BACKGROUND	5
3.0	LAND DESCRIPTION	6
4.0	PHYSICAL CHARACTERISTICS	6
4.1	Property Details	6
4.2	Essential Services	7
5.0	PROPOSED CHANGE OF USE	9
6.0	STATUTORY CONSIDERATIONS	11
6.1	Metropolitan Region Scheme	11
6.2	City of Joondalup Local Planning Scheme No.3	11
6.3	Development Standards	13
	General Development Standards	13
	On-Site Car Parking & Access	14
6.4	Bushfire Prone Areas	15
6.5	Contaminated Site Investigation	16
7.0	SUMMARY OF JUSTIFICATION	17
8.0	CONCLUSION	18

List of Appendices

Appendix 1: Certificate of Title

Appendix 2 - Site Development Plans



Planning & Development Consultants

Address: 3/1 Mulgill Road, Malaga WA 6090

Tel: 9249 2158 Mb: 0407384140 Email: carlof@people.net.au

CVF Nominees Pty Ltd ABN: 86 110 067 395

1.0 INTRODUCTION

CF Town Planning & Development acts on behalf of Portside Boulders (prospective tenant) and the landowners as their consultant town planners and hereby prepare the following report in support of an Application for Development Approval seeking the City of Joondalup's approval to change the current approved use of Lot 27 (No.12) Lincoln Lane, Joondalup from 'Educational Establishment' to 'Recreation-Private'.

This report provides details regarding the following:

- Site details and background;
- Planning considerations; and
- Provision of justification in support of the proposed development/use, addressing the relevant planning framework.

In light of the above, we respectfully request the City of Joondalup's favorable consideration and conditional approval of the application at their earliest possible convenience.

Should you have any queries or require any additional information regarding any of the matters raised above please do not hesitate to contact Mr Carlo Famiano on 0407384140 or carlof@people.net.au.

CF Town Planning & Development
Planning & Development Consultants

2.0 LOCATION & BACKGROUND

Location

Lot 27 is located in the western part of the Joondalup City Centre ('Activity Centre') and has frontage to Lincoln Lane along its south-eastern lot boundary and Royce Court along its north-western lot boundary.

The subject land is located approximately 670 metres south-west of the Joondalup Train Station and approximately 150 metres west of the Mitchell Freeway reserve. Lot 27 also comprises good access to a regional road network, with access to Hodges Drive (including the access ramps to the Mitchell Freeway) and Joondalup Drive (see Figure 1 - Location Plan).

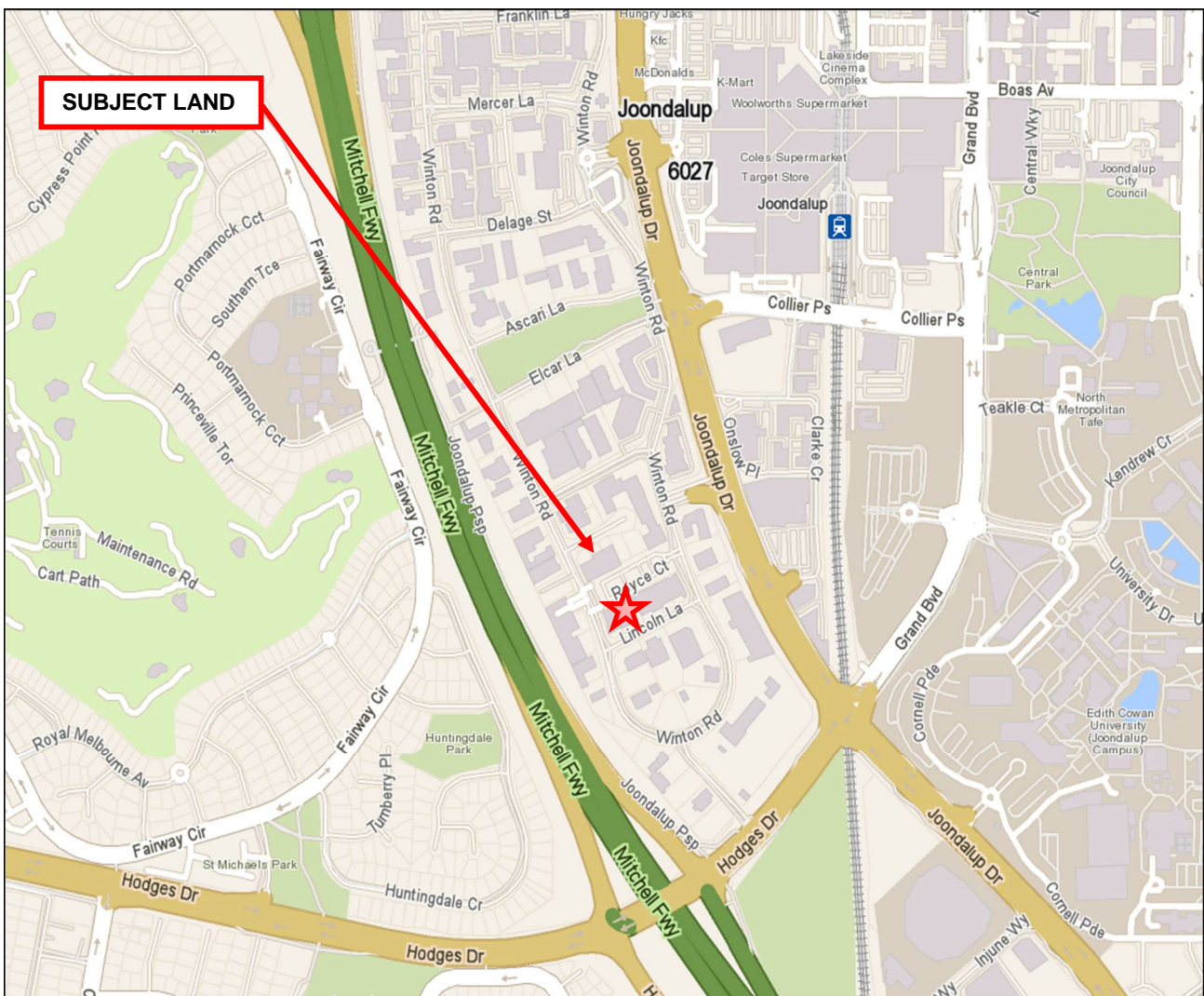


Figure 1 – Location Plan

Planning & Development Consultants

Address: 3/1 Mulgool Road, Malaga WA 6090

Tel: 9249 2158 Mb: 0407384140 Email: carlof@people.net.au

CVF Nominees Pty Ltd ABN: 86 110 067 395

Background

The subject land has been developed to accommodate a single storey commercial development which appears to have been used for 'Educational Establishment' purposes (occupied previously by 'Logsys Power Services Training Centre').

This application seeks to use the subject land for 'Recreation-Private' purposes to accommodate a popular and successful recreational climbing facility (i.e. 'Portside Boulders'). Portside Boulders is a well-established recreational business that operates a number of venues throughout the Perth Metropolitan Area and provides a range of climbing experiences to customers.

3.0 LAND DESCRIPTION

The subject land is legally described as Lot 27 on Plan 13835 on Certificate of Title Volume 1624, Folio 271.

A copy of the Certificate of Title is provided within Appendix 1 of this report.

4.0 PHYSICAL CHARACTERISTICS

4.1 Property Details

The subject land area is rectangular in shape, comprises an area of 1,000m², and is relatively flat throughout.

Lot 27 has historically been development and used for commercial purposes (i.e. showroom/warehouse & more recently an educational establishment) and contains a number of physical improvements associated with its current development and previous use, including a commercial building of masonry construction, four (4) on-site car parking bays, one vehicular access driveway along the land's Lincoln Lane frontage and boundary fencing. In addition, the main entry (i.e. 'shop front') of the building is along the land's Royce Court frontage and the rear of the building (i.e. services area) being along the land's Lincoln Lane frontage (see Figure 2 - Aerial Site Plan & Figure 3).

The subject land also contains some vegetation along its Lincoln Lane frontage and a street tree within the verge area. This application proposed to retain the existing vegetation on the subject land and the street tree within the Lincoln Lane verge area.



Figure 2 - Aerial Site Plan



Figure 3 – The existing development on the subject land.

4.2 Essential Services

The subject land is served by an extensive range of essential service infrastructure including power, water, reticulated sewerage, stormwater drainage, gas and telecommunications.

This part of the Joondalup locality is well served by an efficient local and district road network with convenient access to Joondalup Drive, Hodges Drive, including access ramps that provide connection to the Mitchell Freeway.

Planning & Development Consultants

Address: 3/1 Mulgool Road, Malaga WA 6090

Tel: 9249 2158 Mb: 0407384140 Email: carlof@people.net.au

CVF Nominees Pty Ltd ABN: 86 110 067 395

The subject land also enjoys frontage and access to a large public car parking area within the Royce Court road reserve that contains approximately one hundred and twenty five (125) car parking bays, with access from Winton Road (see Figures 4 & 5)



Figure 4 – The public car parking area servicing various sites.



Figure 5 – The public car parking area known as Royce Court.

The locality is well serviced by a public transport network, including bus services along various roads and the nearby Joondalup Train Station (see Figure 6 – Public Transport Network). In addition, the area is also well serviced by a pedestrian path network. It is contended that the subject land's good access to public transport and a pedestrian path network will provide an alternative form/means of transport for the staff and patrons of the new private recreation use on Lot 27.

Planning & Development Consultants

Address: 3/1 Mulgool Road, Malaga WA 6090

Tel: 9249 2158 Mb: 0407384140 Email: carlof@people.net.au

CVF Nominees Pty Ltd ABN: 86 110 067 395

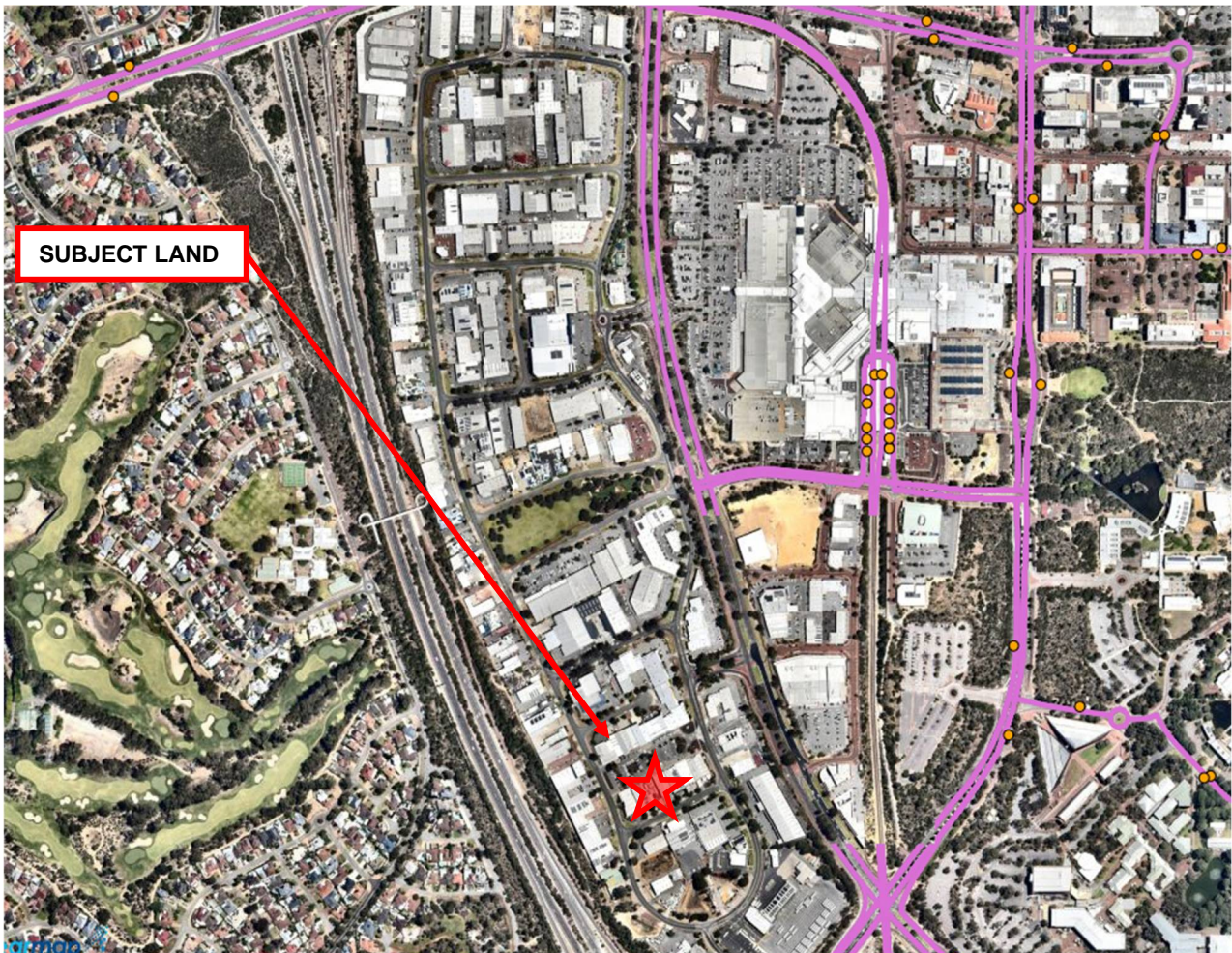


Figure 5 – The existing public transport network. Public transport indicated in pink (MNG Mapping).

5.0 PROPOSED CHANGE OF USE

This application seeks development approval from the City of Joondalup for the following:

- i) A change to the current approved use of the existing building on Lot 27 from 'Educational Establishment' to 'Recreation-Private' to allow for the establishment of a new recreational climbing business;
- ii) Upgrading of the existing toilet facilities (i.e. internal works);
- iii) Installation of new internal partitioning and internal fit out for the building to accommodate the needs of the new business that will operate from the site; and
- iv) Installation of climbing equipment and structures (see Figure 6).

It should be noted that details regarding all future proposed advertising signage are unable to be provided at this preliminary stage and is yet to be determined. All future proposed advertising signage will therefore be the subject of a separate development application to the City of Joondalup if required following the issuance of development approval for the proposed new use.

The proposed change of use and associated fit out for the building will be contained entirely within the existing building and therefore will not have a visual impact on the local streetscape (i.e. it will

not be visible from outside the building's external walls). As such, this application does not propose any external changes to the building, alterations to the existing on-site car parking area, no proposed changes to the vehicular access arrangements or proposes any additional floor space.

The proposed use is similar to other existing private recreation type uses established within industrial/service commercial areas in Perth Metropolitan Area (i.e. dance studios, gyms etc.), in particular within the Joondalup City Centre.

A building permit application will be prepared and lodged with the City of Joondalup for the internal fit out works if and when a development approval for this application is issued by the City.

Copies of the proposed site development plans are provided herewith for review and consideration by the City of Joondalup (see Appendix 2 – Site Development Plans).



Figure 6 – Examples of the internal fit out for the building.

Operating Details of Private Recreation Use

The proposed change of use will facilitate the occupation of the existing building on Lot 27 by Portside Boulders which will provide a valuable service/venue for the local workforce and nearby community, by offering a new and popular recreational service.

Details of the business operation for the climbing venue are as follows:

- i) The key operating hours are as follows:
 - Monday & Wednesday: 6am to 10pm
 - Tuesday, Thursday & Friday: 10am to 10pm
 - Saturday & Sunday: 8am to 7pm
- ii) The maximum number of patrons at any one given time is expected to be one hundred (100) during the peak period;
- iii) Maximum number of staff at any one given time is four (4);
- iv) The café will operate within the venue to support the patrons Portside Boulders (i.e. provide for refreshments and an element of social interaction between customers of the venue); and
- v) The peak periods for the venue is daily between 5pm and 7pm (where the maximum number may be achieved).

6.0 STATUTORY CONSIDERATIONS

6.1 Metropolitan Region Scheme

The subject land is currently classified ‘Urban’ zone under the Metropolitan Region Scheme (MRS) (see Figure 7 – MRS Map). It should be noted that the zones and reservations prescribed by the MRS are broad categories only that are intentionally not precisely defined or limited in order to enable a flexible approach to town planning. The following definition is provided as a guide to its stated purpose/s in the MRS:

“Urban Zone - Areas in which a range of activities are undertaken, including residential, commercial recreational and light industry.”

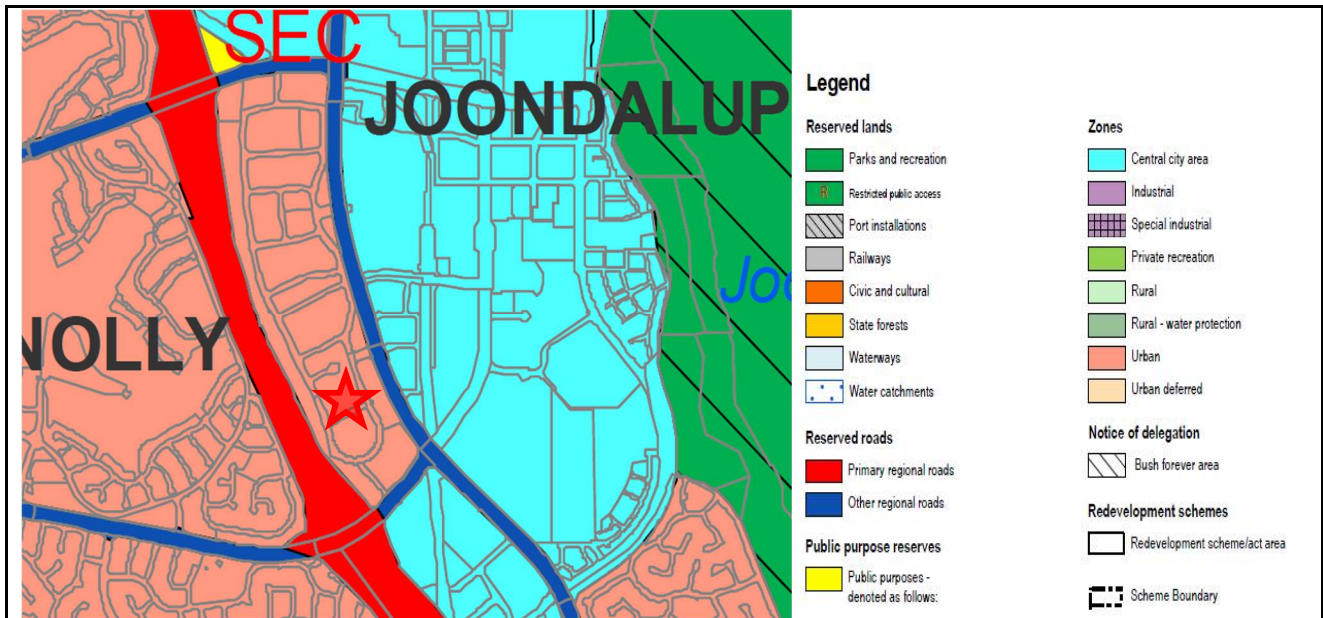


Figure 7 – MRS Map

The development and use of the subject land for ‘Recreation-Private’ purposes is considered to be consistent with the defined intent of its current ‘Urban’ zoning classification under the MRS and may therefore be approved.

6.2 City of Joondalup Local Planning Scheme No.3

The subject land is classified ‘Centre’ zone under the City of Joondalup’s current operative Local Planning Scheme No.3 (LPS No.3) (see Figure 8 – Scheme Map). In addition, LPS No.3 identifies that Lot 27 is located within the ‘Joondalup Activity Centre’ and is within the ‘Joondalup West Precinct’ (Precinct 5).

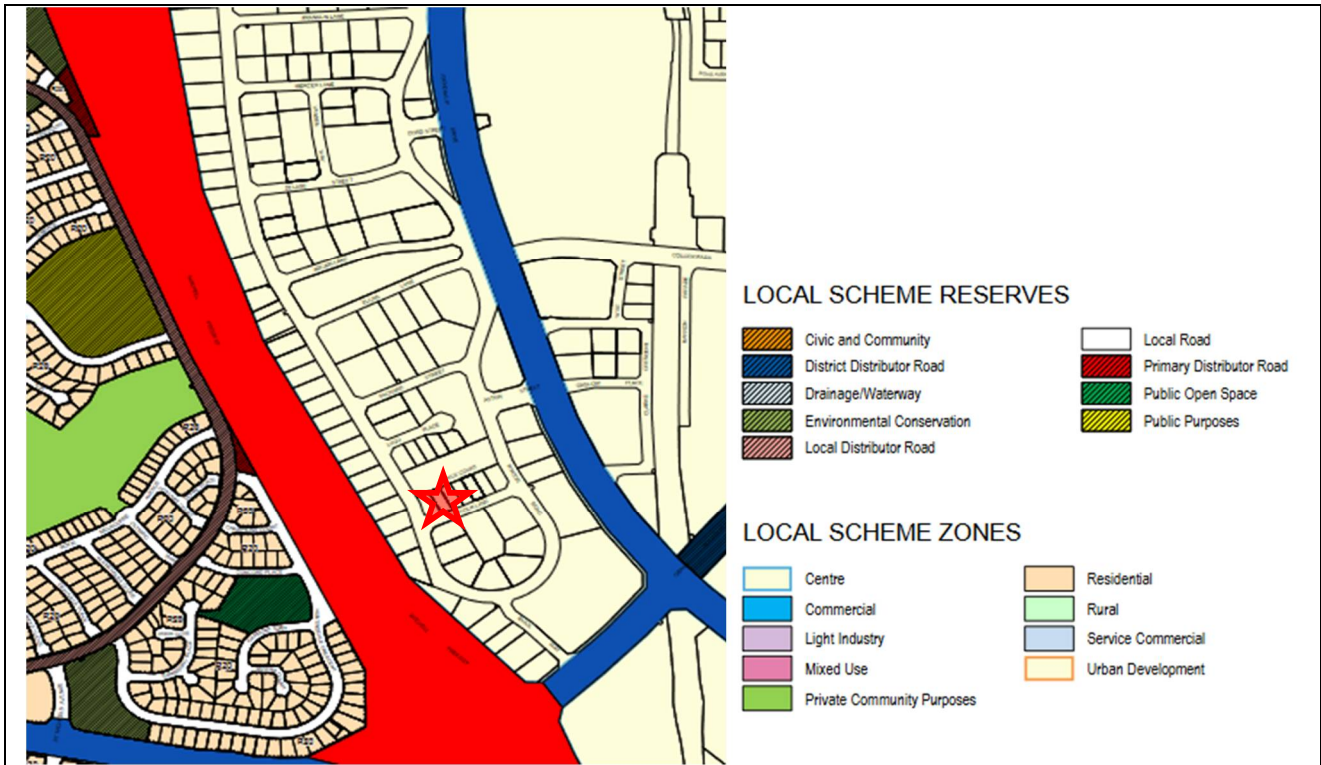


Figure 8 – Local Planning Scheme No.1 Scheme Map

Part 6 of the City’s LPS No.3 provides the definitions for the various uses that would apply to this application. Table 1 below provides an overview of the land use definition and permissibility within the zone, as prescribed in Table 1 (‘Zoning Table’) of LPS No.3, which will apply to the subject land:

Table 1– Land Use & Permissibility

LAND USE	DEFINITION	USE PERMISSIBILITY
Recreation-private	<p><i>means premises that are:</i></p> <p>a) <i>used for indoor or outdoor leisure, recreation or sport; and</i></p> <p>b) <i>not usually open to the public without charge.</i></p>	<p><i>Discretionary (“D”) use, meanings that the use is not permitted unless the local government has exercised its discretion by granting development approval.</i></p>

It is contended the proposed development and use of Lot 27 for the purposes of a recreational climbing facility falls comfortably within the abovementioned land use definition.

The proposed café is being located within the venue and will service the patrons of Portside Boulders. As such, it is concluded that the café use is incidental to the predominant use of the land (being ‘Recreation-Private’) and may therefore be approved. It is noted that the City of Joondalup has historically approved a café within other private recreational uses operating with the Joondalup West Precinct’. As such, the proposed café within the venue has merit in this instance.

The stated objectives for the 'Joondalup West Precinct' under the Activity Plan is as follows:

'Provide a location for businesses with large floor space requirements such as showrooms and bulky goods premises which complement the City Centre.'

In addition to the above, Council's stated objectives for all land classified 'Centre' zone under LPS No.3 are as follows:

- a) *To designate land for future development as an activity centre.*
- b) *To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.*

It is contended the proposed development and use of Lot 27 for the purposes of a 'Recreation-Private' (i.e. climbing facilities) is consistent with the objectives of the 'Joondalup West Precinct' of the City's Activity Plan and the objective of the 'Centre' zoning for the following reasons:

- i) It will allow of a recreational use that requires a larger floor space to undertake the activities, without conflicting with any other sensitive uses that are typically found within the City Centre Core Area;
- ii) It will foster the establishment of a variety of business types/uses and services within the commercial/industrial area, adding to the diversity of current business activity within the Joondalup West Precinct and the City of Joondalup in general;
- iii) It will provide for the establishment of a more intense commercial use (recreational climbing facilities) that will have a peak operating period outside of the core business hours of the Joondalup service commercial area and city centre area, which will provide an activation of the area after the key business hours of the area;
- iv) It will not compromise the continued operation of other commercial activities located within the Joondalup West Area or give rise to any land use or traffic conflicts;
- v) It is consistent with the planning framework set for the Joondalup City Centre; and
- vi) It will not compromise traffic and pedestrian safety within this part of the Joondalup City Centre.

As previously outlined within this report, the City of Joondalup have historically granted approval for 'Recreation-Private' uses within the surrounding area. As such, there is scope for this application to be approved by the City.

6.3 Development Standards

General Development Standards

This application (i.e. change of use) does not include any changes/alterations to the external areas of the existing development (i.e. external facades of the building or the car parking area or existing vehicular access arrangements). Given this, it is contended that the proposed change of use meets the 'deemed to comply requirements' of the City's LPS No.3 and any relevant local planning policies (including the 'Joondalup Activity Centre Plan').

Onsite Car Parking & Access Calculations

The existing development on the land comprises a total of four (4) on-site car parking bays, with vehicular access via one (1) two-way crossover along the land's Lincoln Lane frontage (see Site Development Plans & Figure 2 – Aerial Site Plan). In addition, the subject land contains frontage to a large public car parking area within Royce Court, which contains approximately one hundred and twenty five (125) car parking bays (see Figures 4 & 5).

Following a review of the car parking standards prescribed within the City's 'Joondalup Activity Centre Plan', the provisions outlined for 'non-residential' uses would apply in this instance given the uses proposed on Lot 27.

The definition of Net Lettable Area (NLA) means the area of all floors within the internal finished surfaces of permanent walls but excludes the following areas –

- all stairs, toilets, cleaner's cupboards, lift shafts and motor rooms, escalators, tea rooms and plant rooms, and other service areas;
- lobbies between lifts facing other lifts serving the same floor;
- areas set aside as public space or thoroughfares and not for the exclusive use of occupiers of the floor or building;
- areas set aside for the provision of facilities or services to the floor or building where such facilities are not for the exclusive use of occupiers of the floor or building.

In light of the above definition and for the purpose of this application, the areas being excluded from the on-site car parking calculation will be the toilets.

The following car parking calculations are provided to assist the City's assessment of the application and have been formulated with due regard for the parking standards prescribed in section 1.5.5.1 of the 'Joondalup Activity Centre Plan' (Provision JW5):

Table 2 – Car Parking Calculations

LAND USE	PRESCRIBED PARKING STANDARD	TOTAL FLOOR SPACE	PARKING BAYS REQUIRED
Proposed non-residential uses ('recreation-Private')	1 bay per 75m ² of NLA	697m ²	9.29 bays
Total No. of bays required			10 bays
Total number of on-site parking bays provided			4 bays
Total on-site car parking shortfall			6 bays

As demonstrated by the above table, the proposed use of Lot 27 for 'Recreation-Private' purposes will result in an on-site car parking shortfall of six (6) bays. As such, the following justification is provided in support of the application for the City's consideration:

- i) The existing development and previous use of Lot 27 was non-residential under the 'Joondalup Activity Centre Plan' and would have been approved with the same shortfall in on-site car parking. As such, this application does not change or alter the current approval for the land in terms of car parking provisions;
- ii) As previously outlined within this report, the subject land contains frontage to a large public car parking area within Royce Court, which contains approximately one hundred and twenty five (125) car parking bays (see Figures 4 & 5). Access to this car parking area will assist with the demand generated for parking by the current and proposed use on Lot 27. In addition, it is viewed that the existing development on Lot 27 has historically been granted approval by the City of Joondalup for a shortfall in parking based on the land's frontage/access to the large public parking area in Royce Court;
- iii) The parking demand generated by the proposed use on Lot 27 is considered unlikely to have any detrimental impacts upon the existing amenity, character, functionality and safety of the immediate locality;
- iv) The core business hours of the existing approved uses within the immediate area (i.e. showroom, office & warehouse) are 9am to 5pm Monday to Friday, with many businesses closed during the weekend period. Whereas the peak periods of Portside Boulders (proposed to operate from Lot 27) is evening between 5pm and 7pm. Given the difference in peak trading hours it is reasonable to conclude that the existing public car parking area within Royce Court is capable of being shared without resulting in a significant car parking shortfall and associated conflict;
- v) Having regard for the core business hours of the proposed 'Recreation-Private' use, it is contended that they will not compete for use of the public car parking with the adjoining and nearby businesses that have different core business hours;
- vi) The subject land is in close proximity to a high frequency bus/train routes, which will provide for an alternative means of transportation for the staff and patrons of the proposed recreational use on Lot 27; and
- vii) The payment of a cash-in-lieu contribution for the parking shortfall is considered unnecessary in this particular instance given that Lot 27 has good access to public car parking to satisfy the parking demand likely to be generated by the proposed use of the subject land, accessibility to public transport and the history of approvals granted for the land by the City of Joondalup.

6.4 Bushfire Prone Areas

The subject land has not been identified by the Department of Fire & Emergency Services (DFES) as being located within a designated 'bushfire prone area' (see Figure 9).

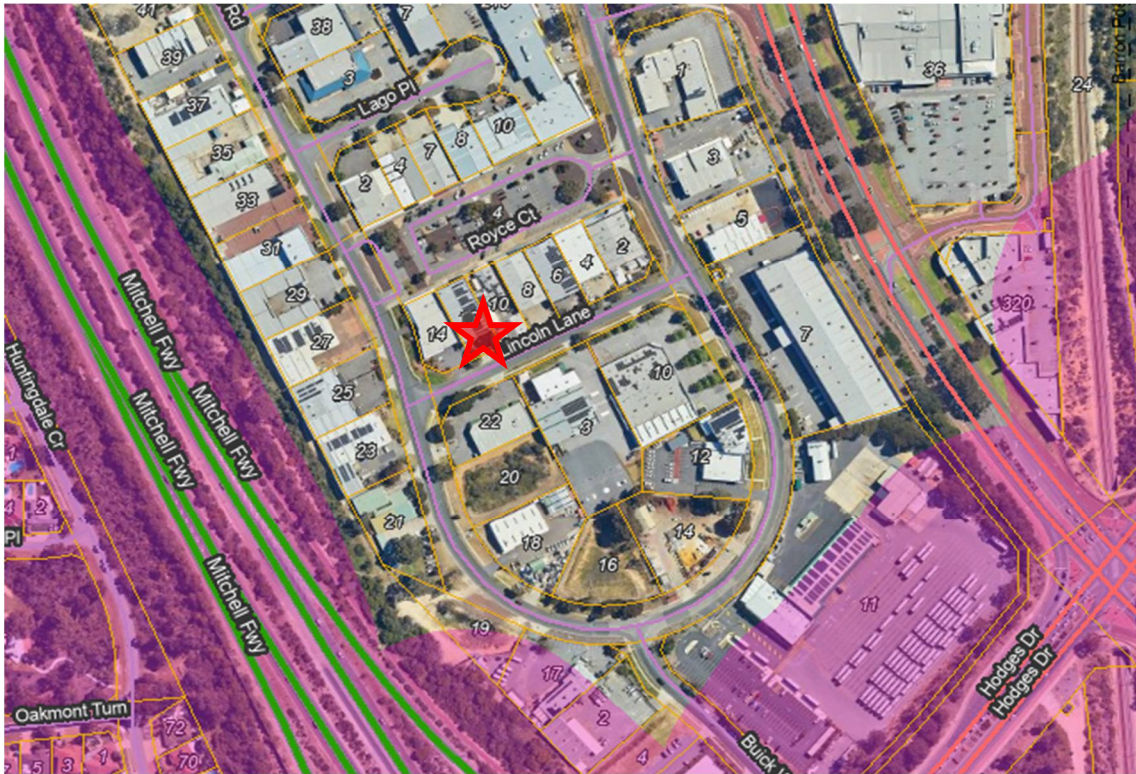


Figure 9 – DFES Bushfire Mapping

6.5 Contaminated Site Investigation

A search of the site under the contaminated sites register has revealed that the land does not have any contamination (see Figure 10). In addition, the subject land is not impacted by floods.

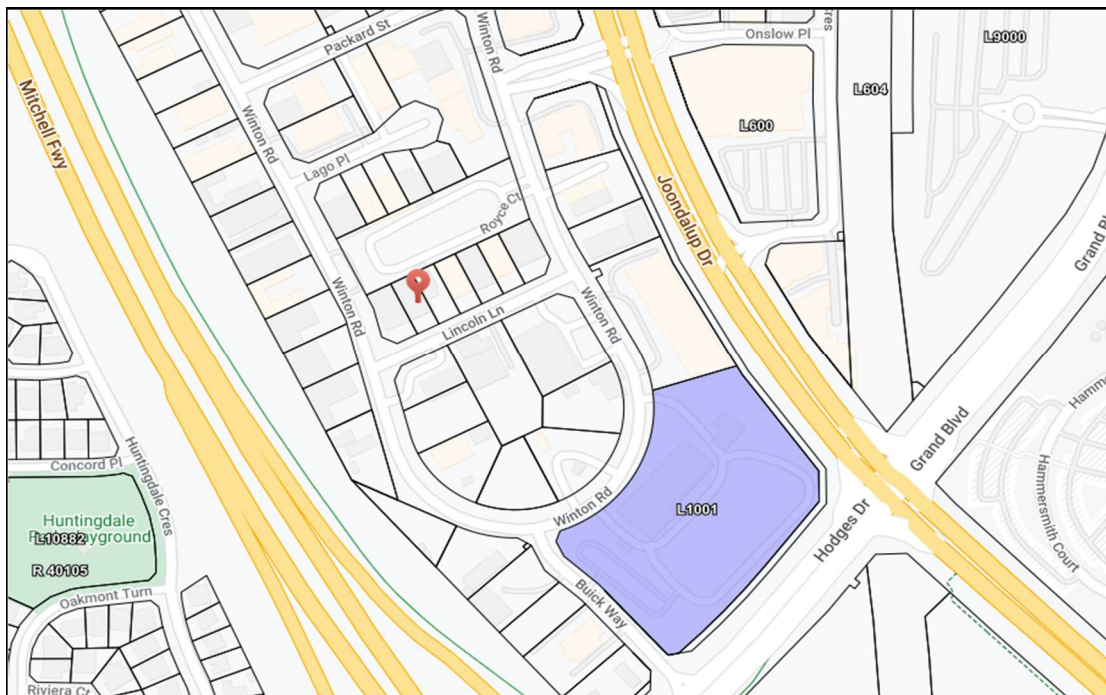


Figure 10 – Contaminated Site Mapping (contaminated site shown in blue)

Planning & Development Consultants

Address: 3/1 Mulgool Road, Malaga WA 6090

Tel: 9249 2158 Mb: 0407384140 Email: carlof@people.net.au

CVF Nominees Pty Ltd ABN: 86 110 067 395

7.0 SUMMARY OF JUSTIFICATIONS

Having regard for all of the above, it is contended the proposed development and use of Lot 27 (No.12) Lincoln Lane, Joondalup for 'Recreation-Private' purposes (i.e. new recreational climbing facility) is suitable and capable of being approved by the City for the following reasons:

- It is consistent with the general objectives of the land's current 'Urban' zoning classification under the Metropolitan Region Scheme.
- It will complement the nearby Joondalup City Centre and provide a much need service for employees within the western part of the City Centre.
- The use is discretionary within the 'Joondalup West Precinct' and may therefore be considered and approved by the City of Joondalup.
- It is consistent with the stated objectives for the 'Joondalup West Precinct' under the 'Joondalup Activity Centre Plan'.
- It is compliant with the various standards and requirements prescribed in LPS No.3 and all associated local planning policies, excluding on-site car parking. Notwithstanding on-site car parking shortfall, it is contended that there is sufficient public car parking available within Royce Court to satisfy the needs of the proposed uses.
- It is complimentary to other existing established commercial and service commercial uses in the immediate locality.
- It will not compromise the existing character, amenity or compatibility of land uses in the immediate locality or give rise to any land use conflicts.
- The proposed use is contained entirely within the confines of the external walls of the existing building and therefore will not have an adverse impact on the visual amenity or character of the immediate locality.
- It will assist with the activation of this part of the commercial/industrial areas within the Joondalup City Centre during the evening periods and on weekends to assist with improved passive surveillance and reduce the potential for crime taking place within the area after hours.
- It is a use commonly found approved within commercial/industrial/city centre areas throughout the Perth Metropolitan Area.
- It will provide for the establishment of a new and well known business in the City of Joondalup, create additional employment opportunities and ensure the productive use of existing vacant, underutilized commercial tenancy within the Joondalup Activity Centre.

8.0 CONCLUSION

The proposed recreational use on the subject land will provide a much needed service within this part of the Joondalup Activity Centre, benefiting the nearby workforce and local community. It is contended that the recreational use will not have any adverse impacts on the existing character of the immediate locality and will provide an activity that operates outside of the core commercial business hours of the service commercial part of the Joondalup City Centre. In addition, the proposed use on Lot 27 will assist with fostering growth and activity within the western part of the Joondalup City Centre.

In light of the above information and justifications, we respectfully request the City of Joondalup's favorable consideration and approval of the development application to change the current approved use of the existing building on Lot 27 (No.12) Lincoln Lane, Joondalup (including all associated internal works) from 'Educational Establishment' to 'Recreation-Private' to establish a climbing facilities business in accordance with the plans prepared in support of this application at the City's earliest convenience.

18 March 2024
CF Town Planning & Development
Planning & Development Consultants