



Statutory Planning Committee

Notice is hereby given that a meeting of the
Statutory Planning Committee will be held on:

Tuesday 11 September 2012
10.00 am

Level 2, Room 2.39
One40 William Street
Perth



Noelene Jennings
Executive Director, Governance and People Services

Statutory Planning Committee

Membership:

Member	Representation in accordance with <i>Planning and Development Act 2005</i>	Term of office ends
Mr Gary PRATTLEY	Chairperson, WAPC Schedule 2 clause 4(2)(a)	20/4/2013
Ms Sue BURROWS	Nominee of the Director General, Department of Planning Schedule 2 clause 4(2)(b)	16/4/2013
Mr Henty FARRAR	Regional Minister nominee Schedule 2 clause 4(2)(c)	26/9/2013
Ms Elizabeth TAYLOR	Community representative Schedule 2 clause 4(2)(d)	1/2/2012
Mr Ian HOLLOWAY	Professions representative Schedule 2 clause 4(2)(e)	1/2/2012
Mayor Carol ADAMS	Local Government representative Schedule 2 clause 4(2)(f)	1/2/2012
Vacant	WAPC Nominee Schedule 2 clause 4(2)(g)	N/A

Quorum: 4

In accordance with the Western Australian Planning Commission (WAPC) Standing Orders 2009, 3.7 - Quorum for meetings:

(2) A quorum for a meeting of a committee is at least 50% of the number of offices (whether vacant or not) of members of the committee.

Role:

Schedule 2(4)(4) of the *Planning and Development Act 2005*

The Statutory Planning Committee is the WAPC's regulatory decision-making body and performs such of the statutory planning functions of the WAPC under the *Planning and Development Act 2005* and Part II of the *Strata Titles Act 1985* as are delegated to the Statutory Planning Committee under section 16 and such other functions as are delegated to it under that section. These functions include approval of the subdivision of land, approval of leases and licenses, approval of strata schemes, advice to the Minister for Planning on local planning schemes and scheme amendments, and the determination of certain development applications under the Metropolitan Region Scheme.

Delegated Authority

- 2.1 Power to determine applications for approval to commence and carry out development lodged with or referred to the WAPC pursuant to the provisions of a region scheme.
- 2.2 Power to approve detailed plans requiring the subsequent approval of the WAPC as a condition of development approval pursuant to the provisions of a region scheme and

power to confirm that conditions imposed by the WAPC on a development approval pursuant to the provisions of a region scheme have been complied with.

- 2.3 Power to determine whether or not proposals and the ongoing implementation of a region scheme comply with conditions (if any) applied pursuant to sections 48F and 48J of the *Environmental Protection Act 1986*.
- 2.4 Power to determine whether or not applications to commence and carry out development are of State or regional importance, or in the public interest, pursuant to any resolution of the WAPC made under a region scheme requiring such determination.
- 2.5 Power to request the Minister for Planning to approve the WAPC disregarding the advice of the Swan River Trust in whole or in part in relation to the approval of development of land within the Riverbank or Development Control Area as defined under the *Swan and Canning Rivers Management Act 2006* where the determining authority is the WAPC.
- 2.6 All functions of the WAPC as set out in -
 - (i) Sections 14(a), 14(c), 34, 97, 98, 100, 104, 105, 106, 107, 109, 110, 111, 134, 135, 136, 138, 139, 140, 142, 143, 144, 145, 147, 151, 153, 154, 157, 169, 185, 214, 215, 216 of the Act;
 - (ii) Town Planning Regulations 1967;
 - (iii) Regulations 21, 22, 24 and 27 of the Planning and Development Regulations 2009;
 - (iv) *Strata Titles Act 1985* or the provisions of a strata or survey-strata scheme;
 - (v) Strata Titles General Regulations 1996;
 - (vi) Section 52 and section 85 of the *Land Administration Act 1997*;
 - (vii) Section 40 of the *Liquor Control Act 1988*;
 - (viii) *Perry Lakes Redevelopment Act 2005*.
- 2.7 Power to determine requests for variations to plans of subdivision where WAPC approval is required pursuant to the provisions of an approved local planning scheme.
- 2.8 Power to provide comment on and grant approval to plans known generally as outline development plans, structure plans and similar plans, and to planning policies and similar documents or amendments thereto, requiring the approval or endorsement of the WAPC pursuant to the provisions of a local planning scheme.
- 2.9 Power to provide comments or advice on behalf of the WAPC to a local government or a redevelopment authority where a provision of a local planning scheme or a redevelopment scheme requires comments from the WAPC.
- 2.10 Power to execute and accept the benefit of easements in gross, covenants in gross, records on title and other instruments for dealings in land for subdivisions, strata subdivisions and developments in accordance with any applicable policy and legislation.
- 2.11 Power to make recommendations to the Minister for Planning in relation to requests from local governments to expend monies paid by subdividing land owners in lieu of setting aside free of cost to the Crown, areas of land for public open space, where such recommendations are in accordance with WAPC policy.

- 2.12 Power to determine whether or not a proposal is likely to have a significant effect on the environment pursuant to section 38(1) of the *Environmental Protection Act 1986* and to refer such proposal to the Environmental Protection Authority.
- 2.13 Power to waive or clear conditions affixed as conditions of approval.
- 2.14 Power to endorse diagrams and plans of survey and deposited plans involving the acquisition and resumption of land created pursuant to Part 11 of the Act and the *Land Administration Act 1997*.
- 2.15 Power to advise the Minister for Planning on any appeal or matter arising therefrom pursuant to Part 14 of the Act.
- 2.16 Power to defend and otherwise deal with applications for review lodged with the State Administrative Tribunal and to appeal, defend, respond and otherwise deal with any matter that may be appealed to the Supreme Court on a question of law.
- 2.17 Power to defend, respond, appeal and otherwise deal with legal proceedings.
- 2.18 Power to prepare and approve, subject to the prior approval of the Minister for Planning, policies relating to planning matters and/or the functions of the WAPC, save and except for State Planning Policies under Part 3 of the Act.
- 2.19 Power to determine matters under Regional Interim Development Orders.

This meeting is not open to members of the public.

RELEVANT INFORMATION FOR MEMBERS

Disclosure of interests

In accordance with the *Planning and Development Act 2005* and Part 6 of the Standing Orders 2009, members of Committees (and certain employees) are required to disclose the following types of interests that they have or persons closely associated to them, have:

- direct and indirect pecuniary interests (financial);
- proximity interests (location); and
- impartiality interests (relationship).

A “**direct pecuniary interest**” means a relevant person’s interest in a matter where it is reasonable to expect that the matter if dealt with by the board or a Committee, or an employee in a particular way, will result in a financial gain, loss, benefit or detriment for the person.

An “**indirect pecuniary interest**” means a relevant person’s interest in a matter where a financial relationship exists between that person and another person who requires a board or Committee decision in relation to the matter.

A “**proximity interest**” means a relevant person’s interest in a matter if the matter concerns -

- (i) a proposed change to a planning scheme affecting land that adjoins the person’s land;
- (ii) a proposed change to the zoning or use of land that adjoins the person’s land; or
- (iii) a proposed development, maintenance or management of the land or of services or facilities on the land that adjoins the person’s land.

An “**Impartiality interest**” means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the member having the interest and includes an interest arising from kinship, friendship, partnership or membership of an association or an association with any decision making process relating to a matter for discussion before the board or a Committee.

Members disclosing any pecuniary or proximity interests for an item can not participate in discussion or the decision making procedure relating to the item and must leave the meeting room during the discussion of the item. Members disclosing an impartiality interest in an item must also leave the room during the discussion or the decision making procedure relating to the item unless the Committee, by formal resolution, allows the member to remain. The reason to allow a member to remain must be stated in the formal resolution and will be minuted.

Disclosure of representations

Where a member has had verbal communication with or on behalf of a person with an interest in a matter which is before a meeting, the member is to disclose the interest.

Where a member is in receipt of relevant written material (including email) from or on behalf of a person with an interest in a matter which is before a meeting, the member is to table the material at the meeting for the information of members and relevant employees.

ORDER OF BUSINESS

1. **Declaration of opening**
2. **Apologies**
3. **Members on leave of absence and applications for leave of absence**
– Ms Sue Burrows
4. **Disclosure of interests**
5. **Declaration of due consideration**
6. **Deputations and presentations**
 - 6.1 **Amendment No. 116 to City of Gosnells TPS No. 6**
Mr Neil Teo, Dynamic Planning and Developments (refers Item 10.1)
7. **Announcements by the Chairperson of the board and communication from the WAPC**
8. **Confirmation of minutes of the meeting of 28 August 2012**
9. **Reports (see attached index of reports)**
10. **Confidential items (see attached index of reports)**
11. **General business**
12. **Items for consideration at a future meeting**

Nil
13. **Closure - next meeting to be held on 25 September 2012**

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

Attendance

Members

Mr Gary Prattley	WAPC Chairman (Presiding Member)
Mayor Carol Adams	Local Government representative
Ms Sue Burrows	Nominee of Director General, Department of Planning
Mr Henty Farrar	Regional Minister's nominee
Mr Ian Holloway	Professional representative
Ms Elizabeth Taylor	Community representative

Officers

Mr Mark Jendrzyczak	Department of Planning Senior Planning Officer, Regional Planning and Strategy (item 9.2)
Ms Cath Meaghan	Director Wheatbelt, Regional Planning and Strategy (item 10.1)

Committee Support

Mr Luke Downes	Committee Support Officer - Department of Planning
----------------	--

7466.1 Declaration of Opening

The Presiding Member declared the meeting open at 10.02 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed members.

7466.2 Apologies

Nil.

7466.3 Members on Leave of Absence and Applications for Leave of Absence

Nil.

7466.4 Disclosure of Interests

Nil.

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

7466.5 Declaration of Due Consideration

No declarations were made.

7466.6 Deputations and Presentations

Nil.

7466.7 Announcements by the Chairperson of the Board and communication from the WAPC

Nil.

7466.8 Confirmation of Minutes

7466.8.1 **Minutes of the Statutory Planning Committee meeting held on Tuesday 14 August 2012**

Resolved

Moved by Mayor Adams, seconded by Ms Burrows

That the minutes of the Statutory Planning Committee meeting held on Tuesday 14 August 2012, be confirmed as a true and correct record of the proceedings.

The motion was put and carried.

7466.9 Reports

7466.9.1

North Alkimos Foreshore Management Plan

File	DP/09/00636
Report Number	SPC/239
Agenda Part	A
Reporting Officer	Executive Director, Strategy Policy and Projects

The Committee agreed to add the words "as now amended" to the end of the recommendation.

Officer's Recommendation

That the Western Australian Planning Commission resolves to endorse the North Alkimos Foreshore Management Plan.

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

Resolved

Moved by Mr Farrar, seconded by Mayor Adams

That the Western Australian Planning Commission resolves to endorse the North Alkimos Foreshore Management Plan as now amended.

The motion was put and carried.

7466.9.2

Local Planning Strategy for Final Endorsement - Shire of Plantagenet

File DP/12/00185/1
Report Number SPC/240
Agenda Part D
Reporting Officer Planning Officer, Great Southern Region

The Committee agreed to add recommendation 3 as follows: "request the response to submission 22 to be expanded and subject to approval of the Chairman."

The Committee agreed to add the word "agreed" into the column titled "Recommended WAPC Response" in attachment 3, submission 47, item 3.

The Committee agreed to remove annexure C from attachment 4, schedule of modifications.

Officer's Recommendation

That the Western Australian Planning Commission resolves to:

1. determine the submissions in accordance with the attached schedule of submissions;
2. endorse the 'July 2011' Plantagenet Local Planning Strategy subject to the modifications in the attached schedule being carried out.

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

Resolved

Moved by Ms Taylor, seconded by Mr Holloway

That the Western Australian Planning Commission resolves to:

- 1. determine the submissions as amended in accordance with the attached schedule of submissions;*
- 2. endorse the 'July 2011' Plantagenet Local Planning Strategy subject to the modifications in the attached schedule being carried out;*
- 3. request the response to submission 22 to be expanded and subject to approval of the Chairman.*

The motion was put and carried.

Moved to item 10.1.

7466.9.3

Subdivision to Create 126 Lots for Residential, Mixed Business, Commercial, Balance Lot Purposes: Lot 9012 Dandaragan Drive, Dawesville

File 146177
Report Number SPC/241
Agenda Part G
Reporting Officer Planning Officer, Peel Planning, Perth and Peel Planning

Resolved

Moved by Mr Farrar, seconded by Ms Taylor

That the Western Australian Planning Commission resolves to approve the application for subdivision of Lot 9012 Dandaragan Drive, Dawesville as shown on the plan date-stamped 30 May 2012. This decision is valid for three years subject to the following conditions and advice:

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

CONDITIONS:

1. *Street corners within the subdivision are to be truncated to the specification of the City of Mandurah to the satisfaction of the Western Australian Planning Commission. (Local Government)*
2. *Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) being constructed and drained at the applicant/owner's cost. As an alternative the WAPC is prepared to accept the applicant/owner paying to the local government the cost of such road works as estimated by the local government subject to the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (Local Government)*
3. *The land being graded and stabilised. (Local Government)*
4. *The applicant/owner is to provide a geotechnical report certifying that the land is physically capable of development prior to the commencement of site works. (Local Government)*
5. *The applicant providing a geotechnical report certifying that any filling or backfilling has been adequately compacted. (Local Government)*
6. *The finished ground levels at the boundaries of the lot(s) the subject of this approval are to match or otherwise co-ordinate with the existing and/or proposed finished ground levels of the land abutting. (Local Government)*

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

7. *A detailed plan demonstrating dual use path/cycleway design to the specifications of the local government is to be submitted prior to the commencement of site works. (Local Government)*
8. *Detailed Area Plans are to be prepared and approved for all lots located in Precincts 3 and 4 of the Florida Neighbourhood Centre Outline Development Plan. (Local Government)*
9. *The proposed Community Purposes Site shown on the approved plan of subdivision being shown on the Deposited Plan as a "Reserve for Community Purposes" and vested in the Crown under Section 152 of the Planning and Development Act 2005, such land to be ceded free of cost and without payment of compensation by the Crown. (Local Government)*
10. *An integrated urban water management plan is to be prepared and implemented as part of the subdivisional works. (Local Government)*
11. *Car parking embayments shall be constructed abutting the proposed neighbourhood shopping lots along the north-south connector road (Dandaragan Drive) and those accessed via a rear laneway to the specification of the City of Mandurah and to the satisfaction of the Western Australian Planning Commission. (Local Government)*
12. *A Notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the Certificates of Title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this notification is to be included on the Deposited Plan. The notification to state as follows:*

"This lot is in close proximity to known mosquito breeding areas. The predominant mosquito species is known to carry Ross River Virus and other diseases."

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

13. Pursuant to section 150 of the Planning and Development Act 2005 (as amended), a restrictive covenant preventing motor vehicle access onto Old Coast Road benefiting Main Roads Western Australia being lodged on the Certificates of Title of the proposed lots, at the full expense of the applicant. (MRWA)
14. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply service to the lot(s) shown on the approved plan of subdivision. (Western Power)
15. The transfer of land as a Crown Reserve, free of cost to Western Power for the provision of electricity supply infrastructure. (Western Power)
16. Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lots shown on the approved plan of subdivision. (Water Corporation)
17. Suitable arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lot/s shown on the approved plan of subdivision. (Water Corporation)
18. Notification in the form of a section 70A notification, pursuant to the Transfer of Lands Act 1983 (as amended) is to be placed on the Certificate of Title of the proposed 'Neighbour Shopping Centre Lot' (as shown on plan no. 688-156B-01) advising that:

"This lot is located within a buffer of a Water Corporation sewer pump station site and may be adversely affected by virtue of odour emissions from that facility." (Water Corporation)

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

19. *The provision of easements for existing or future water, sewerage and/or drainage infrastructure as may be required by the Water Corporation being granted free of cost to that body. (Water Corporation)*

ADVICE:

1. *With regard to Condition 7, the detailed plan is to address all relevant matters, including; paving, manoeuvring spaces, lighting, and crossover location.*
2. *With regard to Condition 10, the size and content of an Integrated Urban Water Management Plan will vary based on the nature and scale of the proposal and should respond only to the specific issues of the site. The Department of Water's Stormwater Management Manual for Western Australia and the Urban Water management plans - guidelines for preparing plans and for complying with subdivision conditions should be used as guidance. These can be located on the Department of Water's website www.water.wa.gov.au.*
3. *With regard to Condition 14, Western Power provides only one point of electricity supply per freehold (green title) lot and requires that any existing overhead consumer service is required to be converted to underground.*
4. *If an existing aerial electricity cable servicing the land the subject of this approval crosses over a proposed lot boundary as denoted on the approved plan of subdivision, satisfactory arrangements will need to be made for the removal and relocation of that cable.*
5. *With regard to Condition 15, the specific location and area of land required is to be to the satisfaction of the WAPC on the advice of the local government and Western Power.*
6. *With regard to Conditions 16 and 17, Water Corporation policy and practice for the locality may involve the provision of land (for plant and works), easements and/or the*

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

payment of financial contributions towards infrastructure. You are advised to contact the Water Corporation.

The motion was put and carried.

7466.9.4

Subdivision: Lot 117 Rosea Close, Maida Vale

File 146195
Report Number SPC/242
Agenda Part G
Reporting Officer A/Planning Manager, Perth and Peel
Planning

Resolved

Moved by Mayor Adams, seconded by Mr Farrar

That the Western Australian Planning Commission resolves to approve the proposed subdivision of Lot 117 Rosea Close, Maida Vale as shown on the plan date stamped 1 June 2012. This decision is valid for three years subject to the following conditions and advice:

- 1. The existing dwelling is to comply with the dwelling requirements of the Residential Design Codes. (Local Government)*
- 2. All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation. (Local Government)*
- 3. Suitable arrangements being made with the local government for the provision of a shared vehicular crossover to service the lot(s) shown on the approved plan of subdivision. (Local Government)*
- 4. The battleaxe accessway(s) being constructed and drained at the applicant/owner's cost to the specifications of the local government. (Local Government)*

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

5. *Stormwater being contained on-site, or connected to the local drainage system, after passing through an appropriate water quality improvement treatment device. (Local Government)*
6. *Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply service to the lot(s) shown on the approved plan of subdivision. (Western Power)*
7. *Suitable arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to lot(s) shown on the approved plan of subdivision. (Water Corporation)*
8. *Suitable arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lot/s shown on the approved plan of subdivision. (Water Corporation)*
9. *Suitable arrangements being made with the Water Corporation for the drainage of the land either directly or indirectly into a drain under the control of that body. (Water Corporation)*
10. *A vehicle access easement being shown on the Deposited Plan over the battleaxe access leg within proposed Lot 1, to the benefit of proposed Lot 2, to the specifications of the Shire of Kalamunda. (Local Government)*
11. *All buildings, outbuildings and/or structures being demolished and materials removed from proposed Lot 1. (Local Government)*

ADVICE:

1. *The approval to subdivide issued by the WAPC should not be construed as an approval to commence development on any*

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

of the lots proposed. Approval to Commence Development may be required to be issued by the local government.

- 2. Existing on-site effluent disposal system(s) are to be decommissioned in accordance with the Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974. A pump-out receipt from a licensed liquid waste contractor is to be provided to the local government as proof of decommissioning.*
- 3. With regard to Condition 1, the Shire advises the applicant that the existing dwelling is to be provided with two car parking spaces.*
- 4. The applicant is reminded of their obligations to comply with the Environmental Protection Amendment Regulations (No 2) 2000, whereby vegetation to be removed shall not be burnt on site.*
- 5. The applicant is advised that the Department of Environment has prepared dust control guidelines for development sites, which inter alia, outline the procedures for the preparation of Dust Management Plans for development sites. Further information on the guidelines can be obtained from the Department of Environment.*
- 6. With regard to Condition 6, Western Power provides only one point of electricity supply per freehold (green title) lot and requires that any existing overhead consumer service is required to be converted to underground.*
- 7. If an existing aerial electricity cable servicing the land the subject of this approval crosses over a proposed lot boundary as denoted on the approved plan of subdivision, satisfactory arrangements will need to be made for the removal and relocation of that cable.*

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

8. *With regard to Condition 7, 8 and 9, the Water Corporation policy and practice for the locality may involve the provision of land (for plant and works), easements and/or the payment of financial contributions towards infrastructure. You are advised to contact the Water Corporation.*
9. *In respect of Condition 11, if any portion of the existing building is to be demolished to facilitate the proposed subdivision, a Planning Approval and/or Demolition Licence is to be obtained from the local government prior to the commencement of demolition works.*

The motion was put and carried.

7466.9.5

Reconsideration of Conditions 8 and 9 to Subdivision Approval: Lot A40 and Lot 100 McMahon Road, North Dandalup

File 143485
Report Number SPC/243
Agenda Part G
Reporting Officer Delegated Officer, Peel Planning, Perth and Peel Planning

Resolved

Moved by Ms Taylor, seconded by Ms Burrows

That the Western Australian Planning Commission has reconsidered its decision dated 6 September 2011 and has resolved as follows:

1. *To vary its decision by modifying Conditions 8 and 9 and inserting new advice note 12. Conditions 8 and 9 and advice note 12 are to read as follows:*

Condition 8

8. *Arrangements being made with the local government for:*

- (a) *the upgrading and/or construction of McMahon Road as a 6.2m wide sealed pavement with 1.5m wide shoulders (with 0.5m of the shoulder sealed), with 100%*

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

of the total cost of the works to be met by the owner/developer; and

- (b) *the McMahon Road bridge over the North Dandalup River to be widened from 4.2m to 7.2m, including upgrading of the railings, with 100% of the total cost of the works to be met by the owner/developer. (Local Government)*

Condition 9

9. *Arrangements being made with the local government for the upgrading and/or construction of Lakes Road at the intersection of McMahon Road, with 100% of the total cost of the works to be met by the owner/developer. (Local Government)*

Advice Note 12

12. *With regard to Condition 8, the owner/developer of Lot 100 and A40 McMahon Road will be 100% responsible for pre-funding the total overall bridge upgrading and construction. The developer may liaise through the local government for the option of the works to be coordinated on their behalf.*

The local government has indicated that it is prepared to contribute 100% of the cost of upgrading and sealing the existing road surface of the bridge (up to a width of 4.2 metres), subject to funding being made available through the MRWA 10 Year Bridge Program.

The motion was put and carried.

Moved to item 10.2.

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

7466.10 Confidential Items

7466.10.1 Land Exchange Agreement - Turquoise Coast Development (Jurien Bay)

File DP/11/02460/1
Report Number SPC/244
Agenda Part D
Reporting Officer Director Wheatbelt, Regional Planning and Strategy

THIS ITEM IS CONFIDENTIAL

Moved to item 9.3.

7466.10.2 Shire of Sandstone Local Planning Scheme No. 2 - Resolution to Prepare a Scheme

File TPS/0913
Report Number SPC/245
Agenda Part E
Reporting Officer Planning Officer, Central Regions

THIS ITEM IS CONFIDENTIAL

7466.11 General Business

7466.11.1 Membership Status

Ms Taylor queried the status of the Committee's membership. The Chairman advised that the memberships are currently with Cabinet and will be approved in the near future.

7466.11.2 Thank you and goodbye to Committee Support Officer

The Chairman, on behalf of members, wished to thank Committee Support Officer, Luke Downes for his contributions, guidance and support during his duration of managing the Statutory Planning Committee.

7466.12 Items for Consideration at a Future Meeting

Nil.

Statutory Planning Committee

Minutes
of ordinary meeting 7466
held on Tuesday 28 August 2012

7466.13 Closure

The next ordinary meeting is scheduled for 10.00 am on 11 September 2012.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 10.46 am.

PRESIDING MEMBER _____

DATE _____

UNCONFIRMED

INDEX OF REPORTS

Item	Description
9	REPORTS
	D GENERAL ITEMS
	9.1 STATE PLANNING POLICY (SPP) 3.2 ABORIGINAL SETTLEMENTS LAYOUT PLAN AMENDMENTS
	9.2 DROVERS PLACE PRECINCT LOCAL STRUCTURE PLAN NO.80 - AMENDMENT 1
10	CONFIDENTIAL REPORTS
	B LOCAL PLANNING SCHEMES / AMENDMENTS
	10.1 CITY OF GOSNELLS - TOWN PLANNING SCHEME NO.6 AMENDMENT NO.116 - FOR FINAL APPROVAL
	C SUBDIVISIONS / AMALGAMATIONS
	10.2 FINAL ENDORSEMENT OF CAVERSHAM STRUCTURE PLAN
	E MINOR LOCAL OR REGIONAL PLANNING SCHEMES
	10.3 LEEMAN AND GREEN HEAD TOWNSITE EXPANSION STRATEGY FOR FINAL ENDORSEMENT
	10.4 AMENDMENT 10 TO THE SHIRE OF NORTHAMPTON LOCAL PLANNING SCHEME NO. 9 FOR FINAL APPROVAL



ITEM NO: 9.1

FINAL ENDORSEMENT OF CAVERSHAM STRUCTURE PLAN

WAPC OR COMMITTEE: **Statutory Planning Committee**

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: A/Planning Manager, Metropolitan Planning North East.
AUTHORISING OFFICER: A/Director, Metropolitan Planning, North East
AGENDA PART: C
FILE NO: SPN/0202/2
DATE: 30 August 2012
ATTACHMENT(S): 1 - WAPC decision dated 1 November 2011
2 - Modified Caversham SP
3 - Draft modification to Caversham SP - Cell 2.

REGION SCHEME ZONING: Urban
LOCAL GOVERNMENT: Swan
LOCAL SCHEME ZONING: Residential Development
LGA RECOMMENDATION(S): Approval
REGION DESCRIPTOR:
RECEIPT DATE: 1 June 2012
PROCESS DAYS: 87 days
APPLICATION TYPE: Structure Plan
CADASTRAL REFERENCE: No's 30-31, 39, 48, 60 and 74 and Lots 14, 90, 123, 162 and 200 Arthur Street, Caversham.
No's 29, 38, 40, 43, 64, 72, 141 and Lots 1, 92, 124, 125, 201, 214, 1005 Suffolk Street, Caversham
Lot 889 Patricia St, Caversham
Lot 215 West Swan Road, Caversham
Lots 3, 4, 9, 19, 34, 101, and 103 Benara Road, Caversham
Lots 100 and, 133 and 7983 Waldeck Road, Caversham
Lot 17 Bennett Street, Caversham
Reserve 28024, Lot 7983 Waldeck Road, Lot 34 Benara Road, Lot 162 Arthur Street, Caversham

RECOMMENDATION:

That the Western Australian Planning Commission resolves to:

1. *endorse the Caversham Structure Plan (Structure Plan 150), subject to the following modifications to address modification 1) points 1 and 5 of the original WAPC decision letter dated 1 November 2011:*
 - *The laneway lots directly abutting the 0.44ha public open space are to be redesigned to delete one laneway and introduce a public road to one side of the public open space in accordance with Element 3 of Liveable Neighbourhoods. The road reserve is to be of a sufficient width to accommodate visitor parking to the specifications of the City of Swan;*
 - *An additional annotation being included on the structure plan to require that in relation to the subdivision of residential lots directly abutting open space, at subdivision stage the applicant is to liaise with the City of Swan to ensure provision of adequate visitor parking on adjoining streets to the specifications of the City of Swan.*
 - *Section 4.4.5 and Figure 13 (Opportunities and Constraints plan) of the structure plan report refer to the previous 650 metre interim buffer. These references need to be modified to remove reference to 'interim' and identify the approved 500 metre buffer.*
 - *The mushroom farm buffer depicted on the Caversham SP refers to '500m Interim Buffer to Mushroom farm'. The reference to 'interim' is to be removed.*
 - *An additional annotation being included on the structure plan to note that the location of public open space in Cell 2 is subject to further consideration as part of a proposed modification to the Caversham Structure Plan to address issues relating to poor access, amenity and functionality of the POS adjacent to Reid Highway.*
 - *Deletion of the identification of public open space area 4-7 as public open space. This area functions as a pedestrian accessway. Consequential modifications to the Cell 4 public open space schedule in the Caversham SP document.*
2. *advise the City of Swan of its decision accordingly.*

SUMMARY:

- On the 25 October 2011 the Statutory Planning Committee (SPC) of the Western Australian Planning Committee (WAPC) considered the Caversham structure plan (Caversham SP) and resolved to endorse the structure plan, subject to modifications. (**Attachment 1** - WAPC decision letter dated 1 November 2011)
- The applicant subsequently modified the Caversham SP and forwarded it to the City of Swan for final approval. The City of Swan certified the modified structure plan on 24 May 2012 and has now forwarded it to the WAPC for its endorsement. (**Attachment 2** - Modified Caversham SP)
- The Caversham SP is referred to the SPC for its determination as the WAPC resolution required a buffer to the existing poultry farm to be increased from 200m, as proposed, to 500m. It is recommended that the 200m buffer be supported on the basis of further information which will be discussed in the officer comments section of this report.
- The majority of the modifications required under the WAPC's October 2011 resolution have been made, with the exception of the required modifications to address public open space (POS) backing onto residential land and reference to the mushroom farm buffer as interim. It is recommended that the WAPC endorse the structure plan subject to further minor modifications to address this.

BACKGROUND:

- The Caversham urban development cell was identified for future urban development following a review of the Swan Valley Planning Act 1995 (SVP Act) in 2005. The City of Swan and the proponents have been progressing the structure plan for this locality over a number of years and the endorsement and publication of the Swan Urban Growth Corridor Sub-Regional Structure Plan by the WAPC in February 2009 provided the strategic framework/context for considering and finalising the structure plan.
- The structure plan area is affected by a number of adjacent rural and industrial activities including a poultry farm (meat birds) on Bennett Street, a mushroom farm on Victoria Road to the north of the structure plan area, Austral Bricks to the south of the structure plan area, and viticultural activities on the adjoining rural zoned land to the south and east that is within the SVP Act area. The primary impacts of the adjacent viticultural and poultry farm operations include noise, odour, spray drift and dust.
- The structure plan addresses these environmental issues through the establishment of appropriate buffers between the proposed residential areas and the surrounding rural and agricultural activities on rural zoned land that remains within the Swan Valley Planning Act (SVP Act) area.

- The outcomes provided by the structure plan are generally consistent with those contemplated in the Swan Urban Growth Corridor Sub-Region Structure Plan and with WAPC policy and practice.
- Subdivision and residential development has already commenced within the Caversham SP area.
- On the 25 October 2011 the SPC considered the Caversham SP and resolved to endorse the structure plan, subject to modifications. The required modifications are discussed below in the officer's comments section.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation

Section: Planning and Development Act (2005)
Part 10. Section 135 (Approval of WAPC required for subdivision)

Strategic Plan

Strategic Goal: Planning.
Outcomes: Effective Delivery of Integrated Plans
Strategies: Develop integrated infrastructure and land use plans for the State
Build infrastructure capacity and regulation
Implement State and Regional planning priorities

Policy

Number and / or Name: SPP 3 Urban Growth and Settlement
SPP 3.1 Residential Design Codes
SPP 3.6 Developer Contributions for Infrastructure
SPP 4.1 State Industrial Buffer
SPP 4.3 Poultry Farms Policy
Liveable Neighbourhoods
DC Policy 1.1 Subdivision of land - General Principles
DC Policy 1.7 General Road Planning
DC Policy 2.2 Residential Subdivision
DC Policy 2.6 Residential Road Planning

DETAILS:

Population of approximately 5,500 people at full build out. Approximately 1759 dwellings.

3.5 hectare Primary School Site. Element 8 (R11) of LN notes that primary school sites in urban areas can be reduced below the usual minimum required 4 hectares where there is co-location with adjoining public open space.

Transport network connects to a regional road network including Benara Road, West Swan Road and the future Lord Street extension. The Suffolk Street activity corridor

forms an internal north-south distributor which will provide for a high frequency public transport route and focus for higher density.

Public Open Space (POS) is to be distributed throughout the structure plan with areas of active open space, areas integrating drainage and POS in linear multiple use channels.

Local Community Centre. A 4000m² site co-located with the primary school and public open space to accommodate a multipurpose community centre and oval.

Neighbourhood Centre. A 1.5ha site located in the north western portion of the structure plan area will also service Caversham North structure plan area.

GOVERNMENT AND CORPORATE IMPLICATIONS:

Not applicable.

CONSULTATION:

Consultation has previously been carried in accordance with the requirements of Local Planning Scheme 17. A detailed assessment of the submissions was included in the previous structure plan assessment report to SPC which was considered at the meeting held on 25 October 2011.

OFFICER'S COMMENTS:

Each required modification will be discussed separately below with the required modification in italics and assessment and officer comments following.

Structure plan annotation 4 to be modified to refer to the current 500 metre buffer, measured from the windrow on site. Annotation 4(b) is not supported by the WAPC and is required to be deleted.

Comments

Annotation 4 on the Caversham SP has been modified to refer to the 500m buffer, however both the annotation and the buffer reference on the plan still refer to an *interim* buffer. Reference to interim should be removed. The WAPC has adopted the 500m buffer as the approved buffer and is not considered an interim buffer. Section 4.4.5 and Figure 13 (Opportunities and Constraints plan) of the structure plan report still refer to the previous 650 metre interim buffer. These need to be modified to remove reference to 'interim' and identify the approved 500 metre buffer.

Annotation 4(b), which relates to measures which would enable sensitive development within the 500m buffer, has been deleted as required.

The proposed buffer to the Willorraine Poultry Farm on Lots 12 & 13 Bennett Street to be increased to 500 metres, measured from the cadastral boundary.

Comments

The buffer is depicted unchanged on the Caversham SP at 200m from the Willorraine poultry farm. The applicant has objected to the requirement to increase the buffer to 500m on the following grounds:

- The issue of separation between the poultry farm and residential development was previously considered by the then Town Planning Appeals Tribunal (TPAT) during an 1992 appeal relating to subdivision of land in the Bennett Springs residential estate, which is to the west of Lord Street and adjacent the Caversham SP area. The TPAT appeal decision determined that a 200 metre buffer be established between the poultry farm and the future residential development. Odour modelling was used to support the proposed 200 metre buffer, and the modelling standards and environmental policy guidelines relating to separation distances are not substantially different to the current standards. (A copy of the excerpt from the TPAT decision can be tabled at the SPC meeting if required).
- The City of Swan does not object to the proposed 200m buffer.
- Information has been provided by the City of Swan relating to the nature and number of complaints received from local residents. The information indicates that between December 2009 and August 2012 the City received 7 complaints regarding dust from the poultry farm. The City officer's advice indicates that dust is expected when batches of chickens are removed and the sheds cleaned out. The advice also noted that:
 - odour from the farm does not appear to be a problem;
 - the farm is found to have good (management) practices;
 - the shortest distance from one of the complainants dwellings to the farm sheds was 40 metres, and the greatest distance was approximately 250 metres; and
 - on all occasions of these complaints a City of Swan officer attended the area, and determined that the allegations were not deemed a nuisance under the Health Act 1911.

A copy of this advice can be tabled at the SPC meeting if required.

In November 2010 as part of the draft Caversham SP consultation process, the DEC provided advice to the City of Swan on a number of environmental matters affecting the Caversham SP. The DEC advised that management of issues associated with the poultry farm should be consistent with the WAPC's SPP 4.3 'Poultry Farms Policy' (SPP 4.3), which requires a 500m separation distance from residential dwellings. In respect to the poultry farm, the previous recommendation to the SPC was based on the DEC advice at that time.

Following the applicant's submission of additional information in support of the 200m buffer, further advice has been sought from DEC in respect of the suitability of the proposed buffer. DEC has subsequently advised that 'analysis of complaints records of existing residences nearby the farm is likely to be the key indicator of the suitability of separation distances to sensitive receptors. If WAPC is satisfied that the analysis has been done objectively then DEC has no further comment on the proposed 200 metre buffer.'

As noted, there have been no complaints relating to odour from the poultry farm between December 2009 and August 2012, and the 7 complaints relating to dust were all from residences in close proximity to the farm. The City of Swan advises that the farm has good management practices and the complaints received did not constitute a nuisance under the Health Act 1911. Based on the complaints data from the City of Swan, it appears that the existing farm operation is not causing an adverse impact on the amenity of residents in the immediate locality.

Reference to the Caversham SP indicates that the area impacted by the proposed 200 metre buffer includes a portion of the future Lord Street extension, a permanent drainage basin, and a small section of a R5 coded transition lot. Therefore it is unlikely that any sensitive receptor within the Caversham SP area will be situated within the proposed 200 metre buffer. Further, the noise attenuation measures associated with the Lord Street extension (2.8m high noise wall), when constructed, will further mitigate any amenity impact.

Having regard to the above information, and in particular the advice from DEC regarding analysis of complaints data, it is unlikely that the existing poultry farm operation results in any significant impact on sensitive land uses within the Caversham SP area. Accordingly, it is recommended that the proposed 200m buffer, consistent with the previous TPAT decision, be supported in this instance.

Structure plan annotation 6 to be modified to refer to the 500 metre buffer, measured from the cadastral boundary of the poultry farm. Annotation 6(b) is not supported by the WAPC and is required to be deleted.

Comments

On the basis that the proposed 200m buffer to the Willoraine Poultry Farm is supported, there is no requirement to modify Annotation 6 to reference the 500m buffer. Annotation 6(b), which relates to measures which would enable sensitive development within the 200m buffer, has been deleted as required.

The POS schedule depicted on the structure plan is to be removed. A POS schedule in accordance with Table 11 of Liveable Neighbourhoods is to be prepared and included in the text of the structure plan document.

Comments

The POS schedule previously depicted on the structure plan has been removed. POS tables for each of the Cells have been prepared generally in accordance with Liveable Neighbourhoods 2007 (LN) and are included in the structure plan text. A minimum of 10% POS is provided in each Cell, including areas of at least 8% unrestricted POS, and a maximum 2% restricted POS. The proposed POS arrangements are supported, with the exception of POS 4-7, which will be discussed below.

The location and distribution of POS is to be reviewed. POS areas shown adjacent to the Reid Highway, and backing onto residential land are not supported due to poor access, amenity and functionality.

Comments

The Caversham SP initially proposed a retirement village within Cell 2 which is in the north western area adjacent to Reid Highway. The design of Cell 2 has not been modified on the proposed final Caversham SP. In this regard, the City of Swan is currently considering a request to modify the Caversham SP Cell 2 area (**Attachment 3 – Draft modification to Cell 2**). The proposed modification depicts typical grid style residential street block layout, with centrally located POS. The modification has been advertised in accordance with LPS 17, and is currently being finalised by the City of Swan, pending final endorsement of the Caversham SP. As the modification to Cell 2 has been substantially progressed by the City of Swan, it is not considered necessary to require the proposed POS in Cell 2 to be modified on this structure plan. However, it is recommended that the structure plan be annotated to note that the location of POS in Cell 2 is subject to further consideration as part of a proposed modification to the Caversham Structure Plan to address issues relating to poor access, amenity and functionality of the POS adjacent to Reid Highway.

The location and configuration of other areas of POS have been reviewed and generally modified to improve amenity and functionality, except as discussed below.

There are four areas (two in the western area and two in the central area) where lots are serviced by a 6m wide laneway with the lots directly abutting open space. While LN provides for consideration of lots fronting parks, issues relating to adequacy of access, visitor parking, provision of services and surveillance of the POS need to be addressed. LN (Element 3, Figure 46: *Examples of lot and dwelling layouts to front open space*) provides that laneway lots fronting open space are acceptable where: 'there is a street on the opposite side, the laneway is a maximum length of 80 metres, and the visitor parking is provided on adjoining streets.' Element 2 (R11) also notes that laneway design and layout should: be detailed as rear lane spaces so as to not be

confused with streets, and minimise the use of laneways for metered services and other facilities requiring recesses.

In this instance the laneway lots abutting the central 0.44ha POS are not consistent with LN, as both street-blocks abut the POS, i.e. there is no public street abutting one side of the POS, and the laneways exceed the maximum 80 metre length (130 metres approximately). This raises concerns regarding adequacy of access and visitor parking to the lots and access and usability of the POS. It is recommended that the proponent be required to further modify the structure plan to require the laneway lots abutting the central 0.44ha public open space to be redesigned to delete one laneway and introduce a public road to one side of the public open space in accordance with LN. The road reserve is to be of a sufficient width to accommodate visitor parking.

The remaining three areas where laneway lots abut POS are generally consistent with LN and are supported. However no information has been provided by the applicant detailing potential visitor parking bays on adjoining streets. Accordingly, it is recommended that an additional annotation be required to be included on the structure plan stipulating that at subdivision stage the applicant will need to liaise with the City of Swan to ensure provision of adequate visitor parking on adjoining streets to the specifications of the City of Swan.

POS area 4-7 has been included as restricted use open space. This area will function as a pedestrian access way facilitating pedestrian access to the primary school and neighbourhood centre. Accordingly, it is not appropriate for this area to be included within the POS calculations. It is recommended that the Cell 4 POS schedule be modified to remove area 4-7. While this will result in a shortfall of POS within Cell 4 (9.86% provision), there is a minor surplus of POS across the overall structure plan area and the 10% required POS will still be met for the structure plan area as a whole.

The structure plan legend is to be modified to introduce a reference to the boundary of the 30 metre deep building envelope depicted on the transition lots.

Comments

The legend has been modified to introduce a reference to the boundary of the 30 metre building envelope.

The deductions from the gross subdivisible area are to be modified as follows:

** The area of the transition lots comprising the 30 metre deep building envelope is not supported as a deduction from the gross subdivisible area. The area of the transition lots outside the 30 metre deep building envelope is supported as a deduction from the gross subdivisible area.*

** The structure plan is to be annotated to state that if in future the area of the transition lots that is outside the 30 metre building envelope becomes available for development, then a POS contribution will be required for this area of land.*

Comments

The structure plan and related text have been modified to only include the area outside the 30m building envelope as a deduction from the gross subdivisible area. An additional annotation (Annotation 10) has been included to stipulate that if in future the area of the transition lots that is outside the 30 metre building envelope becomes available for development, then a POS contribution will be required for this area of land.

The areas of POS & drainage located adjacent to Waldeck Road (shown hatched on the structure plan) are not considered to perform any recreation function and are to be depicted only as drainage.

Comment

These areas on the structure plan have been modified to remove the POS designation and instead denote these areas as dedicated drainage.

The proponent is to formalise the memorandum of understanding between the City of Swan and the Department of Education prior to the Western Australian Commission's final endorsement of the Caversham structure plan, or provide letters of intent, prior to the Western Australian Planning Commission's final endorsement of the Caversham structure plan.

Comment

The applicant has provided copies of letters of intent from the City of Swan and the Department of Education. (Copies of these letters can be provided to Committee members at the SPC meeting if required).

CONCLUSION

The modified Caversham SP submitted for endorsement incorporates the majority of the changes required under the WAPC's resolution of 25 October 2011. The applicant's request for the WAPC to support of a 200 metre buffer to the Willoraine poultry farm is considered justified based on the additional information provided, and the recent advice from DEC that analysis of complaints is likely to be the key indicator of the suitability of separation distances to sensitive receptors. The location of the POS in Cell 2 has not been modified; however Cell 2 has been completely redesigned and is the subject of a separate modification which is being progressed by the City of Swan.

It is recommended that the structure plan be endorsed subject to further modifications relating to provision/configuration of POS and reference to the mushroom farm buffer.

Your Ref: ODP-150
Our Ref: SPN/0202/1
Enquiries: Rob Cull (Ph 6551 9267)

City of Swan
PO Box 196
MIDLAND WA 6936

Attention: John Elliott

Dear Sir

ENDORSEMENT OF CAVERSHAM STRUCTURE PLAN

I refer to your letter dated 2 June 2011 regarding the above matter.

The Western Australian Planning Commission has resolved to:

- 1) Endorse the Caversham Structure Plan, subject to the following modifications:
 - Structure plan annotation 4 to be modified to refer to the current 500 metre buffer, measured from the windrow on site. Annotation 4(b) is not supported by the WAPC and is required to be deleted.
 - The proposed buffer to the Willorraine Poultry Farm on Lots 12 & 13 Bennett Street to be increased to 500 metres, measured from the cadastral boundary.
 - Structure plan annotation 6 to be modified to refer to the 500 metre buffer, measured from the cadastral boundary of the poultry farm. Annotation 6(b) is not supported by the WAPC and is required to be deleted.
 - The POS schedule depicted on the structure plan is to be removed. A POS schedule in accordance with Table 11 of Liveable Neighbourhoods is to be prepared and included in the text of the structure plan document.
 - The location and distribution of POS is to be reviewed. POS areas shown adjacent to the Reid Highway, and backing onto residential land are not supported due to poor access, amenity and functionality.
 - The structure plan legend is to be modified to introduce a reference to the boundary of the 30 metre deep building envelope depicted on the transition lots.

- The deductions from the gross subdivisible area are to be modified as follows:
 - The area of the transition lots comprising the 30 metre deep building envelope is not supported as a deduction from the gross subdivisible area. The area of the transition lots outside the 30 metre deep building envelope is supported as a deduction from the gross subdivisible area.
 - The structure plan is to be annotated to state that if in future the area of the transition lots that is outside the 30 metre building envelope becomes available for development, then a POS contribution will be required for this area of land.
 - The areas of POS & drainage located adjacent to Waldeck Road (shown hatched on the structure plan) are not considered to perform any recreation function and are to be depicted only as drainage.
 - The proponent is to formalise the memorandum of understanding between the City of Swan and the Department of Education, or provide letters of intent, prior to the Western Australian Commission's final endorsement of the Caversham structure plan.
- 2) Note the technical appendices accompanying the Caversham structure plan as supporting documents to guide the assessment of subdivision and development for this area.
- 3) In consideration of the Caversham structure plan the Committee notes with concern the visual impact of the fence as proposed under the Transition Lot Management Plan, but notes that the City of Swan supports the structure plan, so it should satisfy itself as to the visual impact.

Following completion of these modifications, please return three copies of the Structure Plan to the WAPC for its final approval.

Should you wish to discuss this matter further, please contact the assigned planning officer listed above.

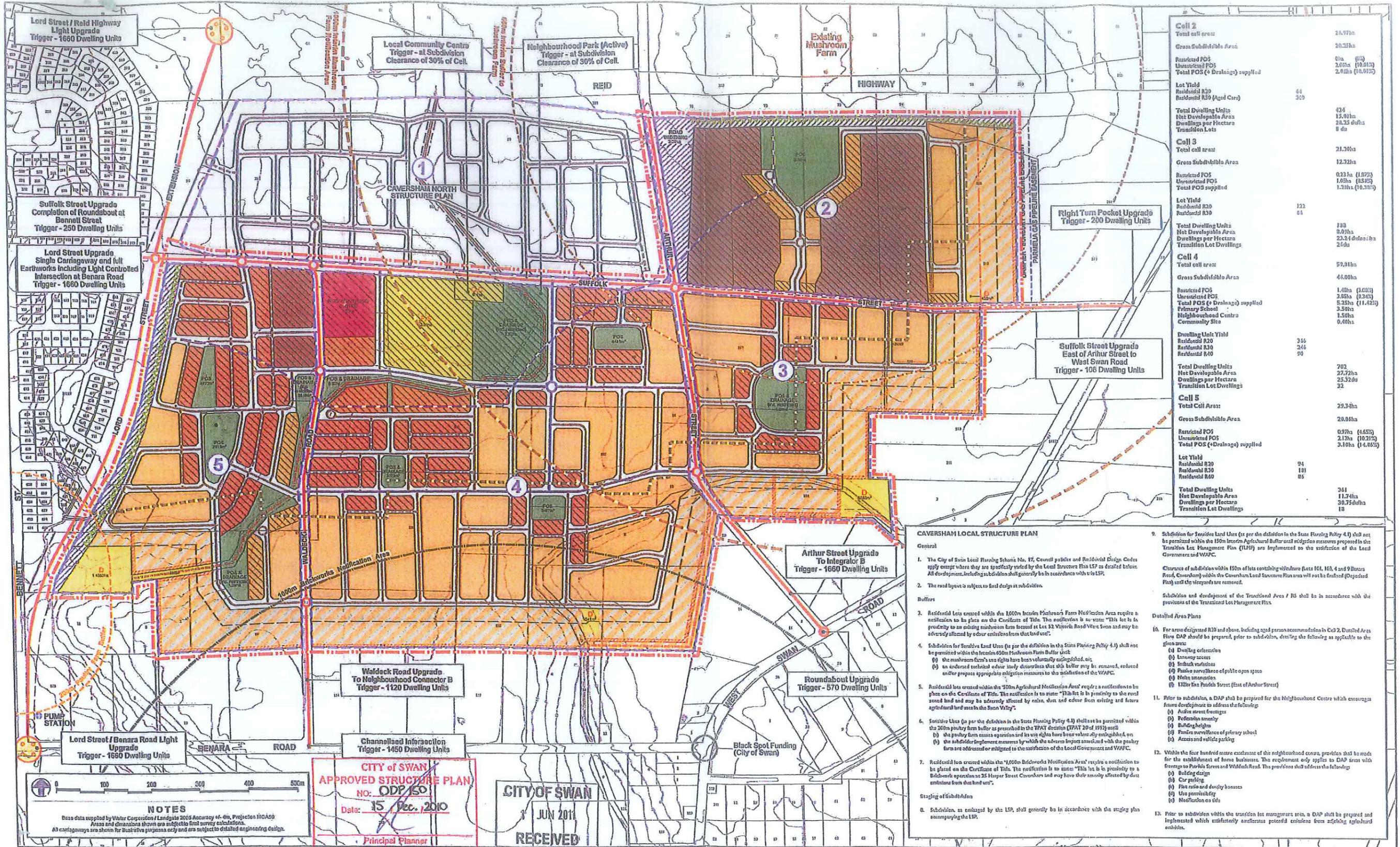
Yours faithfully



Neil Thomson
Acting Secretary
Western Australian Planning Commission

01 November 2011





Cell 2	Total cell area:	24.77ha
	Gross Subdivisible Area:	20.23ha
	Restricted FOS:	0ha (0%)
	Unrestricted FOS:	2.05ha (10.01%)
	Total FOS (+ Drainage) supplied:	2.05ha (10.01%)
	Lot Yield:	
	Residential R20:	64
	Residential R30 (Aged Care):	309
	Total Dwelling Units:	373
	Net Developable Area:	15.91ha
	Dwellings per Hectare:	23.45dwha
	Transition Lot Dwellings:	8 dwh
Cell 3	Total cell area:	21.20ha
	Gross Subdivisible Area:	12.32ha
	Restricted FOS:	0.23ha (1.87%)
	Unrestricted FOS:	1.03ha (8.52%)
	Total FOS supplied:	1.26ha (5.92%)
	Lot Yield:	
	Residential R20:	122
	Residential R30:	64
	Total Dwelling Units:	186
	Net Developable Area:	9.07ha
	Dwellings per Hectare:	20.51dwha
	Transition Lot Dwellings:	2 dwh
Cell 4	Total cell area:	59.01ha
	Gross Subdivisible Area:	45.00ha
	Restricted FOS:	1.40ha (3.05%)
	Unrestricted FOS:	2.85ha (6.34%)
	Total FOS (+ Drainage) supplied:	4.25ha (9.14%)
	Primary School:	1.50ha
	Neighbourhood Centre:	0.40ha
	Community Site:	0.40ha
	Dwelling Unit Yield:	
	Residential R20:	336
	Residential R30:	246
	Residential R40:	90
	Total Dwelling Units:	702
	Net Developable Area:	27.72ha
	Dwellings per Hectare:	25.32dwha
	Transition Lot Dwellings:	32
Cell 5	Total Cell Area:	29.34ha
	Gross Subdivisible Area:	20.96ha
	Restricted FOS:	0.97ha (4.65%)
	Unrestricted FOS:	2.13ha (10.21%)
	Total FOS (+Drainage) supplied:	3.10ha (14.86%)
	Lot Yield:	
	Residential R20:	94
	Residential R30:	181
	Residential R40:	86
	Total Dwelling Units:	361
	Net Developable Area:	11.74ha
	Dwellings per Hectare:	30.75dwha
	Transition Lot Dwellings:	18

CAVERSHAM LOCAL STRUCTURE PLAN

General

- The City of Swan Local Planning Scheme No. 17, Council policies and Residential Design Codes apply except where they are specifically varied by the Local Structure Plan LSP as detailed below. All development, including subdivision shall generally be in accordance with this LSP.
- The road layout is subject to final design at subdivision.

Buffers

- Residential Lots created within the 1000m Interim Mushroom Farm Notification Area require a notification to be placed on the Certificate of Title. The notification is to state: "This lot is in proximity to an existing mushroom farm located at Lot 52 Victoria Road West Swan and may be adversely affected by odour emissions from that land use".
- Subdivision for Servitude Land Uses (as per the definition in the State Planning Policy 4.1) shall not be permitted within the Interim 650m Mushroom Farm Buffer until:
 - the mushroom farm's use rights have been voluntarily extinguished, or
 - an endorsed technical advice study determines that this buffer may be removed, reduced and/or progress appropriate mitigation measures to the satisfaction of the WAPC.
- Residential lots created within the 500m Agricultural Notification Area require a notification to be placed on the Certificate of Title. The notification is to state: "This lot is in proximity to the rural zoned land and may be adversely affected by noise, dust and odour from existing and future agricultural land uses in the Swan Valley".
- Servitude Land Uses (as per the definition in the State Planning Policy 4.1) shall not be permitted within the 200m poultry farm buffer as presented by the WAPC decision (IPAT 20 of 1992) until:
 - the poultry farm ceases operation and its use rights have been voluntarily extinguished, or
 - the applicant implements measures by which the adverse impact associated with the poultry farm are addressed or mitigated to the satisfaction of the Local Government and WAPC.
- Residential lots created within the 1000m Brickworks Notification Area require a notification to be placed on the Certificate of Title. The notification is to state: "This lot is in proximity to a brickworks operation at 25 Harper Street Caversham and may have their amenity affected by dust emissions from that land use".

Staging of Subdivision

- Subdivision, as envisaged by the LSP, shall generally be in accordance with the staging plan accompanying the LSP.

9. Subdivision for Servitude Land Uses (as per the definition in the State Planning Policy 4.1) shall not be permitted within the 150m Interim Agricultural Buffer until such measures proposed in the Transition Lot Management Plan (TLMP) are implemented to the satisfaction of the Local Government and WAPC.

Clearance of subdivision within 150m of lots containing vineyards (Lots 161, 163, 4 and 9 Benara Road, Caversham) within the Caversham Local Structure Plan area will not be granted (Dependent Plan) until the vineyards are removed.

Subdivision and development of the Transitional Area / RS shall be in accordance with the provisions of the Transitional Lot Management Plan.

Detailed Area Plans

- For areas designated R30 and above, including aged person accommodation in Cell 2, Detailed Area Plans (DAP) should be prepared, prior to subdivision, detailing the following as applicable to the given area:
 - Dwelling orientation
 - Access to services
 - Street frontages
 - Positive surveillance of public open space
 - Noise attenuation
 - 1200m East Patricia Street (East of Arthur Street)
- Prior to subdivision, a DAP shall be prepared for the Neighbourhood Centre which encourages future development to address the following:
 - Active street frontages
 - Pedestrian amenity
 - Building heights
 - Positive surveillance of primary school
 - Access and vehicle parking
- Within the four hundred metre easement of the neighbourhood centre, provision shall be made for the establishment of home businesses. The requirement only applies to DAP areas with frontages to Parloia Street and Waldeck Road. The provisions shall address the following:
 - Building design
 - Car parking
 - Site noise and density bonuses
 - Use permeability
 - Notification on title
- Prior to subdivision within the transitional lot management area, a DAP shall be prepared and implemented which satisfactorily addresses potential emissions from adjoining agricultural activities.

CITY OF SWAN
APPROVED STRUCTURE PLAN
 NO: ODP/150
 Date: 15 Dec, 2010
 Principal Planner

CITY OF SWAN
 JUN 2011
RECEIVED

- LEGEND**
- CAVERSHAM STRUCTURE PLAN AREA
 - CELL BOUNDARY / NUMBER
 - 18 METRE MULTIPLE USE CORRIDOR (Drainage Channel)
 - DRAINAGE SWALE EASEMENT
 - 75m RESIDENTIAL SETBACK TO HP/GP EASEMENT
 - GAS PIPELINE EASEMENT
 - EXISTING 132kv POWER LINE
 - ACCESS STREET B (18m)
 - ACCESS STREETS (15m)
 - LANEWAY (9m)
 - 950m INTERIM BUFFER TO MUSHROOM FARM
 - 1000m INTERIM MUSHROOM FARM NOTIFICATION AREA
 - 200m POULTRY FARM BUFFER
 - 500m AGRICULTURAL NOTIFICATION AREA
 - 1000m BRICKWORKS NOTIFICATION AREA
 - 150m INTERIM AGRICULTURE BUFFER
 - PROPOSED MRWA ROAD WIDENING
 - DETAILED AREA PLAN REQUIRED PRIOR TO SUBDIVISION
 - 6 METRE WIDE (4 METRE TRACK) FIRE ACCESS EASEMENT AND DRAINAGE
 - RESIDENTIAL R5 (Transition Lots)
 - RESIDENTIAL R20
 - RESIDENTIAL R25
 - RESIDENTIAL R30
 - RESIDENTIAL R40
 - RESIDENTIAL R50 (Retirement Village)
 - RESIDENTIAL R60
 - GENERAL COMMERCIAL
 - RECREATION (refer figure 20)

- PUBLIC PURPOSES**
- CC CIVIC AND CULTURAL
 - PS PRIMARY SCHOOL
 - D DRAINAGE (refer LWMS)
 - NOISE ATTENUATION (refer clause 4.4.7)
 - ROAD AND INTERSECTION TO BE UPGRADED/WIDENED (refer to OCP and Traffic Strategy and clause 2.1.1)
 - PUMP STATION
 - PROPOSED LIGHT CONTROLLED INTERSECTION (refer clause 2.1.1)
 - ABORIGINAL HERITAGE SITE (DIA ref. 3744)

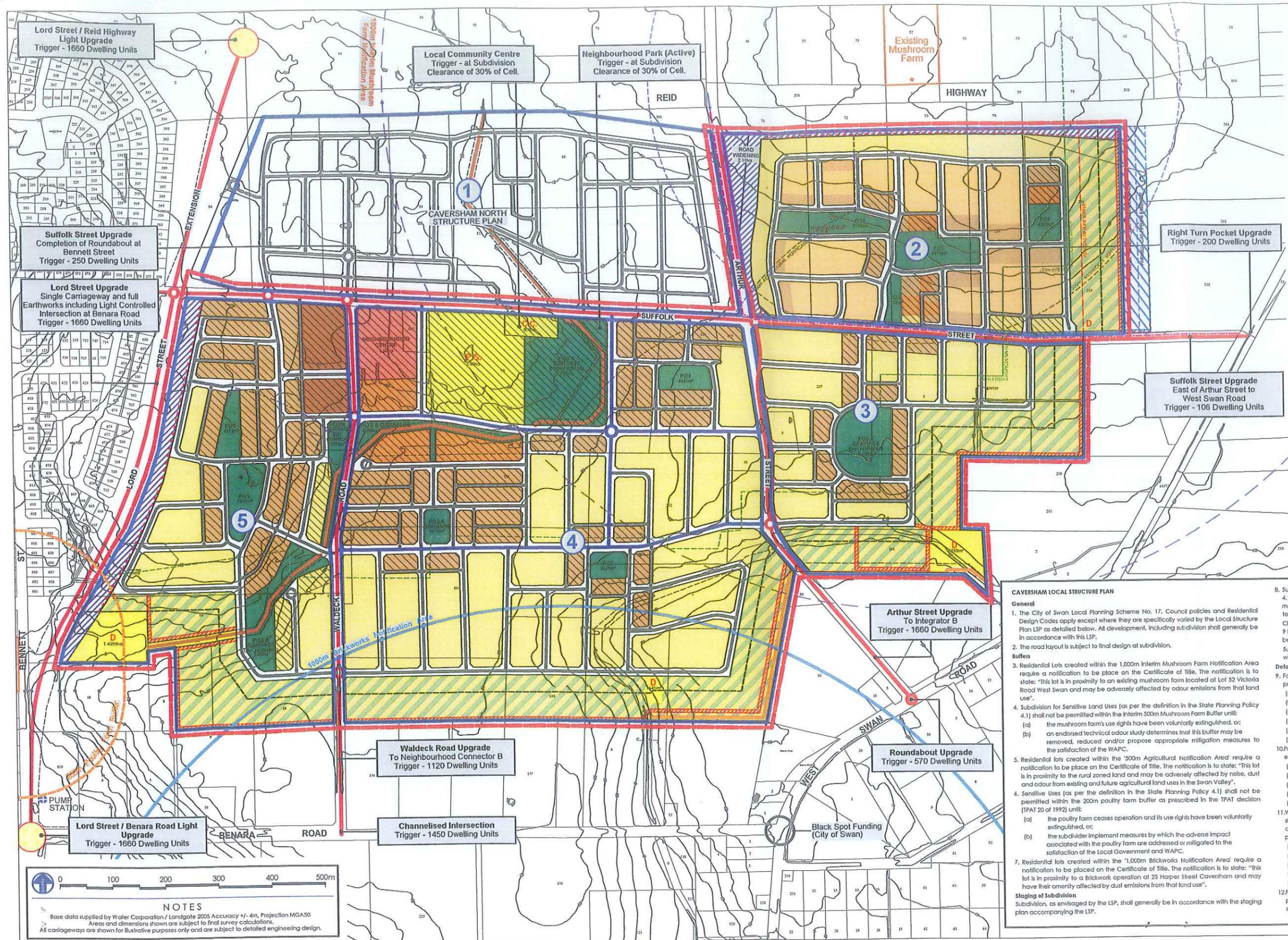
STRUCTURE PLAN - CAVERSHAM

1:5,000 @ A2/17,600 @ A3 SCALE
 2 May 2011 : DATE
 2865-2-001.dgn PLAN No
 y : REVISION
 L.R. : PLANNER
 L.W. : DRAWN
 : CHECKED

RPS

RPS Environment and Planning Pty Ltd
 ACN 108 680 977
 ABN 45 108 680 977
 PO Box 405 Subiaco WA 6004
 38 Station Street
 Subiaco WA 6008
 T+61 8 9211 1111
 F+61 8 9211 1122
 W rpsgroup.com.au

© COPYRIGHT PROTECTS THIS PLAN
 Unauthorised reproduction or alteration
 not permitted. Please contact the author.



NOTE: Cell 2 Modified by Ecoland by 19.04.2017 Plan File -183 CAY PDI 018A

Cell 2	Total cell area:	26.53ha
	Gross Subdivisible Area:	22.1435ha
	Restricted POS:	0.1615ha (0.6%)
	Unrestricted POS:	2.2705ha (10.38%)
	Total POS:	2.4323 (10.98%)
Lot Yield	Residential R12.5:	5
	Residential R20:	52
	Residential R30:	137
	Residential R40:	73
	Residential R60:	26
Total Dwelling Units:	Net Developable Area:	293
	Dwellings per Hectare:	13.89ha
	Transition Lot Dwellings:	21.74du/ha
		9
Cell 3	Total cell area:	12.20ha
	Gross Subdivisible Area:	12.32ha
	Restricted POS:	0.23ha (1.87%)
	Unrestricted POS:	1.05ha (8.51%)
	Total POS supplied:	1.28ha (10.38%)
Lot Yield	Residential R20:	122
	Residential R30:	66
Total Dwelling Units:	Net Developable Area:	188
	Dwellings per Hectare:	8.99ha
	Transition Lot Dwellings:	23.24 du/net ha
		26du
Cell 4	Total cell area:	59.81ha
	Gross Subdivisible Area:	46.00ha
	Restricted POS:	1.40ha(3.06%)
	Unrestricted POS:	3.85ha(8.34%)
	Total POS (+ Drainage) supplied:	5.25ha (11.42%)
	Primary School:	3.50ha
	Neighbourhood Centre:	1.50ha
	Community Site:	0.40ha
Dwelling Unit Yield	Residential R20:	366
	Residential R30:	246
	Residential R40:	90
Total Dwelling Units:	Net Developable Area:	702
	Dwellings per Hectare:	27.72ha
	Transition Lot Dwellings:	25.32du
		32
Cell 5	Total Cell Area:	29.34ha
	Gross Subdivisible Area:	20.86ha
	Restricted POS:	0.97ha (4.65%)
	Unrestricted POS:	2.13ha (10.21%)
	Total POS (+Drainage) supplied:	3.10ha (14.86%)
Lot Yield	Residential R20:	94
	Residential R30:	181
	Residential R60:	66
Total Dwelling Units:	Net Developable Area:	361
	Dwellings per Hectare:	11.74ha
	Transition Lot Dwellings:	30.75du/ha
		18

CAVERSHAM LOCAL STRUCTURE PLAN

General

1. The City of Swan Local Planning Scheme No. 17, Council policies and Residential Design Codes apply except where they are specifically varied by the Local Structure Plan LSP as detailed below. All development, including sub-division shall generally be in accordance with this LSP.

2. The road layout is subject to final design of subdivision.

Buffers

3. Residential Lots created within the 1,000m Interim Mushroom Farm Notification Area require a notification to be placed on the Certificate of Title. The notification is to state: "This lot is in proximity to an existing mushroom farm located at Lot 52 Victoria Road West Swan and may be adversely affected by odour emissions from that land use".

4. Subdivision for Sensitive Land Uses (as per the definition in the State Planning Policy 4.1) shall not be permitted within the Interim 500m Mushroom Farm Buffer until:

- (a) the mushroom farm's use rights have been voluntarily extinguished, or
- (b) an endorsed technical odour study determines that this buffer may be removed, reduced and/or propose appropriate mitigation measures to the satisfaction of the WAPC.

5. Residential lots created within the '500m Agricultural Notification Area' require a notification to be placed on the Certificate of Title. The notification is to state: "This lot is in proximity to the rural zoned land and may be adversely affected by noise, dust and odour from existing and future agricultural land uses in the Swan Valley".

6. Sensitive Uses (as per the definition in the State Planning Policy 4.1) shall not be permitted within the 200m poultry farm buffer as prescribed in the TPAT decision (TPAT 20 of 1992) until:

- (a) the poultry farm ceases operation and its use rights have been voluntarily extinguished, or
- (b) the subdivider implement measures by which the adverse impact associated with the poultry farm are addressed or mitigated to the satisfaction of the Local Government and WAPC.

7. Residential lots created within the '1,000m Brickworks Notification Area' require a notification to be placed on the Certificate of Title. The notification is to state: "This lot is in proximity to a Brickwork operation at 25 Harper Street Caversham and may have their amenity affected by dust emissions from that land use".

Staging of Subdivision

Subdivision, as envisaged by the LSP, shall generally be in accordance with the staging plan accompanying the LSP.

8. Subdivision for Sensitive Land Uses (as per the definition in the State Planning Policy 4.1) shall not be permitted within the 150m Interim Agricultural Buffer until mitigation measures proposed in the Transition Lot Management Plan (TLMP) are implemented to the satisfaction of the Local Government and WAPC.

Clearance of subdivision within 150m of lots containing viticulture (Lots 101, 103, 4 and 9 Benara Road, Caversham) within the Caversham Local Structure Plan area will not be finalised (Deposited Plan) until the vineyards are removed. Subdivision and development of the Transitional Area / R3 shall be in accordance with the provisions of the Transitional Lot Management Plan.

Detailed Area Plans

9. For areas designated R30 and above Detailed Area Plans DAP should be prepared, prior to subdivision, detailing the following as applicable to the given area:

- (a) Dwelling orientation
- (b) Laneway access
- (c) Setback variations
- (d) Passive surveillance of public open space
- (e) Noise attenuation
- (f) 132kv line Patricia Street (East of Arthur Street)

10. Prior to subdivision, a DAP shall be prepared for the Neighbourhood Centre which encourages future development to address the following:

- (a) Active street frontages
- (b) Pedestrian amenity
- (c) Building heights
- (d) Passive surveillance of primary school
- (e) Access and vehicle parking

11. Within the four hundred metre catchment of the neighbourhood centre, provision shall be made for the establishment of home businesses. The requirement only applies to DAP areas with frontage to Patricia Street and Waldeck Road. The provisions shall address the following:

- (a) Building design
- (b) Car parking
- (c) Plot ratio and density bonuses
- (d) Use permissibility
- (e) Notification on title

12. Prior to subdivision within the transition lot management area, a DAP shall be prepared and implemented which satisfactorily ameliorates potential emissions from adjoining agricultural activities.

NOTES
Base data supplied by Water Corporation / Landgate 2005 Accuracy +/- 4m. Projection MGA50
Areas and dimensions shown are subject to final survey calculations.
All carriageways are shown for illustrative purposes only and are subject to detailed engineering design.

LEGEND

- CAVERSHAM STRUCTURE PLAN AREA
- CELL BOUNDARY / NUMBER
- 18 METRE MULTIPLE USE CORRIDOR (Drainage Channel)
- DRAINAGE SWALE EASEMENT
- 75m RESIDENTIAL SETBACK TO HPGTP EASEMENT
- GAS PIPELINE EASEMENT
- EXISTING 132kv POWER LINE
- ACCESS STREET B (18m)
- ACCESS STREETS (15m)
- LANEWAY (6m)
- 500m INTERIM BUFFER TO MUSHROOM FARM
- 1000m INTERIM MUSHROOM FARM NOTIFICATION AREA
- 200m POULTRY FARM BUFFER
- 500m AGRICULTURAL NOTIFICATION AREA
- 1000m BRICKWORKS NOTIFICATION AREA
- 150m INTERIM AGRICULTURE BUFFER
- PROPOSED MRWA ROAD WIDENING
- DETAILED AREA PLAN REQUIRED PRIOR TO SUBDIVISION
- 6 METRE WIDE (4 METRE TRACK) FIRE ACCESS EASEMENT AND DRAINAGE
- RESIDENTIAL R5 (Transition Lots)
- RESIDENTIAL R20

- RESIDENTIAL R25
- RESIDENTIAL R30
- RESIDENTIAL R40
- RESIDENTIAL R60
- GENERAL COMMERCIAL
- RECREATION (refer figure 20)
- CIVIC AND CULTURAL
- PRIMARY SCHOOL
- DRAINAGE (refer LWMS)
- NOISE ATTENUATION (refer clause 4.4.7)
- ROAD AND INTERSECTION TO BE UPGRADED/WIDENED (refer to DCP and Traffic Strategy and clause 2.1.1)
- PUMP STATION
- PROPOSED LIGHT CONTROLLED INTERSECTION (refer clause 2.1.1)
- ABORIGINAL HERITAGE SITE (DIA ref: 3744)

STRUCTURE PLAN - CAVERSHAM

1:5,000@A2/1:7,500@A3 : SCALE
2 May 2011 : DATE
2965-2-001.y.dgn : PLAN No
y : REVISION
L.R. : PLANNER
L.W. : DRAWN
 : CHECKED



RPS Environment and Planning Pty Ltd
ACN 108 680 977
ABN 45 108 680 977
PO Box 465 Subiaco WA 6004
33 Station Street
Subiaco WA 6008
T +61 8 9211 1111
F +61 8 9211 1122



ITEM NO: 9.2

STATE PLANNING POLICY (SPP) 3.2 ABORIGINAL SETTLEMENTS LAYOUT PLAN AMENDMENTS

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Planning Manager – Aboriginal Communities
AUTHORISING OFFICER: Executive Director – Regional Planning and Strategy
AGENDA PART: D
FILE NO: DP/11/00058/1
DATE: 29 August 2012
ATTACHMENT(S): A – Layout Plan Amendment Schedule
B – Layout Plan Living Area Plans

RECOMMENDATION:

That the Western Australian Planning Commission resolves to endorse the Amendments to Layout Plans listed in Attachment A, in accordance with State Planning Policy 3.2.

SUMMARY:

Minor amendment to the endorsed Layout Plans listed at Attachment A are proposed. The amendments proposed are a consequence of the conversion of those map-sets from CAD to GIS. State Planning Policy 3.2 (SPP3.2) provides that if an amendment to a Layout Plan is of a minor nature the WAPC is the only endorsement required.

Endorsement of all Layout Plan listed at Attachment A as minor amendments is recommended.

BACKGROUND:

The Department of Planning, on behalf of the WAPC and the Department of Housing, is the custodian of a suite of 150 Layout Plans prepared under SPP 3.2.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation *Planning and Development Act 2005*
Section: Part 3 – State Planning Policies
Strategic Plan
Strategic Goal: Planning
Outcomes: Effective Delivery of Integrated Plans

Strategies: Develop integrated infrastructure and land use plans for the state.
Policy
Number / Name: State Planning Policy 3.2 – Aboriginal Settlements

DETAILS:

Since the publication of SPP3.2 in August 2000 all Layout Plan map-sets have been prepared using a variety of computer-aided-design (CAD) formats. All Layout Plan map-sets are currently being converted to a common user geographic information systems (GIS) format.

This conversion process requires a comprehensive re-development of the map-set and includes a number of data and content upgrades, including the establishment of new Settlement Layout lots (SL-lots), the inclusion of recommended settlement zones, modification to ensure land-use areas accord with Aboriginal Settlements Guideline 1, inclusion of drinking water source protection areas, incorporation of updated cadastre, and many other general improvements.

GOVERNMENT AND CORPORATE IMPLICATIONS:

Layout Plans guide housing, infrastructure and enterprise development on Aboriginal Settlements. Converting the Layout Plan map-sets to a GIS format will enable Shared Land Information Platform (SLIP) functionality. This means that agencies and authorities that use the Layout Plans will be able to access digital versions for analysis and design use. Layout Plans will be the first suite of WAPC statutory plans to be comprehensively established and maintained in GIS.

CONSULTATION:

None required or undertaken.

OFFICER'S COMMENTS:

The map-sets for Layout Plans for Aboriginal communities are being converted from CAD to GIS. This has resulted in a myriad of technical changes to content and illustration of Layout Plan map-sets, which are effectively an amendment to that plan.

This is a minor amendment as the myriad changes made to content and illustration are of a technical nature. As such, under provision 6.14 the endorsement of the WAPC only is required.

Establishing the Layout Plan suite in GIS will improve the functionality of those plans when used by associated agencies and authorities and endorsement of the consequent amendments is recommended.

Endorsement of all Layout Plan listed at Attachment A as minor amendments is recommended.

Attachment A

Layout Plan	Layout Plan Number	Amendment Number(s)
Bidan	1	1
Cosmo Newberry	1	2
Djugerari	1	1
Jarlmadangah Burru	2	2
Jimbalakudunj	1	1
Kadjina	1	2
Kalumburu	2	5
Looma	2	2 & 3
Mingullatharndo	2	1
Mt Margaret	1	1
Mulga Queen	1	1
Ngalingkadji	1	1
Ngumpan	1	1
Pandanus Park	1	4 & 5
Punmu	2	1
Wangkatjungka	1	2, 4 & 5
Weymul	2	1
Yungngora	2	3 & 4



Government of Western Australia
Department of Housing



0 40 80 120
Metres

Legend

- Land Use**
- commercial
 - community
 - industrial
 - open space
 - public utility
 - recreation
 - residential
 - road reserve
- Exclusion Boundary**
- drinking water
 - source without protection zone
 - fuel storage
 - industry
 - power station
 - utility
 - wastewater
- Land Administration**
- settlement layout (SL)
 - settlement zone
- Features**
- tree
 - electricity pole
 - fuel tank
 - hydrant
 - public telephone
 - telecommunications tower
 - wastewater pump
 - water tank
 - windmill
 - telecommunications cable
 - track
 - wastewater pipe
 - water pipe

MCA Zone S1, CDA 04
Top 10: 483240, 632680
Bottom right: 490270, 630280

Layout plan prepared by Department of Planning

Existing cadastral data supplied by the Western Australian Land Information Authority. (Licence GJ 348-2007-3)

OLP derived from Cosmo Newberry Draft Community Layout Plan as approved by Hamlet Shire.

As-constructed detail supplied by Simlar Right Mark. Last completed survey date 30/09/2006

April 2011 aerial image provided by the Western Australian Land Information Authority. (Licence LJ 430-2009-4)

Cosmo Newberry LP1 - Living Area.mxd

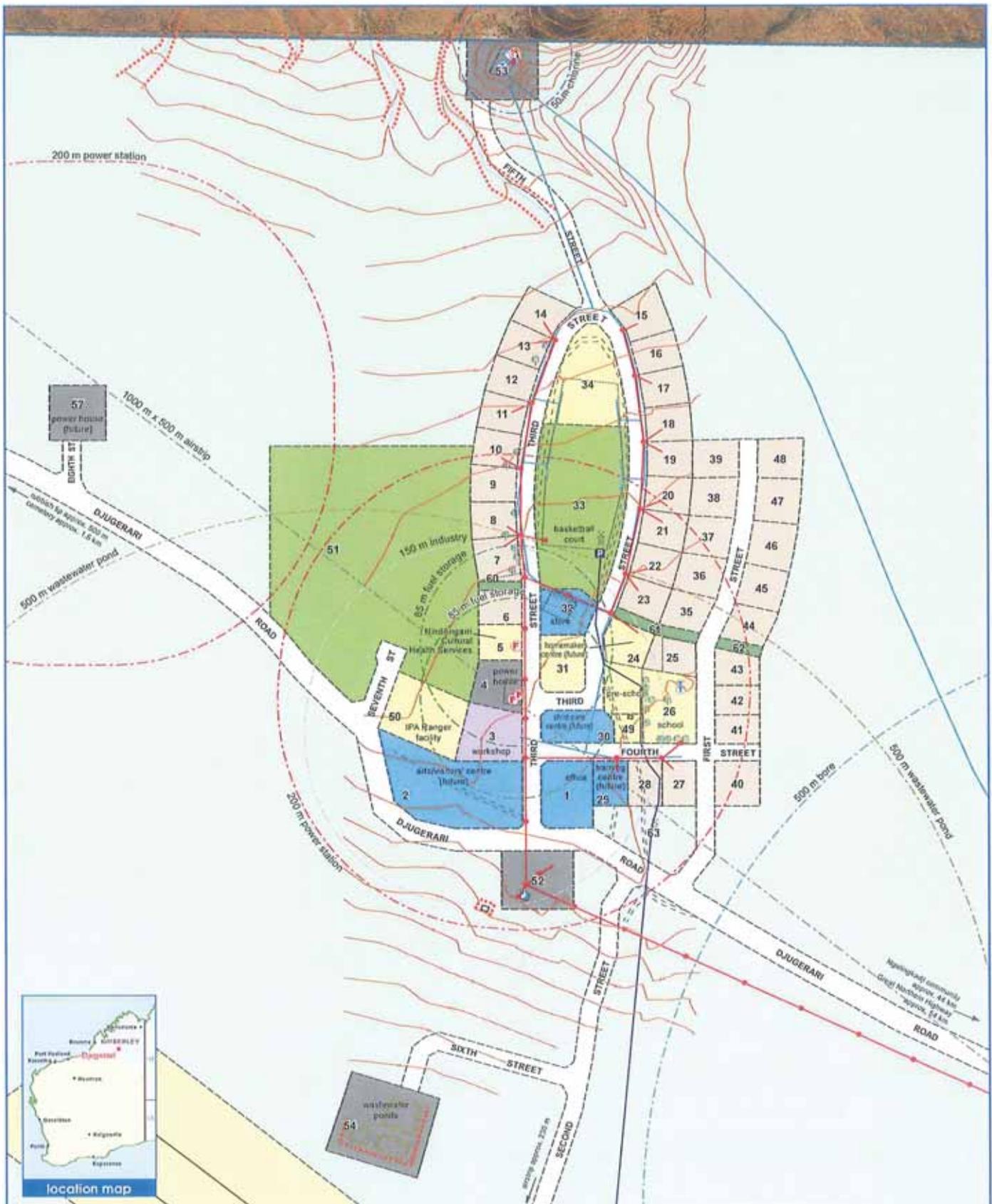
Western Australian Planning Commission Copyright © 2012

Settlement layout not derived from cadastral dimensions

Endorsement	
Community	19 May 2000
Local Government	24 August 2000
Traditional Owners	-
WAPC	21 August 2001

This layout plan does not constitute development approval and it is the responsibility of the developer to ensure that all relevant permits, approvals, licences and notices are in place prior to commencing physical works on the site. Organisations responsible for such activities may include local government, independent planning boards, native title representative body, Department of Environment & Conservation, Aboriginal Cultural Materials Commission, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.





WGAZ/ur/51_GDA/04
 Pg 1 of 16/1915_201010
 Edition 04/1 - 25/06/2010 10:23

Layout plan prepared by Department of Planning

Reading material also supplied by the Western Australian Land Information Authority (08 9437 2000-6)

Reference date of controls 02/03/2012

All unconflicted survey data provided by Department of Planning. Last unconflicted survey date 21/08/2014

July 2012 aerial image provided by Esri/Google

Copyright © Living Area/Amendment

Western Australian Planning Commission Copyright © 2012

Software copyright and control flow as indicated in annotations

Endorsement	
Community	20 October 2010
Local Government	26 August 2010
Traditional Owners	-
WAPC	14 December 2010

This layout plan does not constitute development approval. It is the responsibility of the developer to ensure that all relevant controls, approvals, permits and consents are in place prior to commencing of work on the site. Obligations regarding such matters may include but are not limited to government, incorporated community, church, welfare, religious, industry, Department of Environment & Conservation, Aboriginal Cultural Heritage Committee, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of State.

Exclusion Boundary

- drinking water
- drinking water source without protection zone
- fuel storage
- industry
- power station
- utility
- wastewater

Land Use

- commercial
- community
- industrial
- open space
- pedestrian access way
- public utility
- recreation
- residential
- road reserve
- waterway

Features

- bar
- chicken storage
- electricity pole
- fuel tank
- hydrant
- public telephone
- significant trees
- telecommunications tower
- water pump
- water tank
- as constructed
- contour
- electricity network
- fence
- fuel pipe
- ridge line
- telecommunications cable
- track
- wastewater pipe
- water pipe

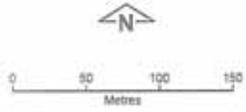
Land Administration

- calibrate
- recommended settlement zone
- settlement layout (SL) & SL lot number

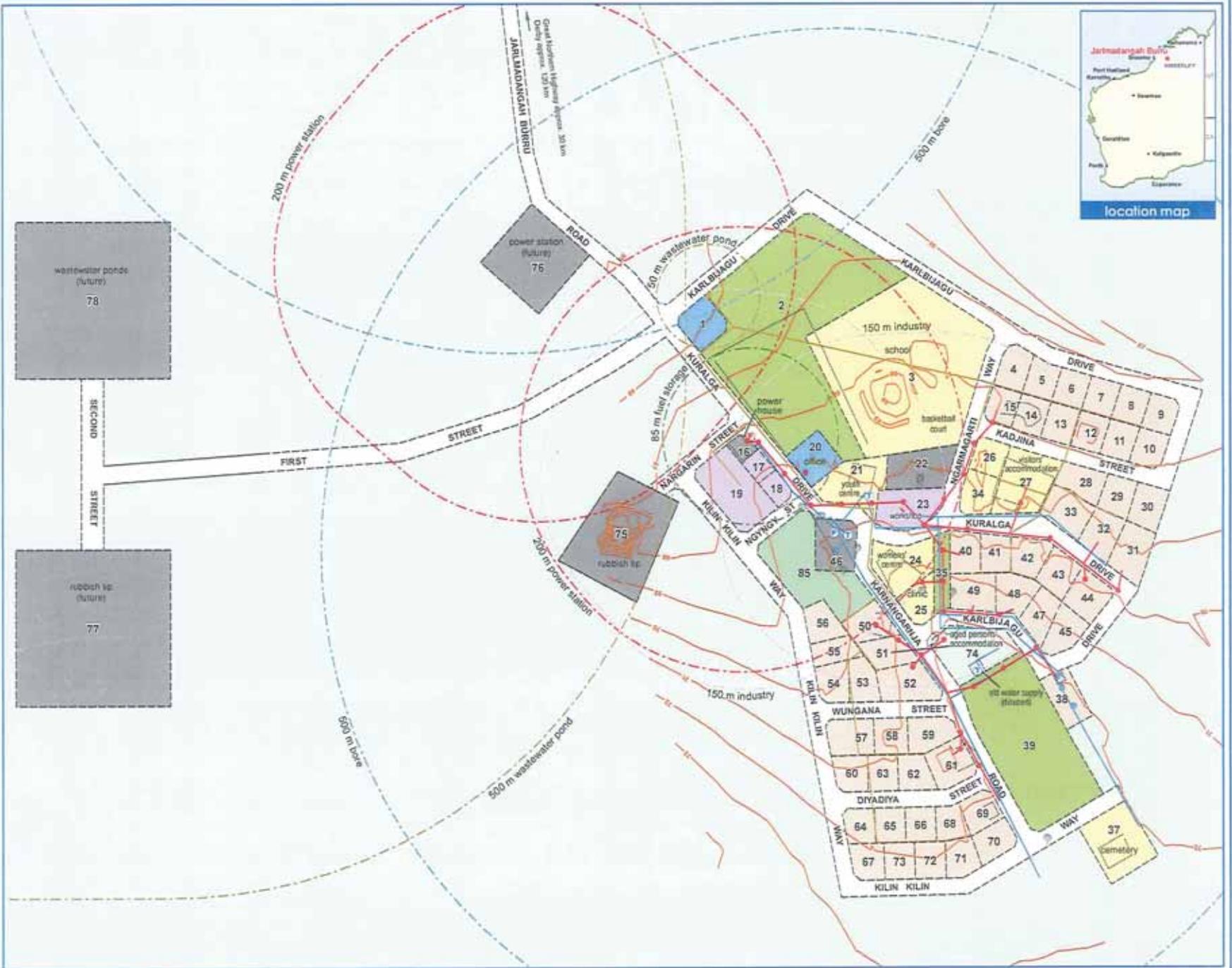
Western Australian Planning Commission
 Government of Western Australia
 Department of Housing

Scale: 0 25 50 75 Meters

Djugerari Layout Plan 1 - Living Area Amendment 1



- Legend**
- Land Use**
- commercial
 - community
 - industrial
 - open space
 - public utility
 - recreation
 - residential
 - road reserve
 - rural
- Exclusion Boundary**
- drinking water source without protection zone
 - fuel storage
 - industry
 - power station
 - wastewater
- Land Administration**
- cadastre
 - settlement layout (SL)
 - 21 SL lot numbers
- Features**
- benches
 - electricity poles
 - fuel tank
 - significant trees
 - contour
 - electricity network
 - fence
 - telecommunications tower
 - wastewater pump
 - water pump
 - water tank
 - wastewater pipe
 - water pipe



MGA Zone 51, CDA 54
 Top left: 106113, 803620
 Bottom right: 607350, 8007590

Layout plan prepared by Department of Planning

Existing cadastral data supplied by the Western Australian Land Information Authority (Licence L1 430-2009-4)

Features derived from as-constructed survey data provided by Department of Housing
 Last completed survey date 01/12/2004, updated 06/06/2005

July 2007 aerial images provided by Landgate

Jarlmadangah Burru LP2 - Living Area.mxd

Western Australian Planning Commission Copyright © 2012

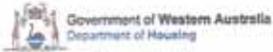
Settlement layout not derived from measured dimensions

Endorsement	
Community	1 May 2007
Local Government	8 June 2007
Traditional Owners	
WAPC	24 July 2007

This layout plan does not constitute development approval and is the responsibility of the developer to ensure that all relevant permits, approvals, licences and clearances are in place prior to commencing physical works on the site. Organisations responsible for such matters may include land owner, local government, occupier, community groups, native title representative body, Department of Environment & Conservation, Aboriginal Cultural Materials Council, Environmental Protection Authority, Department of Conservation & Employment Protection and Department of State.

Jarlmadangah Burru Layout Plan 2 - Living Area

Amendment 2



Legend

- Land Use**
- commercial
 - community
 - industrial
 - open space
 - public utility
 - recreation
 - residential
 - road reserve
 - rural
- Exclusion Boundary**
- fuel storage
 - industry
 - power station
 - wastewater
- Land Administration**
- zodcasts
 - recommended settlement zone
 - settlement layout (SL)
 - SL lot numbers
- Features**
- bars
 - electricity pole
 - fuel tank
 - hydrant
 - contour
 - electricity network
 - fence
 - public telephone
 - significant trees
 - telecommunications tower
 - water tank
 - ridge line
 - telecommunications cable
 - water pipe

MGA Zone 51, DGA 94
 Top left: 673720, 8021500
 Bottom right: 674850, 8020560

Layout plan prepared by Department of Planning

Existing cadastral data supplied by the Western Australian Land Information Authority. (Licence LJ 430-2009-2)

All-constructed survey data provided by Sinclair Knight Merz. Last completed survey date 17/09/2003, updated 01/04/2008.

August 2007 aerial image provided by LandImage.

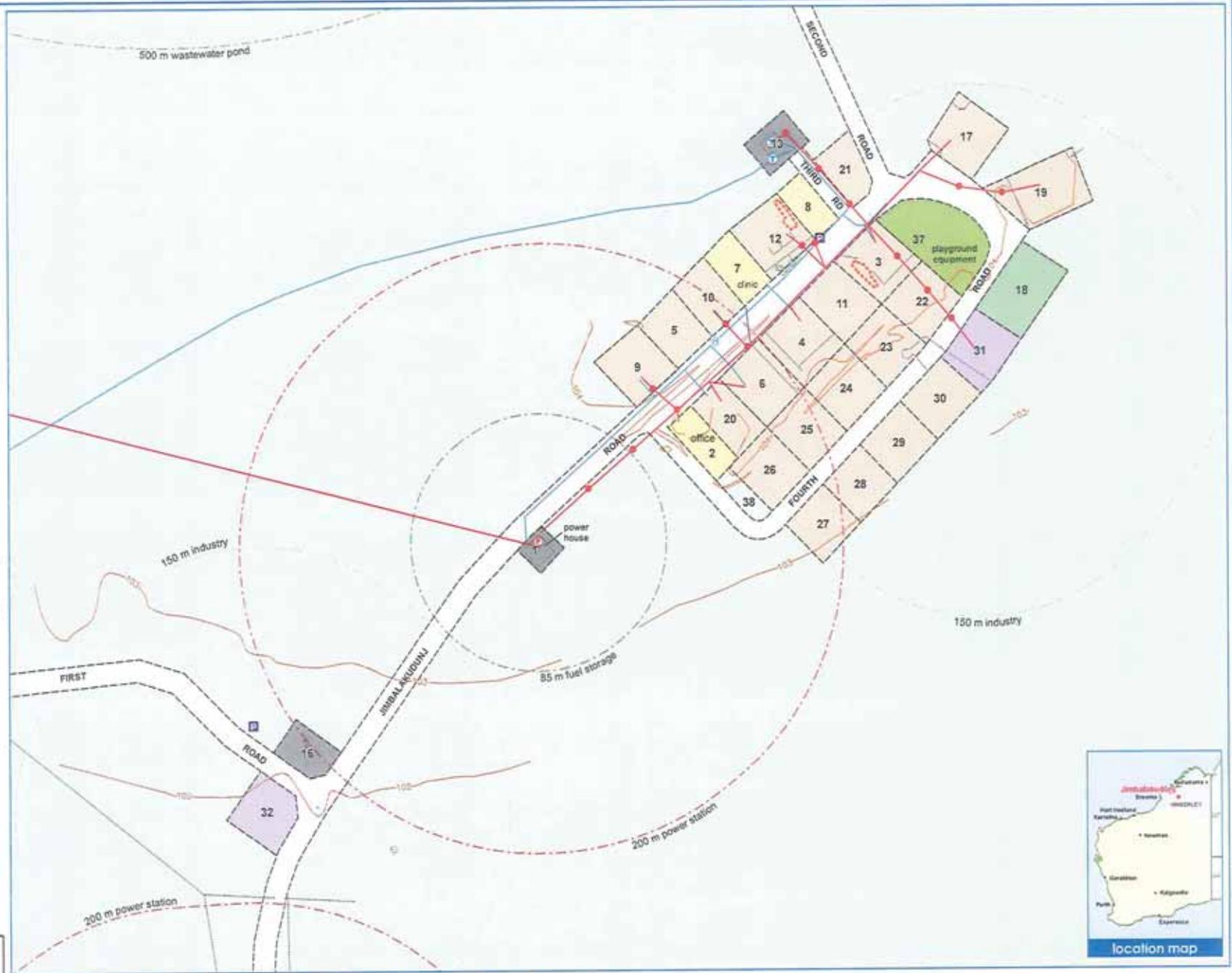
Jimbalakudunj LPI - Living Area.mxd

Western Australian Planning Commission Copyright © 2012

Endorsement layout not derived from calculated dimensions.

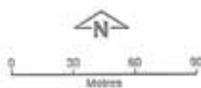
Endorsement	
Community	16 September 2009
Local Government	30 October 2009
Traditional Owners	
WAPC	15 December 2009

This layout plan does not constitute development approval. It is the responsibility of the developer to ensure that all relevant permits, approvals, business and insurance are in place prior to commencing physical works on the site. Organisations responsible for such matters may include land owner, local government, incorporated community groups, native title representative body, Department of Environment & Conservation, Aboriginal Cultural Services Committee, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.



Jimbalakudunj Layout Plan 1 - Living Area

Amendment 1



Legend

- Land Use**
- commercial
 - community
 - industrial
 - open space
 - pedestrian access way
 - public utility
 - recreation
 - residential
 - road reserve
 - rural
- Exclusion Boundary**
- fuel storage
 - industry
 - power station
 - utility
- Land Administration**
- cadastre
 - recommended settlement zone
 - settlement layout (SL)
 - SL lot numbers
- Features**
- bank
 - electricity pole
 - fuel tank
 - public telephone
 - significant trees
 - telecommunications tower
 - water tank
 - contour
 - electricity network
 - force
 - fuel pipe
 - telecommunications cable
 - water pipe

MCA Zone 51, CDA 84
 Top left: 704300, 7917600
 Bottom right: 705125, 7917045

Layout plan prepared by Department of Planning

Existing cadastral data supplied by the Western Australian Land Information Authority. (Source LI 430-0009-2)

Expiry date of cadastre 03/03/2012

Features derived from as-constructed survey data provided by Sinclair Knight Merz.
 Last completed survey date 01/07/2008, updated 28/10/2008

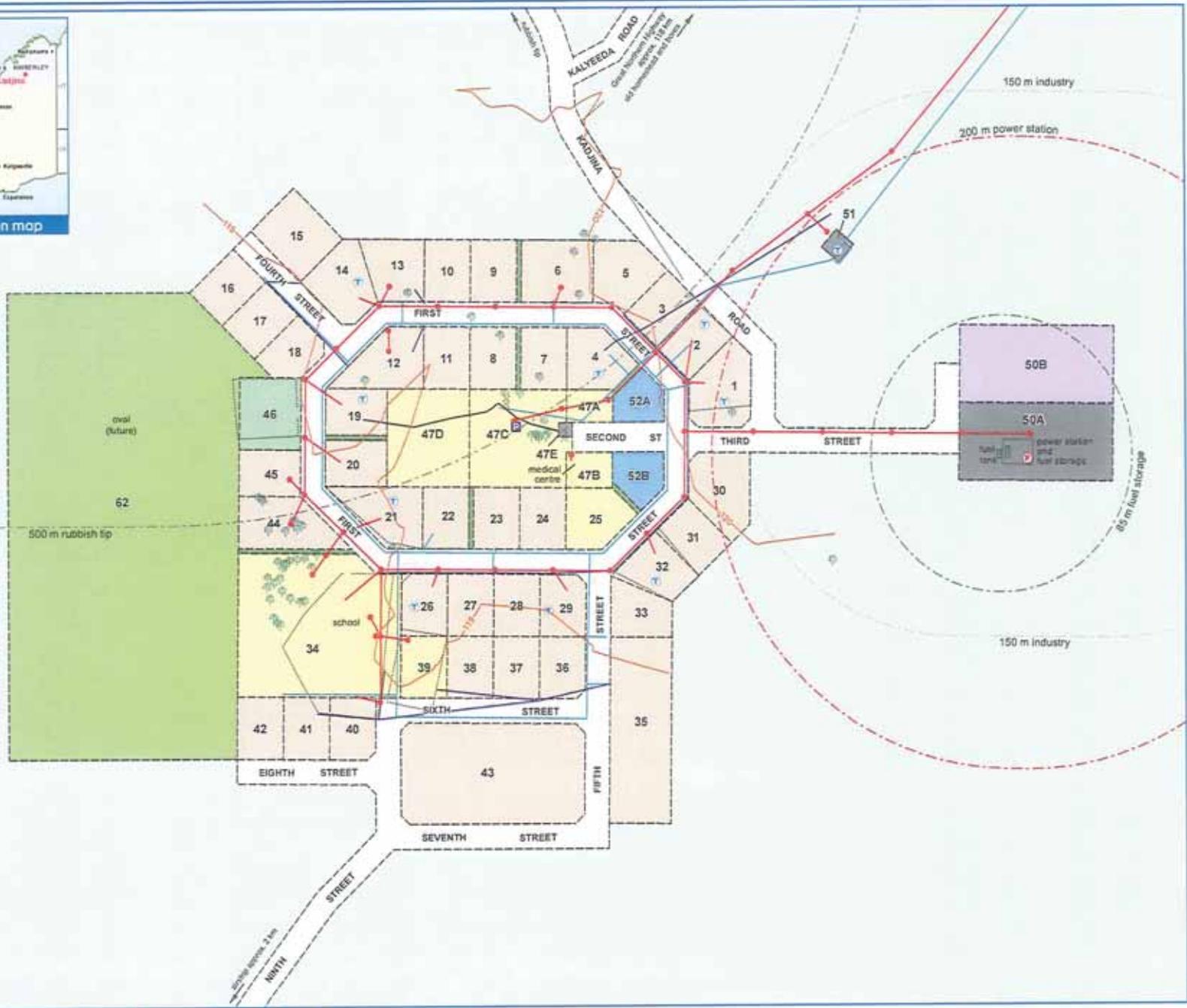
July 2010 aerial image provided by Landgate

Kadajina LPI - Living Area.mxd

Western Australian Planning Commission Copyright © 2010

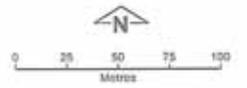
Endorsement	
Community	27 August 2009
Local Government	25 February 2010
Traditional Owners	
WAPC	11 May 2010

This layout plan does not constitute development approval and is the responsibility of the developer to ensure that all relevant permits, approvals, licences and conditions are in place prior to commencing physical works on the site. Developers responsible for such matters may include but are not limited to local government, incorporated community trusts, native title representative body, Department of Environment & Conservation, Aboriginal Cultural Matters Commission, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.



Kadajina Layout Plan 1 - Living Area

Amendment 2



Legend

- Land Use**
- commercial
 - community
 - drinking water source protection area
 - industrial
 - open space
 - public utility
 - recreation
 - residential
 - road reserve
 - rural
 - waterway
- Exclusion Boundary**
- fuel storage industry
 - utility
- Land Administration**
- outside
 - settlement limit (SL)
 - 21 SL lot numbers
- Features**
- boom
 - electrified pole
 - fuel tank
 - hydrant
 - public telephone
 - significant trees
 - telecommunications tower
 - water tank
 - windmill
 - as-constructed features
 - telecommunications cable
 - telecommunications fibre optic cable
 - track
 - wastewater pipe
 - water pipe

MCA Zone S2, ODA S4
 Top left: 245255, 8418020
 Bottom right: 246573, 8417800

Layout plan prepared by Department of Planning

Existing cadastral data supplied by the Western Australian Land Information Authority (Licence LI 430-2009-4)

Erection date of cadastral 03/02/2012

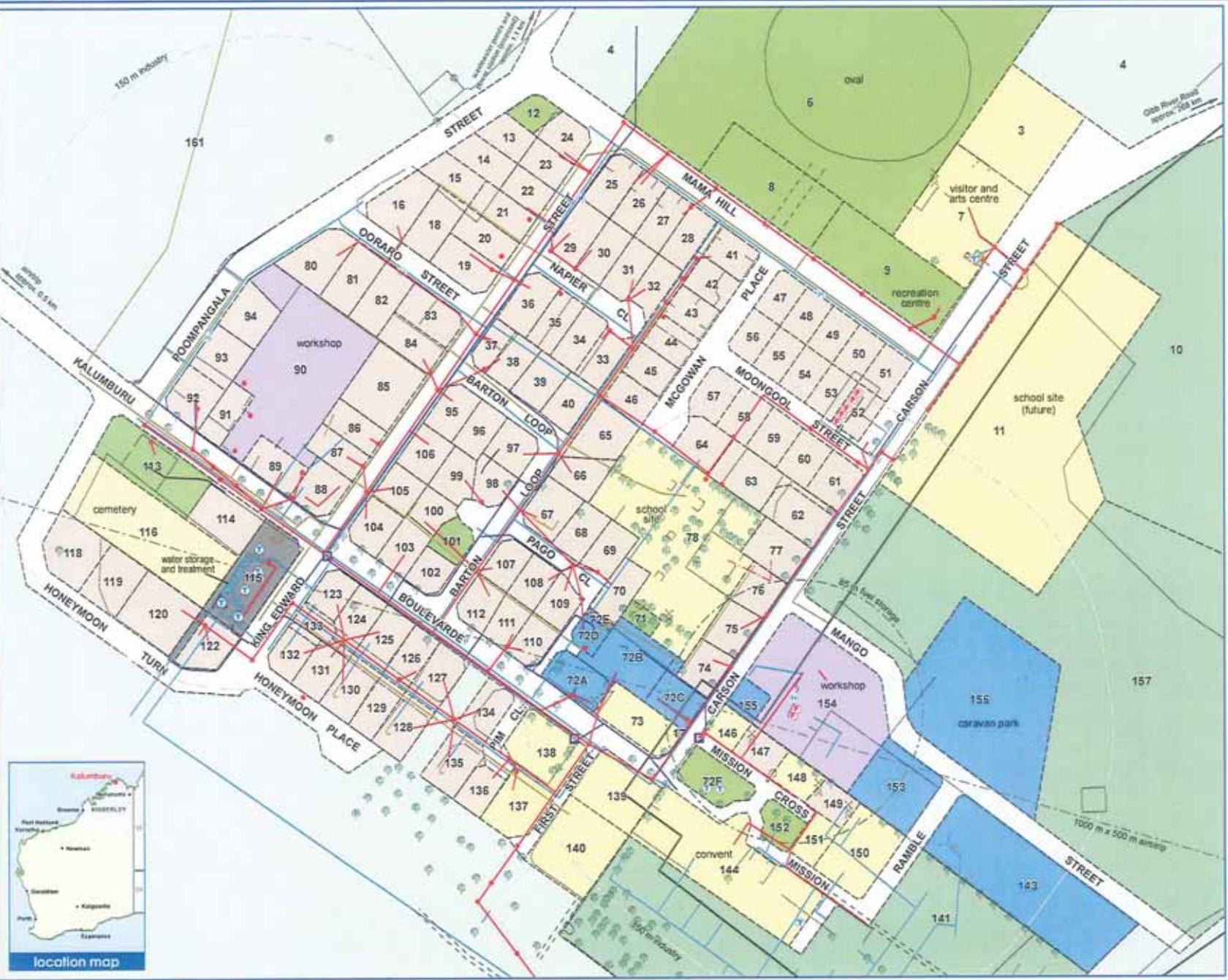
Features derived from as-constructed survey data provided by Department of Housing, C_ID 60
 Last completed survey date 25/11/2008, updated 08/12/2008

May 2007 aerial image provided by Landbase

Kalumburu PL2 - Living Area map

Western Australian Planning Commission Copyright © 2012

Endorsement	
Community	13 December 2004
Local Government	7 July 2005
Traditional Owners	-
WAPC	4 October 2005



This layout plan does not constitute development approval
 It is the responsibility of the developer to ensure that all relevant permits, approvals, notices and consents are in place prior to commencing physical works on the site. Organisations responsible for such matters may include land owners, local government, incorporated community groups, native title representative body, Department of Environment & Conservation, Aboriginal Culture Western Commission, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.

Kalumburu Layout Plan 2 - Living Area **Amendment 5**



Legend

- Land Use**
- commercial
 - community
 - drinking water source protection area
 - industrial
 - open space
 - pedestrian access way
 - public utility
 - recreation
 - residential
 - road reserve
 - rural
 - waterway
- Exclusion Boundary**
- drinking water source wellhead protection zone
 - industry
 - no go boundary
 - utility
 - wastewater
- Land Administration**
- cadastre
 - electoral formal area
 - private lease
 - recommended settlement zone
 - settlement layout (SL)
 - SL lot numbers
- Features**
- bars
 - back

MDA Zone S1, GDA 84
Top left: 618800, 8006705
Bottom right: 823735, 8002850

Layout plan prepared by Department of Planning

Existing cadastral data supplied by the Western Australian Land Information Authority. (Licence PA 25-0033)

Expiration date of cadastre 03/03/2012.

Features derived from as-constructed survey data provided by Department of Housing.
Last completed survey date 01/12/2006, updated 18/07/2008.

Proposed water reserve, drinking water source protection area and wellhead protection zones derived from Looma Drinking Water Source Protection Plan, December 2006, prepared by the Department of Housing.

July 2006 aerial image provided by Landgate.

Looma LPS - Detail Context.mxd

Western Australian Planning Commission Copyright © 2012

Settlement layout not derived from tabulated dimensions.

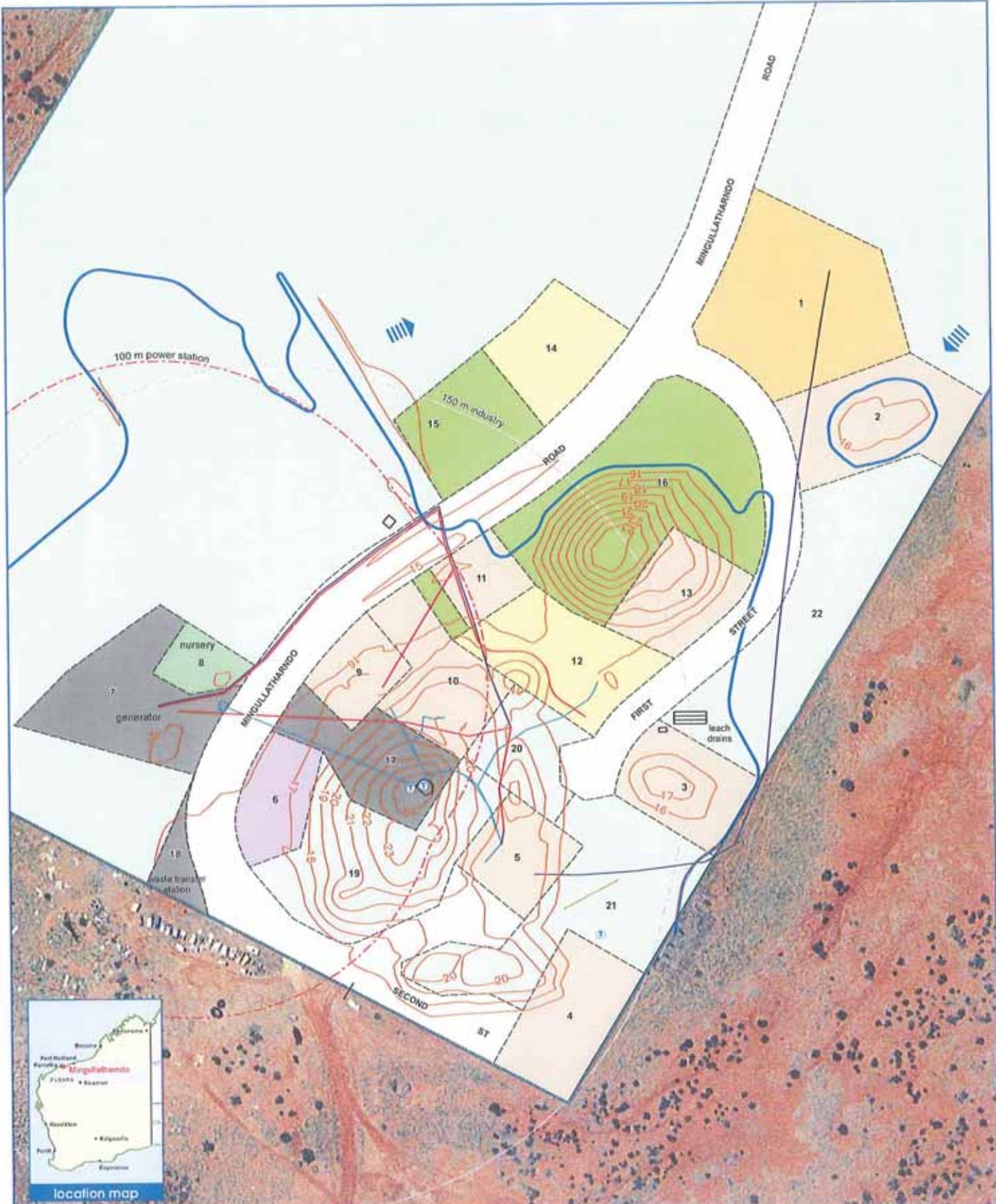
Endorsement	
Community	4 December 2007
Local Government	25 March 2008
Traditional Owners	-
WAPC	27 May 2008

This layout plan does not constitute development approval. It is the responsibility of the developer to ensure that all relevant permits, approvals, licences and consents are in place prior to commencing physical works on the site. Organisations responsible for such matters may include land owner, local government, incorporated community council, native title representative body, Department of Environment & Conservation, Aboriginal Cultural Materials Committee, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.



Looma Layout Plan 2 - Context

Amendment 3



MD4 Zone 01, CD434
 Top left: 521900, 589000
 Bottom right: 522150, 591000

Layout plan prepared by Department of Planning
 CLP derived from Mingullatharndo South Community
 Layout Plan No. 2, as applied by Plan 2

August 2007 aerial image and existing cadastral data
 supplied by the Geomatics Australia Land Information
 Authority (© Geomatics AU 2007-2008)

Extractor date of cadastral 03/02/2007

As constructed survey data provided by Gordon Knight & Merv
 East (copyrighted survey data 3/09/2002, updated 24/6/2005)

Mingullatharndo LP2 - Living Area 1/01

Western Australian Planning Commission Copyright © 2002
 Reproduced layout plan derived from calculated boundaries

Endorsement	
Community	31 March 2007
Local Government	
Traditional Owners	
WAPC	1 July 2008

This layout plan does not constitute a development approval
 It is the responsibility of the developer to ensure that all relevant controls,
 approvals, licences and clearances are in place prior to commencing
 ground works or a site. Disputations regarding the layout plan should
 first be referred to the local government responsible for the site. If
 the dispute is not resolved, the applicant should refer to the
 relevant government department. Department of Environment & Conservation,
 Department of Cultural Heritage, Department of Environmental Protection,
 Department of Planning and Infrastructure and Department of Water

- Land Use**
- community
 - industrial
 - open space
 - public utility
 - recreation
 - residential
 - road reserve
 - rural
 - visitor camping

- Features**
- bone
 - drainage arrow
 - water tank
 - as-constructed
 - miscellaneous features
 - contour
 - electricity network
 - fence

- Land Administration**
- collette
 - recommended settlement zone
 - settlement layout (SL)
 - SL lot number

- Exclusion Boundary**
- industry
 - power station



Mingullatharndo Layout Plan 2 - Living Area

Amendment 1



Legend

- Land Use**
- commercial
 - community
 - industrial
 - open space
 - public utility
 - recreation
 - residential
 - road reserve
 - rural
- Exclusion Boundary**
- drinking water source without protection zone
 - fuel storage
 - industry
 - no go area
 - power station
 - utility
- Land Administration**
- cadastre
 - settlement layout (SL)
 - settlement zone
 - SL lot numbers
- Features**
- bore
 - electricity pole
 - fuel tank
 - no constructed miscellaneous features
 - contour
 - electricity network
 - fence
 - fuel pipe
 - public telephone
 - telecommunications tower
 - water tank
 - telecommunications cable
 - track
 - wastewater pipe
 - water pipe
 - wetland

MDA Zone St. GDA 94
 Top left: 48543, 89178
 Bottom right: 40255, 68135

Layout plan prepared by Department of Planning

Existing cadastral data supplied by the Western Australian Land Information Authority (SLRMS PA 23-2002)

Extraction date of cadastral CSRS2012

LP derived from Mulga Queen Draft Community Layout plan as supplied by Harnett Sharley

Features derived from an unconstructed survey data provided by Department of Housing
 Last completed survey date 29/10/2004, updated 19/12/2004

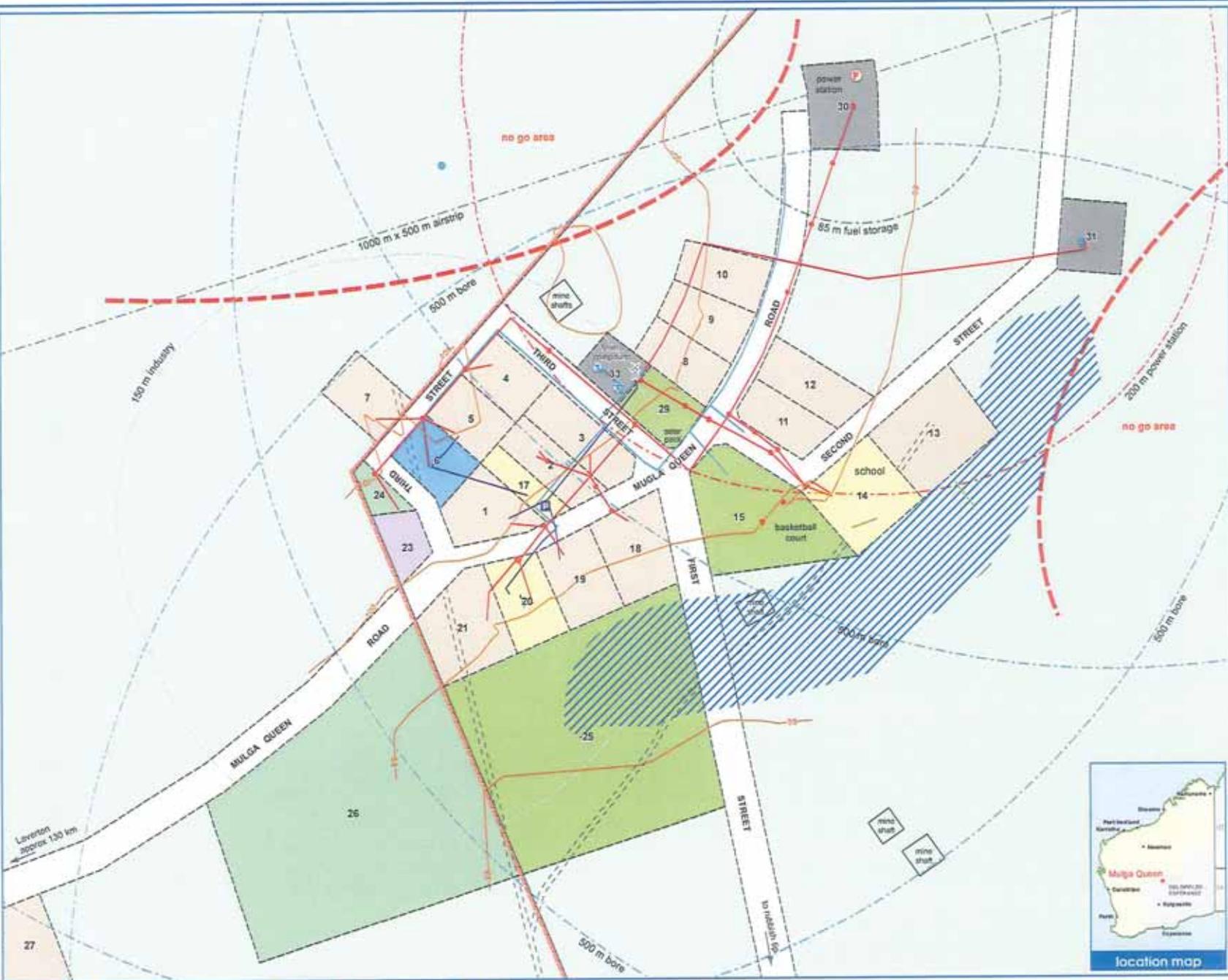
September 2012 aerial image provided by Landgate

Mulga Queen LP1 - Living Area.mxd

Western Australian Planning Commission copyright © 2012
 To remain based and derived from cadastral information

Endorsement	
Community	8 September 2001
Local Government	18 October 2001
Traditional Owners	-
WAPC	18 June 2002

This layout plan does not constitute development approval. It is the responsibility of the developer to ensure that all relevant permits, approvals, notices and consents are in place prior to commencing physical works on the site. Organisations responsible for such duties, may include local government, integrated community services, native title representative body, Department of Environment & Conservation, Aboriginal Cultural Statistics Centre, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.



Mulga Queen Layout Plan 1 - Living Area

Amendment 1



Government of Western Australia
Department of Housing



0 25 50 75
Metres

Legend

- Land Use**
- commercial
 - community
 - industrial
 - open space
 - public utility
 - recreation
 - residential
 - road reserve

- Exclusion Boundary**
- drinking water source without protection zone
 - drinking water source without protection zone
 - industry
 - power station

- Land Administration**
- cadastre
 - recommended cadastre
 - recommended settlement zone
 - settlement layout (S1) & SL lot numbers

- Features**
- bank
 - barrier
 - electricity pole
 - electricity network
 - fence
 - full tank
 - hydrostat
 - water tank
 - full pipe
 - track
 - water pipe

MGA Zone 51, ODA 34
Top file: 783365_7935195
Bottom right: 786555_7934580

Layout plan prepared by Department of Planning

Existing cadastral data supplied by the Western Australian Land Information Authority (Licence L1430-2009-4)

Revision date of cadastre 03/02/2012

Features derived from as-constructed survey data provided by Department of Housing.
Last completed survey date 20/07/2002, updated 31/10/2004

July 2010 aerial image provided by Landimg

Ngalingkadj LP1 - Living Area.mxd

Western Australian Planning Commission Copyright © 2012

Endorsement record not derived from endorsed documents

Endorsement	
Community	27 August 2010
Local Government	26 August 2010
Traditional Owners	-
WAPC	14 December 2010

This layout plan does not constitute development approval
It is the responsibility of the developer to ensure that all relevant planning, engineering, drainage and infrastructure are in place prior to commencing physical works at the site. Organisations responsible for such works may include local government, metropolitan or regional water authority, water supply authority, water supply corporation, Department of Environment & Conservation, Aboriginal Cultural Matters Commission, Environment for Planning Authority, Department of Conservation & Land Management and Department of Water.



Ngalingkadj Layout Plan 1 - Living Area

Amendment 1



Legend

- Land Use**
- commercial
 - community
 - industrial
 - open space
 - public utility
 - recreation
 - residential
 - road reserve
- Exclusion Boundary**
- drinking water
 - source without protection zone
 - fuel storage
 - industry
 - no go boundary
 - power station
- Land Administration**
- cadastre
 - lodged cadastre
 - recommended settlement zone
 - settlement layout (SL) & SL for numbers
- Features**
- base
 - electrify pole
 - fuel tank
 - significant trees
 - contour
 - electricity network
 - fence
 - fuel pipe
 - telecommunications tower
 - water tank
 - well
 - ridge line
 - telecommunications cable
 - track
 - water pipe

MGA Zone 52, ODA 34
 Top left: 187365, 7922500
 Bottom right: 187910, 7921850

Layout plan prepared by Department of Planning.

Existing cadastral data supplied by the Western Australian Land Information Authority (License GL 348-2007-2).
 Extraction date of cadastre 03/02/012

Features derived from as-constructed survey data provided by Sinclair Knight Merz.
 Last completed survey date 01/07/2008, updated 28/10/2008

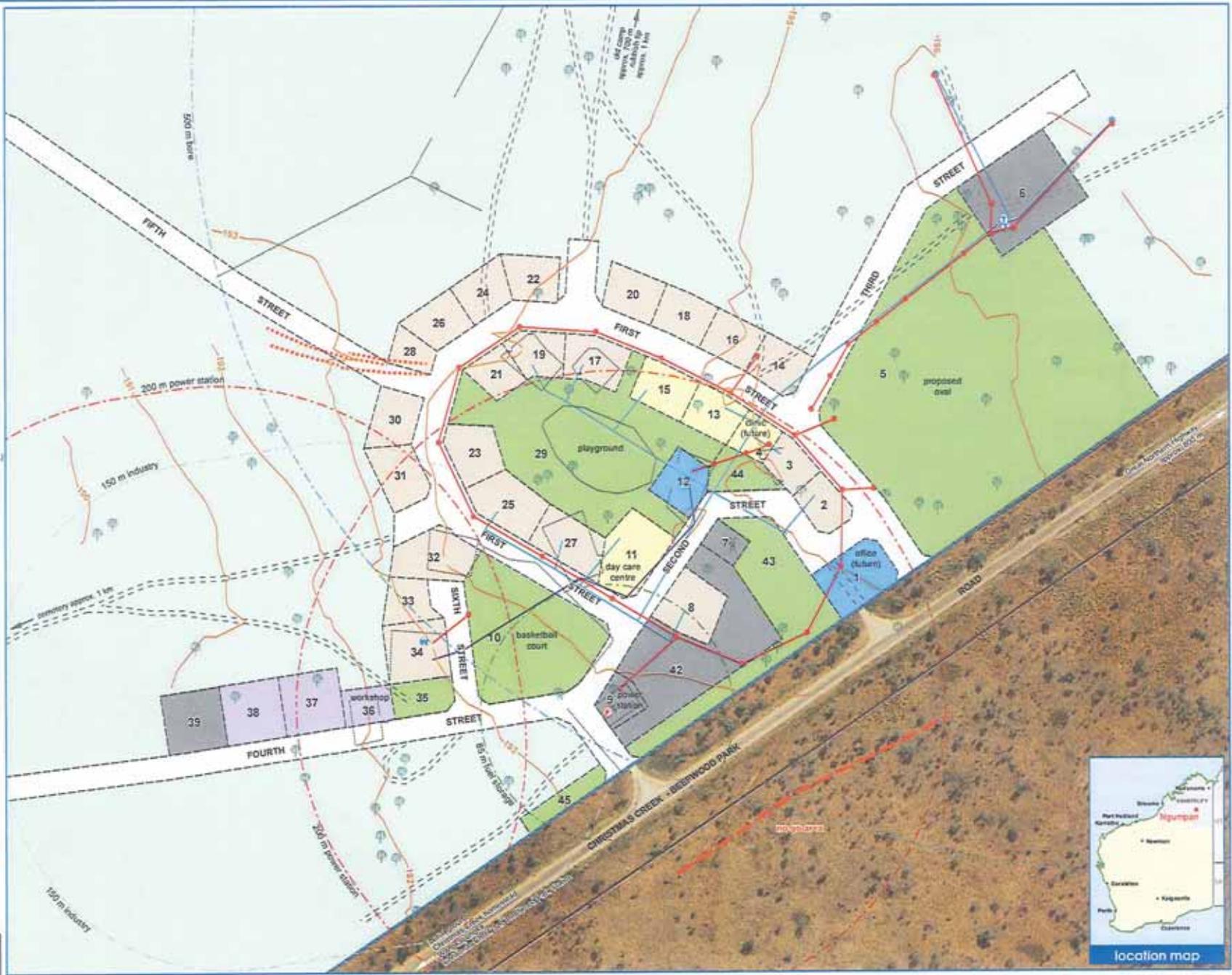
July 2010 aerial image provided by Landgate.

Ngumpan LP1 - Living Area.mxd
 Western Australian Planning Commission Copyright © 2012

Endorsement

Community	26 July 2002
Local Government	7 August 2003
Traditional Owners	
WAPC	4 May 2004

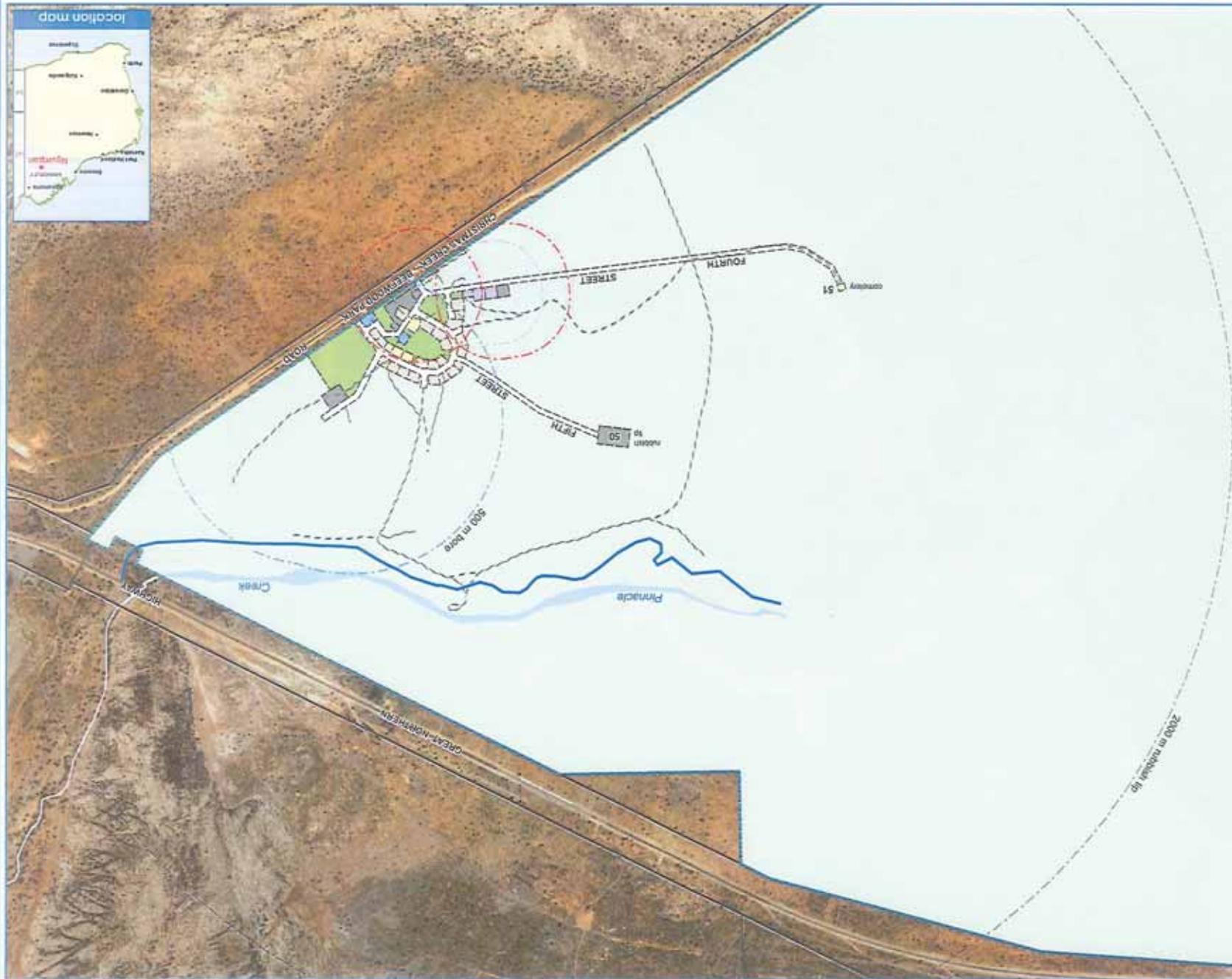
The layout plan does not constitute development approval. It is the responsibility of the developer to ensure that all relevant approvals, agreements, licences and consents are in place prior to commencing physical works on the site. Organisations responsible for such matters may include land owner, local government, incorporated community groups, native title representative body, Department of Environment & Conservation, Aboriginal Cultural Heritage Commission, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.



Ngumpan Layout Plan 1 - Living Area

Amendment 1

Amendment 1



Endorsement	
Local Government	28 July 2012
Regional Councils	4 May 2014
WAPC	

Western Australian Planning Commission Copyright © 2012
 Ngumpu LP1 - Draft Contextual
 2005 aerial maps provided by Landgate.
 Last completed survey data 01/07/2008, update 28/02/2008.
 Figures derived from as constructed survey data provided by Department of Housing.
 Exclusion date of creation 03/02/2012.
 Land Information Authority (Licence CL 245 2007-2).
 Layout plan prepared by Department of Planning.
 Scale 1:18880, 7/20/08
 MCA Zone S2, ODA 84
 Top Mt. 18880, 7/20/08

Legend

Land Use

- Residential
- Commercial
- Open Space
- Public Utility

Exclusion Boundary

- Industry
- Power Station
- Source Water
- Leaky
- Leakage

Land Administration

- Residential Zone
- Commercial Zone
- Industrial Zone
- Public Utility

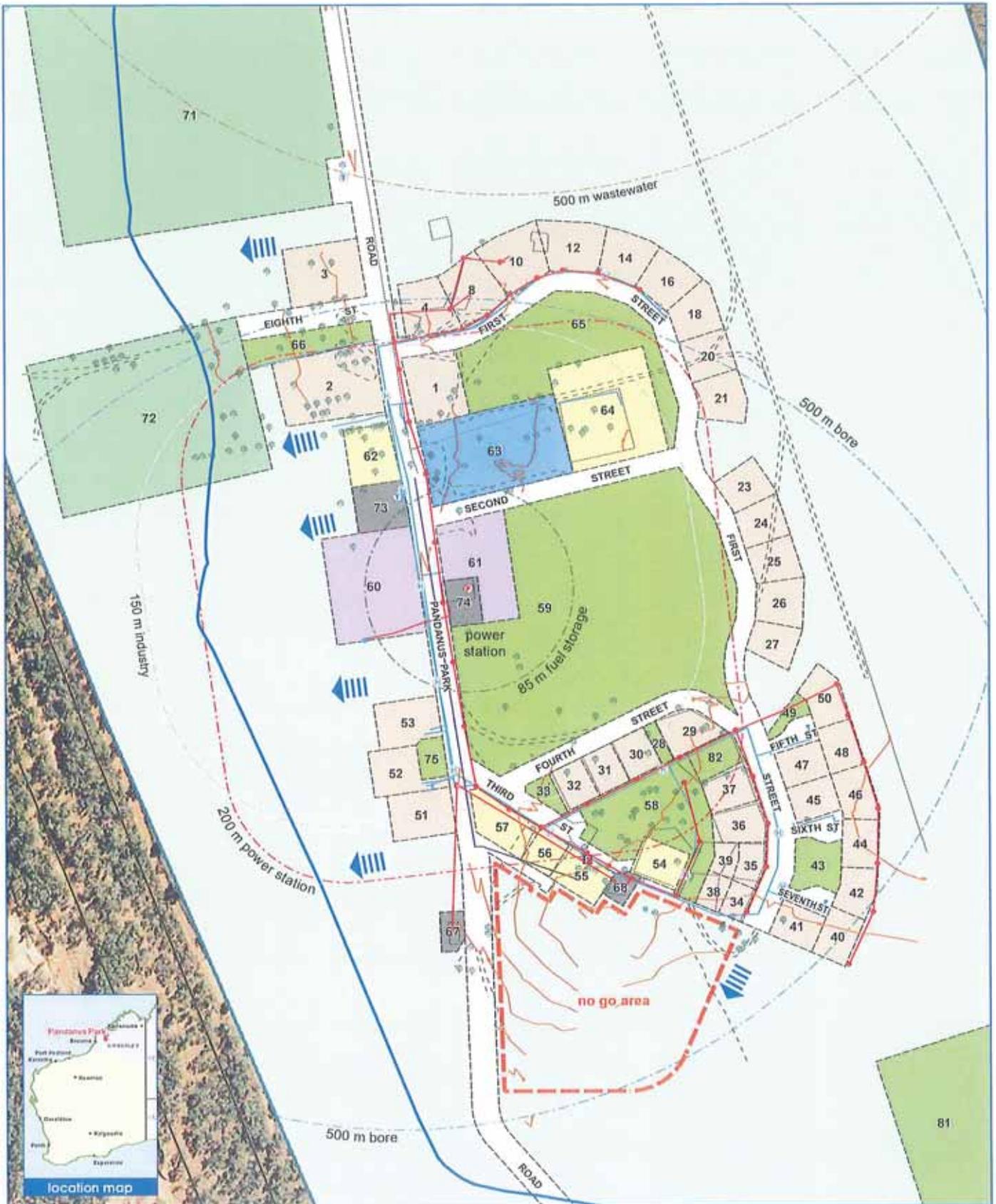
Features

- Boundary
- Water
- Open Space
- Public Utility

0 150 300 450
 Metres

N

Western Australian Planning Commission
 Government of Western Australia
 Department of Housing



MCA Zone S1, GDA 84
 Fig Ref: 50102, 811010
 Refuse Reg: 530126, 8110105

Layout plan prepared by Department of Planning

Existing cadastral data supplied by the Western Australian Land Information Authority. © Crown PA 73 2003

Education code of practice EM00012

An authorised survey data provided by British Knight Maps (last updated survey data 1990/03), updated 30/10/2003

© Planning for Pandanus Park Draft Community Layout Plan, as supplied by Indegen, Glen, Missouri, July 2002 aerial images provided by Landsat

Pandanus Park LPI - Living Area

Western Australian Planning Commission copyright © 2012

Billboard support not allowed from car/walk directions

- Land Use**
- commercial
 - community
 - industrial
 - open space
 - public utility
 - recreation
 - residential
 - road reserve
 - rural

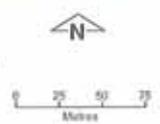
- Exclusion Boundary**
- drinking water
 - sewer/wastewater protection zone
 - fuel storage
 - industry
 - no go boundary
 - power station
 - wastewater

- Features**
- bore
 - storage arrow
 - electricity pole
 - contour
 - electricity network
 - fence
 - fuel tank
 - flyboard
 - public telephone
 - floating boundary
 - telecommunications cable
 - walk
 - significant trees
 - water tank
 - wastewater pipe
 - water pipe

- Land Administration**
- cadastre
 - recommended settlement layout
 - settlement layout (SL) & SL lot number

Endorsement

Community	10 July 2003
Local Government	30 July 2003
Traditional Owners	
WAPC	23 September 2003



Pandanus Park Layout Plan 1 - Living Area Amendment 5



Government of Western Australia
Department of Housing



Legend

- Land Use**
- commercial
 - community
 - industrial
 - open space
 - public utility
 - recreation
 - residential
 - road reserve
 - rural
 - water camping
 - waterway
- Exclusion Boundary**
- drinking water
 - source wetland protection zone
 - fuel storage
 - industry
 - no go boundary
 - power station
 - wastewater
- Land Administration**
- lot/strata
 - settlement layout (SL) & SL lot number
- Features**
- bore
 - electricity pole
 - fuel tank
 - hydrore
 - electricity network
 - fence
 - miscellaneous features
 - public telephone
 - significant trees
 - telecommunications tower
 - water tank
 - telecommunications cable
 - track
 - wastewater pipe
 - water pipe

MGA Zone 51, GDA 94
Top left: 511755, 7562820
Bottom right: 513155, 7561820

Layout plan prepared by Department of Planning
Existing cadastral data supplied by the Western Australian Land Information Authority (Licence GL 245-2007-2)
As-constructed survey data provided by Sinclair Knight Merz
CLP derived from Punmu Draft Community Layout Plan No. 2 as supplied by Pwsc. Last completed survey date 06/02/2007.
August 2007 aerial image provided by Landgate
Punmu LP2 - Living Area.mxd
Western Australian Planning Commission Copyright © 2012

Settlement layout not shown from cadastral information

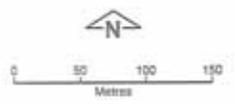
Endorsement	
Community	30 June 2007
Local Government	30 March 2007
Traditional Owners	-
WAPC	4 December 2007

This layout plan does not constitute development approval & is the responsibility of the Developer to ensure that all relevant permits, approvals, licences and consents are in place prior to commencing physical works on the site. Organisations responsible for such works may include local government, incorporated community groups, other relevant organisations, Department of Environment & Conservation, Aboriginal Cultural Values Committee, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water



Punmu Layout Plan 2 - Living Area

Amendment 1



- Legend**
- Land Use**
- commercial
 - community
 - industrial
 - open space
 - public utility
 - recreation
 - residential
 - road reserve
 - waterway
- Exclusion Boundary**
- chlorine gas storage
 - drinking water
 - source wetland protection zone
 - fuel storage
 - industry
 - no go boundary
 - power station
 - utility
 - wastewater
- Land Administration**
- cadastre
 - recommended cadastre
 - actionable layout (SL)
 - SL lot number
- Features**
- lane
 - chlorine storage
 - electricity pole
 - fuel tank
 - hydrant
 - public telephone
 - significant trees
 - telecommunications tower
 - water pump
 - water tank
 - contours
 - electricity network
 - fence
 - food boundary
 - fuel pipe
 - telecommunications cable
 - track
 - wastewater pipe
 - water body
 - water pipe
 - wetland

MGA Zone 51, GDA 94
 Top left: 887020, 795232
 Bottom right: 88743, 795280

Layout plan prepared by Department of Planning
 Existing cadastral data supplied by the Western Australian Land Information Authority (License L1430-2009-4)
 Extraction date of cadastre: 03/02/2012

June 2007 aerial image provided by the Western Australian Land Information Authority

Features derived from as-constructed survey data provided by Department of Housing, CJD 213 (2009)
 Last completed survey date: 1/9/2008, updated: 13/6/2009

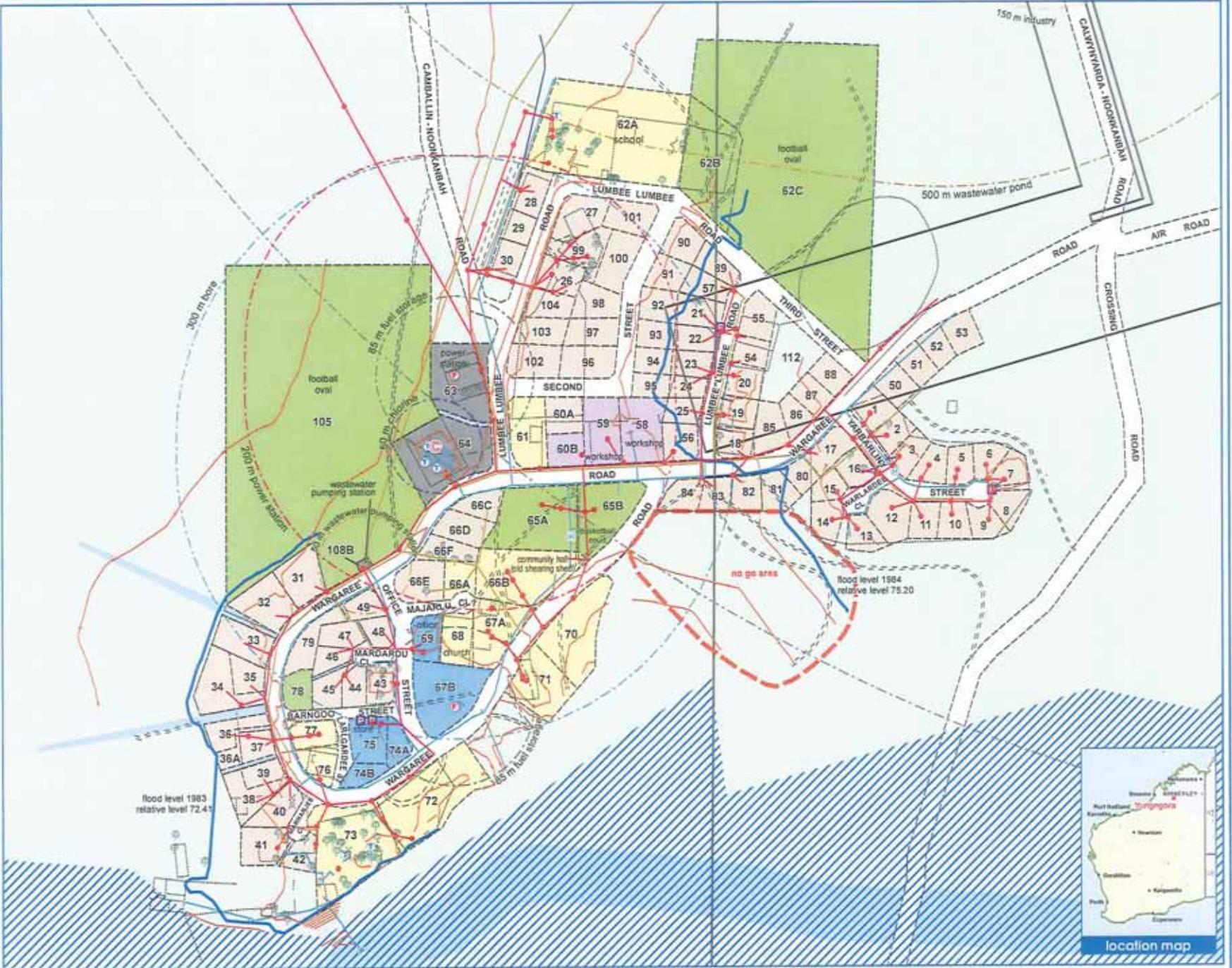
Proposed water reserves, drinking water source protection areas and wetland protection zones derived from Yungyora Drinking Water Source Protection Plan, January 2010, prepared by the Department of Housing.

Yungyora LP2 - Living Area.mxd
 Western Australian Planning Commission copyright © 2012

Subsequent layout not shown from scaled dimensions

Endorsement	
Community	3 August 2009
Local Government	5 October 2009
Traditional Owners	3 August 2009
WAPC	27 October 2009

This layout plan does not constitute development approval & it is the responsibility of the developer to ensure that all relevant approvals, approvals, permits and clearances are in place prior to commencing physical works on the site. Organisations responsible for such matters may include local council, local government, incorporated community groups, native title representative body, Department of Environment & Conservation, Aboriginal Cultural Materials Collection, Environmental Protection Authority, Department of Consumer & Employment Protection and Department of Water.



Yungyora Layout Plan 2 - Living Area

Amendment 4

ITEM NO: 9.3

DROVERS PLACE PRECINCT LOCAL STRUCTURE PLAN NO.80 - AMENDMENT 1

WAPC OR COMMITTEE: Statutory Planning Committee

REPORTING AGENCY: Department of Planning
REPORTING OFFICER: Acting Planning Manager: Planning Appeals
AUTHORISING OFFICER: Director: Schemes and Appeals
AGENDA PART: D
FILE NO: SPN/0125
DATE: 29 August 2012
ATTACHMENT(S): Attachment 1: Local Structure Plan No. 80
Attachment 2: Amendment 1
Attachment 3: Applicant's submissions
REGION SCHEME ZONING: Urban Deferred
LOCAL GOVERNMENT: City of Wanneroo
LOCAL SCHEME ZONING: General Rural
LGA RECOMMENDATION: Adoption
REGION DESCRIPTOR: Perth Metropolitan North West
APPLICATION TYPE: Local Structure Plan
CADASTRAL REFERENCE: Land bounded by Yellagonga Regional Park,
Neerabup National Park and Wanneroo Road.

RECOMMENDATION:

That the Western Australian Planning Commission resolves:

- 1. pursuant to Part 9 of the City of Wanneroo's District Planning Scheme No. 2, to refuse to adopt Amendment 1 to the Drovers Place Precinct Local Structure Plan No. 80 on the basis that the proposed amendments were incorporated into the structure plan under the Commission's resolution of 10 July 2012;*
- 2. to not support the applicant's proposal for inclusion of Hairdresser and Liquor Store land uses and modification of definitions for Growers Mart and Showroom within the structure plan;*
- 3. to advise the City of Wanneroo accordingly.*

SUMMARY:

In March 2012, the City of Wanneroo forwarded Amendment 1 to the then draft Drovers Place Precinct Local Structure Plan No. 80 to the Western Australian Planning Commission for adoption. The amendments proposed by the City were included in LSP 80 under the WAPC's recent decision on LSP 80 in July 2012.

The City did not include in Amendment 1 certain land uses and modifications to land use definitions that were proposed by the applicant. The City's reasons for not accommodating these uses and definitions are considered sound. No further modifications to LSP 80 are recommended.

BACKGROUND:

The Drovers Place Precinct Local Structure Plan No. 80 (LSP 80) was subject to review at the State Administrative Tribunal (SAT) and was approved on reconsideration by the Western Australian Planning Commission (WAPC) under section 31 of the SAT Act 2004 on 10 July 2012, subject to modifications. The modifications were undertaken by the City of Wanneroo (City) and LSP 80 was certified by WAPC on 29 August 2012 (**Attachment 1** - Relevant excerpts from LSP 80).

Proposed Amendment 1 to LSP 80 was considered by the City on 6 March 2012 and forwarded to the WAPC for adoption, however pursuant to Part 9 of the City's District Planning Scheme No. 2 (DPS 2), WAPC could not determine the amendment until the substantive LSP 80 was finalised. (**Attachment 2** - Amendment 1).

Amendment 1 was subject to a SAT review (concurrent with the WAPC's abovementioned SAT review) against the City's determination not to include a Liquor Store and Hairdresser as uses within Drovers Place, and not to modify the definitions for Growers Mart and Showroom uses within the Central Precinct. Both SAT reviews were withdrawn by the applicant upon approval of LSP 80.

LEGISLATION / STRATEGIC PLAN / POLICY:

Legislation *Planning and Development Act 2005*
Section: Part 10

Strategic Plan
Strategic Goal: Planning.
Outcomes: Effective Delivery of Integrated Plans.
Strategies: Implement State and Regional Planning Policies.

Policy
Number and / or Name: State Planning Policy 4.2: Activity Centres for Perth and Peel.

DETAILS:

Details of Amendment 1 are provided under the heading 'Officer's Comments' below.

GOVERNMENT AND CORPORATE IMPLICATIONS:

N/A

CONSULTATION:

The City's comments on Amendment 1 are included with the Amendment documentation (see Attachment 2) and are discussed further below.

OFFICER'S COMMENTS:

Amendment 1 as forwarded by the City proposes the inclusion of the following uses as 'D' (discretionary) uses on Lot 810 and 811 Wanneroo Road (the existing Drovers Place central precinct):

- Car Wash;
- Dry Cleaning Premises;
- Recreation Centre;
- Retail Nursery; and
- addition of definition for Retail Nursery.

The above uses and definition for Retail Nursery were inserted into LSP 80 under the recent WAPC decision/SAT reconsideration of the structure plan and an amendment is no longer required for their inclusion. However, as a determination on the amendment is required by WAPC under DPS 2, it is recommended that Amendment 1 be refused in respect to these items.

Uses/definitions not supported by the City

The applicant's submissions on Amendment 1 are provided at **Attachment 3**. Comments on the applicant's proposals that have not been included by the City in Amendment 1 are provided below.

Inclusion of Hairdresser and Liquor Store (large format) uses

The applicant's submission includes a retail analysis by Macroplan Australia which concludes that the replacement of showroom floorspace with the type of uses proposed in the amendment will not threaten the hierarchy of existing and planned centres in the area (see Attachment 3 for details). The applicant also contends that the Planning Land Use Category (PLUC) codes that are included in WAPC's State Planning Policy 4.2 Activity Centres for Perth and Peel (SPP 4.2) provide supportive argument for the land uses.

A relevant general objective of LSP 80 is that Drovers Place should complement surrounding activity centres through the provision of niche businesses reliant on highway exposure. The intent for the Central Precinct is to provide for niche business and cultural uses that do not significantly compromise the viability of nearby activity centres. The scope and scale of the land uses currently included in LSP 80 is consistent with the objectives and intent for Drovers Place.

The existing uses within the Central Precinct are a mix of showroom, bulky goods and retail type uses such as plant nursery, reticulation, statues, market place fruit and veg, rainwater tanks, pet shop, veterinary hospital and butcher, baker, deli etc. which reflect the intent for the precinct and contribute to a distinct showroom 'niche' character that is not reflective of typical retail activity centres.

A Liquor Store (albeit large format) and Hairdresser are purely retail uses that one would expect to find in an activity centre as identified in State Planning Policy 4.2 - Activity Centres for Perth and Peel (SPP 4.2).

Drovers Place is not designated as an activity centre in SPP 4.2 and inclusion of retail uses would potentially change the nature of Drovers Place to incrementally become an activity centre.

Planning for the precinct has not occurred through a holistic and considered review of all factors relevant to planning for retail centres as has occurred in planning for the activity centres identified in SPP 4.2. Planning for Drovers Place has been pre-empted by incremental applications for development and structure planning.

Regardless of any retail needs in the area and detailed investigation of the PLUC codes, the introduction of new, purely retail uses within the precinct have the potential to incrementally turn the precinct into an activity centre and any further change in function for the centre should not occur incrementally, but through an orderly and proper review of SPP 4.2, if deemed appropriate.

Modification of definition for Growers Mart

- Current definition in LSP 80

Growers Mart – means land or buildings used for the wholesale distribution or sale by retail of:

(a) fruit, vegetables, nuts, grains, beans and herbs which are in a raw, unprocessed and unrefined state ("raw products"), save for any minimal processing and packaging undertaken off the premises necessary to bring the raw products to market; and

(b) milk, cheese and yoghurt, and may include the washing and further limited preparation or packaging of the raw products on the premises in order to make them suitable for sale, provided that any such preparation or packaging on the premises may not result in a new or different product. The use does not extend to the sale of cooked, refined, canned or processed goods (such as potato chips or other processed foods normally associated with a shop or take way food outlet) and excludes any use or activity that falls within the Scheme definitions of take away food outlet or restaurant, and the sale of any goods or products other than those expressly listed in this definition.

- Applicant's proposed definition

'Growers Mart' means any land or buildings used for the wholesale, distribution and retail sale of primary products limited to food and beverages for human consumption including fruit and vegetables, meat, fish, bread, milk, cheese and yoghurt and may include a gourmet deli.

Comment: The City advises that the definition of Growers Mart in LSP 80 had its genesis in pre-existing uses on Lot 810 in respect to processing and distribution of fruit and vegetables; and a previous definition that referred to 'primary products' which resulted in difficulties for the City in its interpretation and application, as evidenced by the SAT review *Goldrange Pty Ltd v City of Wanneroo [2011] WASAT 48* that was required to elucidate the definition.

The definition in LSP 80 specifies with clarity the products that may be sold and activities that may be undertaken; and separate uses for Butcher, Bakery and Fishmonger are included as individual uses in LSP 80.

The applicant argues a gourmet deli is approved at the centre, but is restricted in the range and type of goods that can be sold; and additional specialist food and beverage goods will provide additional attraction and shopping amenity without economic impact on other centres.

The City's opposition to re-introduction of the problematic term 'primary products' and extending the definition to include an undefined 'gourmet deli' is considered appropriate as it retains a restriction on the sale of purely retail goods consistent with the intent for the precinct, and assists in preventing the incremental creep towards the centre becoming a retail activity centre.

Modification of definition for Showroom

- Current definition in LSP 80

"Showroom Definition – Means the land or premises used to display, sell by wholesale or retail, or hire, automotive parts and accessories, camping and sporting equipment, electrical light fitting, pet supplies, floor coverings, furnishings, furniture, household appliances (where such household appliances are not of a bulky nature, or otherwise permitted by this definition, the display of such household appliances is not to exceed 10% of the NLA of an individual showroom premises area), party supplies, hardware, or goods of a bulky nature but excludes open air displays."

- Applicant's proposed definition

'Bulky goods retail or showroom' means large premises used to display, sell by wholesale or retail, or hire automotive parts and accessories, home entertainment goods, camping and recreation equipment, household appliances, electrical light fittings, office equipment supplies, animal and pet supplies, party supplies, floor coverings, swimming pools and supplies, furnishings, bedding and Manchester, hardware, furniture, garden supplies and goods of a bulky nature that require a large area for handling, display or storage; or direct vehicle access to the site of the premises by the public for the purpose of loading goods into a vehicle after purchase or hire.

Comment: The current definition in LSP 80 came about as an agreed outcome of SAT's decision in *Goldrange v Western Australian Planning Commission [2010] WASAT 52* and incorporates a limitation on non-bulky items, consistent with the SAT decision and endorsed by SAT through its final orders on the matter.

The applicant's definition is taken from SPP 4.2, does not limit goods to be sold, and adds additional uses that may be sold from showroom premises, potentially allowing for an increase in retail activities, inconsistent with the stated intent for the precinct.

CONCLUSION

The amendments to LSP 80 proposed by the City have already been undertaken. As a method of finalising the application, refusal of Amendment 1 is recommended.

The applicant's proposal for additional retail land uses and modification to land use definitions is not supported as they are considered to contribute to an incremental creep towards the centre becoming a retail activity centre which is inconsistent with the intent for LSP 80.



DROVERS
PLACE
PRECINCT

STRUCTURE PLAN No. 80
VERSION - JULY 2012



DEPARTMENT OF PLANNING
20 AUG 2012
FILE SPN/0125

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

CERTIFIED THAT AGREED STRUCTURE PLAN NO.80:
DROVERS PLACE PRECINCT LOCAL STRUCTURE PLAN

WAS ADOPTED BY

RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING

COMMISSION ON 10 July 2012

Signed for and on behalf of the Western Australian Planning Commission

an officer of the Commission duly authorised by the Commission pursuant to section 24 of the Planning and Development Act 2005 for that purpose, in the presence of:

Benwara Witness

29-8-2012 Date

AND BY

RESOLUTION OF THE COUNCIL OF THE CITY OF

WANNEROO ON 24 JUL 2012

AND THE SEAL OF THE MUNICIPALITY WAS PURSUANT
TO THE COUNCIL'S RESOLUTION HEREUNTO AFFIXED IN THE

PRESENCE OF:

Mayor, City of Wanneroo

Chief Executive Officer, City of Wanneroo

14.8.12 Date



TABLE C – PLANNING REQUIREMENTS FOR THE CENTRAL PRECINCT

1. Intent	1.1. The intent of the Central Precinct is to provide for niche business and cultural uses that benefit from high exposure to Wanneroo Road but do not significantly compromise the viability of nearby activity centres and encourage a built form that respects and recognises the environment of Yellagonga Regional Park
2. Zoning	<p>2.1. Special Use Zone –Discretionary ‘D’ uses within the Special Use Zone for Lots Lots 810, 811, 1 and 132 shall include:</p> <ul style="list-style-type: none"> ◦ Art Gallery ◦ Auction Room ◦ Bakery ◦ Butcher (Lots 810 and 811 only) ◦ Car Park ◦ Car Wash ◦ Civic Building ◦ Costume Hire ◦ Drive –Through Food Outlet ◦ Dry Cleaning Premises ◦ Education Establishment (Lots 1 and 132 only) ◦ Fish Monger (Lots 810 and 811 only) ◦ Funeral Parlour ◦ Growers Mart (Lots 810 and 811 only). ◦ Hardware Store ◦ Laundromat ◦ Lunch Bar ◦ Office ◦ Park ◦ Place of Worship (Lots 1 and 132 only) ◦ Retail Nursery ◦ Private Recreation ◦ Reception Centre ◦ Recreation Centre ◦ Restaurant ◦ Showroom – (Lots 810 and 811 Maximum NLA 5,500 m²) ◦ Showroom – (Lots 1 and 132 Maximum NLA 11,500 m²) ◦ Self Storage Units (Lot 811 only) ◦ Veterinary Consulting Rooms ◦ Veterinary Hospital ◦ Warehouse <p>2.2. Self Storage Units shall be a Discretionary ‘D’ use for Lot 811 Wanneroo Road only.</p> <p>2.3. The maximum total combined floor space for Showroom (including Hardware Store) shall be as follows:</p>

- Lots 810 and 811 – maximum NLA of 5,500 m²

- Lots 1 and 132 - maximum NLA of 11,500 m²

2.4. Growers Mart – The Growers Mart land use shall be a Discretionary ‘D’ use for Lots 810 and 811 Wanneroo Road.

Growers Mart – means land or buildings used for the wholesale distribution or sale by retail of:

(a) fruit, vegetables, nuts, grains, beans and herbs which are in a raw, unprocessed and unrefined state ("raw products"), save for any minimal processing and packaging undertaken off the premises necessary to bring the raw products to market; and

(b) milk, cheese and yoghurt,

and may include the washing and further limited preparation or packaging of the raw products on the premises in order to make them suitable for sale, provided that any such preparation or packaging on the premises may not result in a new or different product. The use does not extend to the sale of cooked, refined, canned or processed goods (such as potato chips or other processed foods normally associated with a shop or take way food outlet) and excludes any use or activity that falls within the Scheme definitions of take away food outlet or restaurant, and the sale of any goods or products other than those expressly listed in this definition.

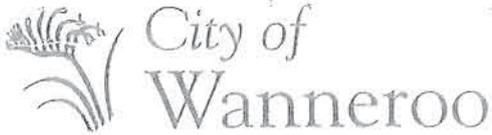
Showroom Definition – Means the land or premises used to display, sell by wholesale or retail, or hire, automotive parts and accessories, camping and sporting equipment, electrical light fitting, pet supplies, floor coverings, furnishings, furniture, household appliances (where such household appliances are not of a bulky nature, or otherwise permitted by this definition, the display of such household appliances is not to exceed 10% of the NLA of an individual showroom premises area), party supplies, hardware, or goods of a bulky nature but excludes open air displays.

Retail Nursery – Means land and/or buildings used for the storage, display and retail sale of nursery and horticultural products including plants, seeds, bulbs, seedlings, trees and other nursery stock and products associated with horticulture, domestic gardens, outdoor living, garden décor and clothing for gardening and may include associated outdoor leisure products and an incidental café.

2.5. All other uses shall be Prohibited ‘X’.

<p>3. Development Provisions</p>	<p>3.1. Development adjacent to the Yellagonga Regional Park shall coordinate with natural levels at the common boundary with Yellagonga Regional Park to minimise the visual impact of site levels, retaining walls, and fencing to the satisfaction of the City of Wanneroo. Retaining walls above 1 metre in height shall be discouraged.</p> <p>3.2. The location and design of buildings, access ways and footpaths shall provide for view corridors to the Yellagonga Regional Park.</p> <p>3.3. The bulk and scale of any future development shall have regard for preserving the views, significance and character of and visual relationship to Yellagonga Regional Park. Building height shall not exceed 6 metres above finished floor level.</p> <p>3.4. A connected access road shall be provided at the time of subdivision/development between the southern intersection of Wanneroo Road and Clarkson Avenue and Drovers Place, generally as shown on Plan 1. The applicant shall prepare and implement an easement in gross in favour of the public at large to specification and satisfaction of the City of Wanneroo.</p> <p>3.5. Development proposals shall be accompanied by an assessment undertaken by the proponent, which demonstrates to the satisfaction of the City of Wanneroo that the proposed uses will complement rather than compete with or compromise the viability of nearby activity centres.</p> <p>3.6. The owner of Lot 1 Wanneroo Road shall provide dedicated road access and frontage to the existing sewer pumping station and pressure main located along the northern boundary of the site. Any alternative arrangement for access will require the consent of the Water Corporation in writing, prior to the City approving any Detailed Area Plan, or supporting any Subdivision or Development for the site.</p> <p>3.7. Facilitated access across the site to the controlled access intersection between Drovers Place and Joondalup Drive, generally as shown on Plan 1, to be preserved by an easement in gross in favour of the public.</p> <p>3.8. Service areas shall be integrated within the development and designed to minimise any negative visual impacts along the interface with the Yellagonga Regional Park and Wanneroo Road. All service areas are to be appropriately screened from the public realm to the satisfaction of the City of Wanneroo.</p> <p>3.9. Hardscape shall provide for reduction of impervious area to facilitate water sensitive urban design.</p> <p>3.10. Building facades shall be of a high architectural standard utilising brick, masonry and glazing and include colour schemes sympathetic to the natural environment to the satisfaction of the City of Wanneroo.</p> <p>3.11. Buildings are to be designed to allow for adaptation and flexibility to facilitate changing use over time. Ensuring that the internal layout, method of construction, position of entrances and stairs allows for flexibility in use over time and enhance long term value to the satisfaction of the City of Wanneroo.</p>
---	---

	<p>3.12. Buildings are to provide higher floor-to-ceiling heights to allow for alternative use of space and convenient routing of new services.</p> <p>3.13. Buildings are to be designed to suit local climatic conditions, be energy efficient and designed to help reduce the risk and fear of crime.</p> <p>3.14. New buildings are to be of a quality of architectural design that is consistent with the role, setting and natural character of the precinct.</p> <p>3.15. Buildings are to provide opportunities for passive surveillance and be sited to enable and encourage pedestrian access to Yellagonga Regional Park. This may include glazing and seating or alfresco areas to integrate development with the Park, enabling the community to enjoy the natural setting.</p> <p>3.16. A minimum of eight (8)% of the site shall be provided as landscaping in addition to the Compatible-Use Wetland Buffer defined in Plan 1.</p>
<p>4. Detailed Area Plan Requirements</p>	<p>4.1. In addition to the general requirements of Table A, a DAP for the Central Precinct may include to the satisfaction of the City:</p> <ul style="list-style-type: none"> • Floorspace allocation controls/restrictions • Parking Controls • Permitted building heights • Built form and landscape concept requirements to be developed to ensure passive surveillance of the public realm (including Yellagonga Regional Park and Wanneroo Road), proposed car parking areas and promote the integration of the development with the Yellagonga Regional Reserve. • Robust built form to facilitate adaptable use over time • Interface between Business and Special Residential zones • Opportunities to retain heritage buildings within development • Opportunities to locate surface stormwater flows and areas suitable for stormwater infiltration • Service area locations and access/egress arrangements.



File Ref: 2957-01 (12/29053)
Your Ref:
Enquiries: Michael Hudson

16 March 2012

The Secretary
Western Australian Planning Commission
Locked Bag 2506
PERTH WA 6001



Dear Sir

PROPOSED AMENDMENT NO. 1 TO THE DRAFT DROVERS PLACE PRECINCT LOCAL STRUCTURE PLAN NO. 80

I refer to the abovementioned proposal and advise that the amendment was advertised for 42 days by way of an on-site sign, a notice in the Wanneroo Times, letters to adjoining landowners and on the City's website.

Council considered Amendment No. 1 to the draft Drovers Place Precinct Local Structure Plan at its meeting on 6 March 2012 and resolved that the Amendment is satisfactory subject to the amendment being modified to only incorporate the following:

a) *Introduce the following as discretionary ('D') land uses on Lots 810 and 811 Wanneroo Road, in Table C of Draft Structure Plan No. 80:*

- *Car Wash*
- *Dry Cleaning Premises*
- *Recreation Centre*
- *Retail Nursery*

b) *Add the following definition for "Retail Nursery" in Table C of Draft Structure Plan No. 80:*

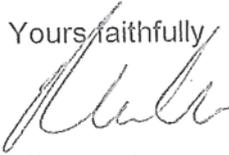
"Retail Nursery – means land and/or buildings used for the storage, display and retail sale of nursery and horticultural products including plants, seeds, bulbs, seedlings, trees, and other nursery stock and products associated with horticulture, domestic gardens, outdoor living, garden décor and clothing for gardening and may include associated outdoor leisure products and an incidental café."

The modifications have been undertaken and attached are three copies of the amendment document which are hereby forwarded to the Western Australian Planning Commission for consideration pursuant to Clause 9.6.3 of the City of Wanneroo District Planning Scheme No. 2.

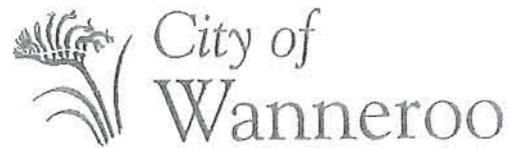
In accordance with Part 9.7.1 Council will not sign and seal the amendment prior to the substantive Drovers Place Precinct Local Structure Plan No. 80 being signed, sealed and certified by Council and the Western Australian Planning Commission

Should you have any enquiries regarding the above I can be contacted on 9405 5446.

Yours faithfully



Mike Hudson
SPECIAL PROJECTS PLANNER



AMENDMENT NO. 1

TO

**DROVERS PLACE PRECINCT AGREED STRUCTURE
PLAN No. 80**



Agreed Structure Plan No. 80

**This Amendment to the Agreed Structure Plan is prepared under the provisions of
Part 9 of the City of Wanneroo District Planning Scheme No. 2**

RECORD OF AMENDMENTS MADE TO THE DROVERS PLACE PRECINCT

AGREED STRUCTURE PLAN NO. 80

Amendment No.	Description of Amendment	Finally Endorsed Council	Finally Endorsed WAPC
1	To include new land uses into Table C of the Central Precinct and a new land use definition for 'Retail Nursery'.	6 March 2012	

AMENDMENT NO. 1
TO
DROVERS PLACE PRECINCT
AGREED STRUCTURE PLAN No. 80

The City of Wanneroo, pursuant to Part 9 of District Planning Scheme No. 2, hereby amends the above Agreed Structure Plan by:

1. Introducing the following as discretionary ('D') land uses on Lots 810 and 811 Wanneroo Road, in Table C of Draft Structure Plan No. 80:
 - Car Wash
 - Dry Cleaning Premises
 - Recreation Centre
 - Retail Nursery

2. Adding the following definition for "Retail Nursery" in Table C of Draft Structure Plan No. 80: *"Retail Nursery – means land and/or buildings used for the storage, display and retail sale of nursery and horticultural products including plants, seeds, bulbs, seedlings, trees, and other nursery stock and products associated with horticulture, domestic gardens, outdoor living, garden décor and clothing for gardening and may include associated outdoor leisure products and an incidental café."*

CERTIFIED THAT AMENDMENT NO. 1 TO THE DROVERS PLACE PRECINCT AGREED
STRUCTURE PLAN NO. 80

WAS ADOPTED BY

RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING

COMMISSION ON

Signed for and on behalf of the Western Australian Planning Commission

.....

an officer of the Commission duly authorised by the Commission pursuant to section 24 of the
Planning and Development Act 2005 for that purpose, in the presence of:

..... Witness

..... Date

AND BY

RESOLUTION OF THE COUNCIL OF THE CITY OF WANNEROO
(or as otherwise delegated under section 9.1 of its Delegated Authority Register)

ON 6 MARCH 2012

AND THE SEAL OF THE MUNICIPALITY WAS PURSUANT
TO THE COUNCIL'S RESOLUTION HEREUNTO AFFIXED IN THE

PRESENCE OF:

.....

Mayor, City of Wanneroo

.....

Chief Executive Officer, City of Wanneroo

..... Date

EXPLANATORY REPORT

DROVERS PLACE PRECINCT AGREED STRUCTURE PLAN

AMENDMENT NO. 1

Background

The land is currently subject to agreed Structure Plan No. 47 (SP 47), which was endorsed by Council on 26 April 2006 (Report PD11-04/06) and approved by the Western Australian Planning Commission (WAPC) in August 2007.

SP 47 has been reviewed, resulting in the preparation of draft SP80. Administration presented draft SP 80 to the Council Forum held on 24 November 2009 and subsequently carried out public consultation under delegated authority, which concluded on 12 February 2010. Administration's report on submissions was delayed to obtain independent assessment and advice on traffic movements, the nature and extent of land uses within the 'Central Precinct' of the structure plan and the determination of Amendment No. 1 to SP 47 by the SAT.

SP 80 was listed on the 14 September 2010 Council Briefing meeting agenda, however, the report was subsequently withdrawn by Administration (at the request of a landowner) to provide an opportunity for that landowner to meet with Administration to discuss their submission before being reported to Council. Administration extended the same invitation to all landowners within the structure plan area and a series of landowner meetings were subsequently held.

A report on submissions was subsequently presented to Council on 8 February 2011 (Report PS03-02/11), which included (for the purpose of further public advertising) a revised version of SP 80 proposing a range of new land uses requested by various landowners in the 'Central Precinct' of SP 80. Council considered the range of new uses proposed under the revised version of SP 80 and resolved to delete (and not allow) the following land uses from the 'Central Precinct', and to readvertise the modified SP 80 for a further period of 60 days. *Bank, Caretaker's Dwelling, Child Care Centre, Consulting Room, Dry Cleaning Premises, Hairdresser, Hall, Laundry, Liquor Store, Medical Centre, Place of Assembly, Public Exhibition Facility, Recreation Centre, Take-Away Food Outlet, Video Hire, Mast or Antenna, Telecommunications Infrastructure.*

During the consultation period, the owner of Lots 810 and 811 Wanneroo Road (the subject lots) made submissions generally requesting the re-introduction of land uses deleted by Council in February 2011 and also lodged a separate application to Amend SP 47 (Amendment 4) to introduce Car Wash, Hairdresser, Liquor Store, Recreation Centre, Dry Cleaning Premises, Laundromat, Veterinary Consulting Rooms and Veterinary Hospital) as additional uses capable of being approved on the subject lots under SP 47.

At its meeting on 23 August 2011 (PS02-08/11), Council resolved that the advertised version of SP 80 was satisfactory (subject to minor changes) and forwarded it to the WAPC for final approval (SP 80 is still pending consideration by the WAPC). At that meeting, Council also resolved not to initiate Amendment 4 to SP 47 because it was considered unreasonable and inappropriate to entertain any amendments to Structure Plan No. 47, given that it was (and still is) subject to review and replacement with draft SP 80.

The landowner of Lots 810 and 811 Wanneroo Road subsequently lodged two appeals (DR331 and DR332 of 2011) with the SAT against Council's decisions. A SAT mediation hearing was subsequently held on 25 October 2011 and as an outcome, the landowner submitted an

amendment (Amendment 1) to draft SP 80, which proposes to allow an additional range of land uses on Lots 810 and 811 than what was agreed by Council in its final approval of SP 80. Amendment 1 also proposes to modify the definitions for 'growers mart' and 'showrooms' and to modify the land use definition for 'Retail Nursery' to reflect the definition of the City's development approval (DA08/0232), granted by Council on 29 July 2008 (PD19-07/08).

Detail

The key elements of the initial Amendment proposal are as per the following:

1. Include the following additional uses as 'D' (discretionary) uses for Lots 810 and 811 Wanneroo Road:

- Car wash and incidental coffee shop
- Hairdresser
- Liquor Store
- Recreation Centre
- Dry Cleaning Premises
- Retail Nursery

2. Amend the draft SP 80 definition for 'Growers Mart' from:-

"Growers Mart – means land or buildings used for the wholesale distribution or sale by retail of:

(a) Fruit, vegetables, nuts, grains, beans and herbs which are in a raw, unprocessed and unrefined state ("raw products"), save for any minimal processing and packaging undertaken off the premises necessary to bring the raw products to market; and

(b) Milk, cheese and yoghurt and may include the washing and further limited preparation or packaging of the raw products on the premises in order to make them suitable for sale, provided that any such preparation or packaging on the premises may not result in a new or different product. The use does not extend to the sale of cooked, refined, canned or processed goods (such as potato chips or other processed foods normally associated with a shop or take way food outlet) and excludes any use or activity that falls within the DPS 2 definitions of take away food outlet or restaurant, and the sale of any goods or products other than those expressly listed in this definition."

To the following definition:-

"Growers Mart - means any land or buildings used for the wholesale, distribution and retail sale of primary products limited to food and beverages for human consumption including fruit and vegetables, meat, fish, bread, milk, cheese and yoghurt and may include a gourmet deli."

Further, the revised definition would enable the following uses to be deleted from the approved list of discretionary uses adopted by Council at its meeting of 23 August 2011, on the basis that the sale of products associated with these activities would be covered by the revised Growers Mart definition also proposed by Amendment a (as stated above):

- Butcher
- Bakery
- Fish Monger

3. Amend the draft SP 80 definition for 'Showroom' from:-

"Showroom – Means the land or premises used to display, sell by wholesale or retail, or hire, automotive parts and accessories, camping and sporting equipment, electrical light fitting, pet supplies, floor coverings, furnishings, furniture, household appliances (where such household appliances are not of a bulky nature, or otherwise permitted by this definition, the display of such household appliances is not to exceed 10% of the NLA of an individual showroom premises area), party supplies, hardware, or goods of a bulky nature but excludes open air displays."

To the following definition:-

"Bulky goods retail or showroom - means large premises used to display, sell by wholesale or retail, or hire automotive parts and accessories, home entertainment goods, camping and recreation equipment, household appliances, electrical light fittings, office equipment supplies, animal and pet supplies, party supplies, floor coverings, swimming pools and supplies, furnishings, bedding and Manchester, hardware, furniture, garden supplies and goods of a bulky nature that require a large area for handling, display or storage; or direct vehicle access to the site of the premises by the public for the purpose of loading goods into a vehicle after purchase or hire."

4. Include the following definition for 'Retail Nursery':-

"Retail Nursery - means land and/or buildings used for the storage, display and retail sale of nursery and horticultural products including plants, seeds, bulbs, seedlings, trees, and other nursery stock and products associated with horticulture, domestic gardens, outdoor living, garden decor and clothing for gardening and may include associated outdoor leisure products and an incidental cafe."

Consultation

Formal consultation associated with Amendment 1 to draft SP 80 was undertaken in accordance with Clause 9.5 of District Planning Scheme No. 2 (DPS 2) and Local Planning Policy 4.2 (LPP4.2) – 'Structure Planning' and included writing letters to affected landowners and government agencies, placement of a sign on site, notice in the Wanneroo Times and display on the City's website.

The Amendment was advertised between 28 November 2011 and 17 January 2012. At the conclusion of the consultation period, the City received five (5) submissions. Four submissions were received from government agencies, namely Water Corporation, Department of Environment and Conservation, Main Roads Western Australia and Department of Water. One (1) submission was received from Greg Rowe and Associates representing the owner of Lot 19 (20) Clarkson Avenue, Tapping, which is located on the opposite (eastern) side of Wanneroo Road from the 'Central Precinct' of draft SP 80.

Centres Strategy

Draft SP 80 is not currently afforded the status or classification of an 'activity centre' under any existing retail planning strategy or policy and, given its relatively isolated nature and lack of walkable residential catchment, it is unlikely that the site would meet the criteria of an 'activity centre' as prescribed by SPP 4.2. However, the provisions of SPP 4.2 would suggest that the site (given its current approvals, operating land uses and geographic location) is best suited to bulky goods retailing. This is re-affirmed by previous determinations by SAT (Amendment No. 1 to SP 47), which introduced a limited amount of showroom (bulky goods retailing) into the allowable land uses on Lots 810 and 811. This was further supported by Council's endorsement of SP 80 to support the expansion of the 'Central Precinct' and increase in the maximum showroom floor space component from 5,500m² to 17,000m².

Part 5.6.1 of SPP 4.2 provides a range of criteria for determining the suitability of proposed locations for 'Bulky Goods Retailing and Mixed Business' and suggests that *shop-retail* uses should be located in a pedestrian friendly urban environment, whilst bulky goods retailing is unsuited to the *walkable catchment* given its size, car-parking requirements, low employment densities and need for freight vehicle access.

In this regard, Appendix 1 of SPP 4.2 prescribes the following interpretation of Bulky Goods or Showroom:

"Bulky goods retail or showroom - Large premises used to display, sell by wholesale or retail, or hire:

- *automotive parts and accessories*
- *home entertainment goods*
- *camping and recreation equipment*
- *household appliances*
- *electrical light fittings*
- *office equipment supplies*
- *animal and pet supplies*
- *party supplies*
- *floor coverings*
- *swimming pools and supplies*
- *furnishings, bedding and manchester*
- *hardware*
- *furniture*
- *garden supplies, and*
- *goods of a bulky nature that require a large area for handling, display or storage; or*
- *direct vehicle access to the site of the premises by the public for the purpose of loading goods into a vehicle after purchase or hire."*

In determining the suitability of land uses within SP 80 it is recognised that the 'Growers Mart' land use has some 'shop-retail' characteristics (i.e. sale of fruit and vegetables, meat and fish), however, it does not appear to meet the geographical location for an activity centre, as prescribed by SPP 4.2. Regardless, this does not alter the fact that 'Growers Mart' is both an existing and approved use within SP 47 and is proposed to remain so under SP 80.

Several of the land uses proposed by Amendment 1 to SP 80 also have 'shop-retail' characteristics (i.e. hairdresser and liquor store). At this time, the development of the 'Central Precinct' can only be considered as 'out of centre development' because it is not afforded the status of an 'activity centre'.

Part 5.6 of SPP 4.2 - Out of Centre Development (Points 1 and 2) specifies that uses such as health, welfare, community services, entertainment, recreation, commercial and cultural facilities, which are likely to attract a significant number of employees or users and/or generate significant vehicle trips, should generally be located in, or adjacent to, activity centres. Where these uses cannot be accommodated within, or adjacent to activity centres, development should be restricted to established 'Mixed Business' or equivalent zones with good access to public transport, rather than being dispersed.

In this instance there is a designated activity centre (Lot 19 Clarkson Avenue, Tapping) located on the opposite side of Wanneroo Road from SP 80 and the City has received a submission on behalf of that owner indicating a desire to accommodate all of the land uses proposed by Amendment 1 to SP 80, on their property (excluding Retail Nursery). The inclusion of those land

uses in SP 80 could therefore be inconsistent with the provisions of SPP 4.2. However, if these types of uses cannot be located in an activity centre, then the City could consider allowing a broader range of health, welfare, community services, entertainment, recreation, commercial and cultural facilities within the 'Central Precinct' of SP 80 due to its general equivalency with a 'Mixed Business' as per SPP 4.2.

The applicant has provided a letter from Macroplan in support of the additional land uses. The Macroplan letter suggests that the proposed land uses will provide a greater level of service to the catchment, increase competition and would not delay or preclude the provision of the same land uses within the designated activity centres.

Administration has considered the individual nature and merit of the proposed land uses in accordance with the draft SP 80 statement of 'Intent', having regard to the uses already supported by Council. In this regard, it should be noted that Administration supports the inclusion in SP 80 (through Amendment 1) of the uses - carwash, recreation centre, dry cleaning premises and retail nursery, as those uses would not attract a significant number of employees or generate a significant number of vehicle trips. Further, these uses have a high dependence on vehicle related trips (rather than serving a walkable catchment) and would benefit from the high exposure to Wanneroo Road. Support for these uses will also supplement the existing land uses on Lots 810 and 811 without detracting from the ability of the nearby designated activity centre at Lot 19 Clarkson Avenue, to provide the same suite of land uses. Conversely, Administration considers that hairdresser and liquor store are uses that are primarily shop/retail and should be limited to designated activity centres, unless otherwise already permitted under the existing zoning of a property.

Traffic Implications

As part of the City's preparation of draft SP 80, the City engaged GHD consultants to assess the traffic circulation and movements within the structure plan area and its implications on the abutting regional road system. The conclusions of the assessment were considered acceptable, however, it was noted that traffic congestion associated with Wanneroo Road and Joondalup Drive will increase over time and therefore impact on the level of service provided by future traffic signals proposed on both Wanneroo Road and Joondalup Drive. In this regard, the report indicated that significant upgrading of both these roads will be required by 2021 (including additional lanes).

The City requested the applicant to provide a traffic assessment in relation to the additional land uses proposed by Amendment 1 to SP 80 and, in response, the applicant engaged Transcore to provide a report on this matter. The City engaged GHD consultants to review the traffic report prepared by Transcore, which involved the following tasks:

- Review of the traffic volumes used in the SIDRA models;
- Spot checks on the other input data in the SIDRA models;
- Re-running the SIDRA models with recommended amendments to the input data;
- Comparison of the average delays and 95% back of queue distances between the scenario with the already approved land uses and the scenario with the proposed land uses.

GHD's review of the Transcore SIDRA modelling has shown that the impact specifically attributable to the proposed (additional) land uses would not have a significant impact on the operation of the access intersections onto Wanneroo Road and Joondalup Drive and it was concluded that the findings of the Transcore report are acceptable.

Additional Land Uses Within the Central Precinct:

The intent of the 'Central Precinct' of SP 80, as prescribed by Point 1.1 of Table C of SP 80 is to provide for niche business and cultural uses that benefit from high exposure to Wanneroo Road but do not significantly compromise the viability of nearby activity centres and encourage a built form that respects and recognises the environment of Yellagonga Regional Park.

Under SP 80, the range of land uses in the 'Central Precinct' should recognise the car-based accessibility and high exposure of the site to passing trade. It is noted that the 'Central Precinct' has not been identified as an 'Activity Centre' and Council was previously concerned that some of the uses previously proposed, if allowed in the 'Central Precinct' in combination with other permissible uses, could constitute a *de facto* shopping centre and directly conflict and compete with existing or proposed activity centres in the locality.

Notwithstanding the above, it is open to Council to determine the exact nature of the uses that could be permitted in the 'Central Precinct' while protecting the intent of that precinct under SP 80.

The following represents Administration's position on the additional land uses proposed by Amendment 1 to SP 80.

Car wash and incidental coffee shop – Car Wash is an identified land use within DPS 2, whilst a coffee shop is not. The land use definition of DPS 2 defines car wash as being '*any land or buildings used for mechanical vehicle washing. Such uses may or may not be associated with a service station and may include other such uses considered by Council to be ancillary to the predominant use of the land*'. In this regard, it should be noted that a service station presently is not permitted within the 'Central Precinct' of SP 80. The introduction of a new land use of 'coffee shop' is not considered desirable, however, that use may be considered in the context of 'restaurant' or 'lunch bar', which are defined land uses within DPS 2 and already allowable under SP 80. Therefore, the introduction of a new land use 'incidental coffee shop' is not required. The 'car wash' land use is a car-based use and is therefore supported.

Hairdresser – Hairdressers typically occur within the mixed use, business and commercial zones of DPS 2. Low key, single operator hairdressers can also occur within the residential zone as a 'home business'. Hairdressers contribute towards activating local centres and provide a 'typical' activity centre land use. This use is not 'car-based' and may compete with land uses within the designated activity centres.

Although Administration's report to the February 2011 Council meeting supported this use for the purposes of advertising only (and was advertised again as part of this amendment proposal), that use was previously deleted by Council and is not supported by Administration for the reasons described above.

Liquor Store – The landowner has requested this land use to accommodate a 'large format' liquor store. The applicant contends that this use is suited to car-based development and that there is limited opportunity to locate such uses adjacent to existing activity centres and that in the future there will be sufficient demand from the large population growth in the catchment area to accommodate multiple liquor stores.

Although Administration's report to the February 2011 Council meeting supported this use for the purposes of advertising only (and was advertised as part of this amendment proposal), that use was previously deleted by Council and is not supported by Administration.

Liquor Store clearly has a shop/retail focus and therefore would contribute towards activating local centres and provide a typical 'activity centre' land use.

Recreation Centre – Recreation Centres typically occur within the mixed use, business, civic and cultural, commercial, private clubs and recreation and service industrial zones of the scheme. The land use definition of DPS 2 defines recreation centre as *'any premises used for physical exercise or sports including swimming, ice skating, ten pin bowling, cricket, tennis, squash, soccer, billiards and similar activities'*. The landowner has indicated that he has a client seeking to establish a gymnasium, which would be classified as a recreation centre under DPS 2. These types of land uses generally require large floor areas, cater for a 'niche' market and generally serve a broad catchment area. There may be synergies between this use and 'activity centres', particularly in regard to activating a centre during evening periods.

Administration's report to the February 2011 Council meeting supported this use for the purposes of advertising only, but that use was subsequently deleted by Council. Administration is still prepared to support the inclusion of this use as it is not considered to be a core shop/retail use and whilst the 'Central Precinct' is not a designated activity centre, uses of this type already exist outside of designated activity centres (such as at 'Calabrese Triangle' and 'Clarkson') and function appropriately, without impacting on nearby activity centres.

Dry Cleaning Premises – Dry Cleaning premises can occur across a broad range of locations and zones and typically occur within the business, commercial, service industrial and general industrial zones of DPS 2. Whilst this land use can support the activation of identified centres, it can also exist independently of such centres, within 'industrial' zoned land and may be acceptable as a 'niche business'. The land use definition of dry cleaning premises under DPS 2 is as follows: *'any land or buildings used for the cleaning of garments and other fabrics by chemical processes'*. Administration's report to the February 2011 Council meeting supported this use for the purposes of advertising, but it was subsequently deleted by Council. Administration still supports the inclusion of 'Dry Cleaning Premises' for the abovementioned reasons.

Retail Nursery – Administration was initially opposed to the introduction of a 'retail nursery' definition in SP 80 because it is not a prescribed land use in DPS 2 and Administration was reluctant to create new categories of land uses in SP 80 that are not aligned to those in DPS 2.

However, given 'Retail Nursery' is a specific use that was defined in the City's development approval for the subject land (DA08/0232), which was approved by Council on 29 July 2008 (PD19-07/08) and is currently operating on the site, it is Administration's view that the introduction of this land use will only serve to align the permitted use(s) under SP 80 with the corresponding retail nursery definition already applied by Council's previous development approval therefore supports the 'Retail Nursery' land use and associated definition.

Revised Land Use Definitions:

Growers Mart – SP 80 incorporates a different definition for growers mart than the existing SP 47 that it will replace. Through Amendment 1 to SP 80, the applicant is seeking to re-introduce a modified version of the original land use definition to include products being sold from and uses approved for the site (i.e. milk, cheese, yoghurt and gourmet deli).

The following definition for growers mart is currently included in draft SP 80:

"Growers Mart – means land or buildings used for the wholesale distribution or sale by retail of:

(a) *Fruit, vegetables, nuts, grains, beans and herbs which are in a raw, unprocessed and unrefined state ("raw products"), save for any minimal processing and packaging undertaken off the premises necessary to bring the raw products to market; and*

(b) *Milk, cheese and yoghurt,*

and may include the washing and further limited preparation or packaging of the raw products on the premises in order to make them suitable for sale, provided that any such preparation or packaging on the premises may not result in a new or different product. The use does not extend to the sale of cooked, refined, canned or processed goods (such as potato chips or other processed foods normally associated with a shop or take way food outlet) and excludes any use or activity that falls within the DPS 2 definitions of take away food outlet or restaurant, and the sale of any goods or products other than those expressly listed in this definition."

The definition included in SP 47 is as follows:

"Growers Mart - means any land or buildings used for the wholesale, distribution and retail sale of primary products including fruit and vegetables, meat, fish, bread."

Administration developed the revised definition of growers mart to remove the ambiguity and generality of the SP 47 definition and to provide greater clarity for the City and the landowner in respect of the range of goods that could be sold under the growers mart definition. Those uses previously approved under the SP 47 'growers mart' definition that could be better described as individual land uses have now been defined in SP 80, including the following:

- Butcher
- Bakery
- Fish Monger

The applicant has requested that the above land uses not be identified as separate land uses and simply treated as 'growers mart' or primary products and that the original definition be re-introduced in a modified form as per the following:

"Growers Mart means any land or buildings used for the wholesale distribution and retail sale of primary products limited to food and beverages for human consumption including fruit and vegetables, meat, fish, bread, milk, cheese and yoghurt and may include a gourmet deli".

Administration has included and defined specific land uses in SP 80 to encompass the uses operating on the site and to provide clarity to the meaning of 'growers mart'. The original definition has historically been problematic for both the landowner and the City in determining the suitability of land uses. The existing definition under SP 47 has given rise to the following applications, which were refused by the City:

- The sale of cooked fish and potato chips
- Gourmet deli
- Wine Sales
- Fish and Chips Shop

The City's refusal of applications for the above uses have been the subject of appeals to SAT, where it has been successfully argued by the City that the uses do not involve the sale of 'primary products' and thus cannot be approved under the growers mart definition. The applicant was aggrieved by SAT's determination and subsequently sought to challenge that decision in the Supreme Court. The Supreme Court proceedings have now been adjourned to a date in or after March 2012, pending Council's consideration of this amendment.

The City has expended significant time and resources in assessing and defending decisions regarding the nature of 'growers mart' and it is not considered appropriate to re-introduce the applicant's modified version of the original definition as this would again create difficulties in interpreting the definition and could re-introduce the 'primary product' component of the definition. Administration does not support the modification of the 'growers mart' definition.

Showroom – The applicant has requested that the SP 80 definition for 'showroom' be modified from 'Showroom' to 'Bulky goods retail or showroom'. The applicant has requested that the definition from State Planning Policy 4.2 "Activity Centres for Perth and Peel" be included as it is referenced in the policy as 'out of centre' development. Whilst there are only subtle differences between the current and suggested wording, the definition included in SP 80 reflects the current 'showroom' definition included into SP 47, which was determined by the SAT in August 2010 (SAT Matter DR318 of 2009) as part of its consideration of a previous amendment to SP 47 (Amendment Number 1). Administration does not support the modification of the showroom definition.

The current and proposed definitions (respectively) are re-iterated below:-

"Showroom Definition – Means the land or premises used to display, sell by wholesale or retail, or hire, automotive parts and accessories, camping and sporting equipment, electrical light fitting, pet supplies, floor coverings, furnishings, furniture, household appliances (where such household appliances are not of a bulky nature, or otherwise permitted by this definition, the display of such household appliances is not to exceed 10% of the NLA of an individual showroom premises area), party supplies, hardware, or goods of a bulky nature but excludes open air displays."

"Bulky goods retail or showroom - means large premises used to display, sell by wholesale or retail, or hire automotive parts and accessories, home entertainment goods, camping and recreation equipment, household appliances, electrical light fittings, office equipment supplies, animal and pet supplies, party supplies, floor coverings, swimming pools and supplies, furnishings, bedding and Manchester, hardware, furniture, garden supplies and goods of a bulky nature that require a large area for handling, display or storage; or direct vehicle access to the site of the premises by the public for the purpose of loading goods into a vehicle after purchase or hire."

The main difference relates to the SP 80 wording that restricts 'non-bulky' goods to 10% of the floor space (i.e. toasters, TV's etc) and does not specifically refer to swimming pools, office supplies, recreation equipment, manchester or garden supplies.

Administration does not support the modification of the showroom definition.

Retail Nursery – Administration supports the inclusion of the 'Retail Nursery' land use, subject to the deletion of the 'plant nursery' land use from the land use provisions of Table C in SP 80. The proposed 'Retail Nursery' land use is in accordance with the definition included in the City of Wanneroo development approval (DA08/0232), which was approved by Council on 29 July 2008 (PD19-07/08) and is currently operating on the site. In addition to the inclusion of 'Retail Nursery' the following definition should be included (as per the development approval definition).

"Retail Nursery - means land and/or buildings used for the storage, display and retail sale of nursery and horticultural products including plants, seeds, bulbs, seedlings, trees, and other nursery stock and products associated with horticulture, domestic gardens, outdoor

living, garden decor and clothing for gardening and may include associated outdoor leisure products and an incidental cafe."



31st October 2011

The Chief Administrative Officer,
City of Wanneroo,
Locked Bag 1
Wanneroo WA 6946

Dear Sir,

**LOCAL STRUCTURE PLAN NO 80 – AMENDMENT 1
PROPOSED MODIFICATION FOR LOTS 810 AND 811
WANNEROO ROAD, WANNEROO**

We act for the owners of the above properties.

The agreed outcome of the SAT Mediation Hearing on 25th October 2011 was for the Applicant to submit a request to the City seeking an Amendment be initiated to proposed LSP80 (generally along the lines of proposed Amendment 4 to LSP 47) and the appeal be deferred pending the Council's decision on the Amendment.

This is a request that the Council adopt and initiate a modification to proposed LSP80:

a) To include the following additional permissible uses for Lots 810 and 811 Wanneroo Road:

- Car wash and incidental coffee shop
- Hairdresser
- Liquor Store
- Recreation Centre (private recreational activities, gym etc) and
- Dry cleaning premises.
- Retail Nursery (to include the existing use in LSP80)

b) To modify the definitions of "growers mart" and "showrooms" and add a definition for "Retail Nursery" (in accordance with the existing Council approval).

c) To advertise the Amendment (commencing immediately) for a period of 28 days.

23 - 10 - 2011
SUNTOWN ENTERPRISES

1. SCHEME PROVISIONS FOR AN AMENDMENT TO LSP 80

1.1 Power to Initiate an Amendment to a Draft Structure Plan

The City of Wanneroo District Planning Scheme No 2 provides for an Amendment to a draft structure plan and for the Council to advertise such an Amendment at it's discretion in Clause 9.7.1:

“9.7.1 Any Agreed Structure Plan may, subject to the approval of the Commission, be amended or revoked by the Council. An amendment to a draft Structure Plan may be advertised by the Council at its discretion, however the Council should not sign and seal the amendment, prior to the substantive Structure Plan being signed, sealed and certified by the Council and the Commission under Clauses 9.6.3 and 9.6.5.”

1.2 Advertising of Amendment to a Structure Plan

Clause 9.7.2 and 9.7.3 of the Scheme also provide the Council with authority to waive public notification of a proposed Amendment in a specified circumstance or to apply Public Notice provisions as are appropriate in the case. The Scheme provisions are quoted below for clarity:

“9.7.2 Public Notice of the amendment or revocation shall be given in accordance with Clause 9.5 but, in the case of an amendment the public notification may be waived when the amendment is considered by the Council to be of a minor nature such as not to materially alter the intent of the Agreed Structure Plan or cause any significant detriment to land within or abutting the Structure Plan area.

9.7.3 Such of the provisions of Clause 9.6 as the Council considers appropriate in the circumstances of any case may be applied to the amendment of an Agreed Structure Plan

We submit that in the circumstances the proposed Amendment is of a minor nature and will not have a material impact on the intent of the structure plan nor be detrimental to land within or abutting the structure plan area. Therefore it is not required to be advertised – at the discretion of the Council. Not with standing, we advise of no objection to advertising Amendment 1 for a period of 28 days if initiated immediately under delegated authority to ensure the advertising period is completed prior to the Christmas holiday period.

2. CRITERIA FOR PROPOSED USES

The proposed additional uses have been selected based upon the following criteria:

- Proposed uses are uses that are under-provided within the City of Wanneroo.
- They will not undermine the established or planned retail hierarchy in the area.
- They will not have any significant increased impact upon competing showroom clusters around Drovers Place.
- They will not preclude the ability of designated activity centres to offer similar services.
- They will allow Drovers Place centre to better serve the surrounding catchment by responding to market demand.
- The proposed uses are uses that are appropriate niche business uses in accordance with the objective for the Central Precinct.

3. POTENTIAL COMMERCIAL IMPACT

Macroplan in their letter of 28th October 2011 (see Attachment 1) advises that the type of proposed additional uses will not have any significant affect upon the economic impact of Drovers Place on other Centres beyond the existing approved uses.

4. ACTIVITY CENTRES POLICIES

Amendment 1 was proposed in late 2008 to include Showrooms, Pharmacy (discount), Medical Centre, Liquor Store, Recreation Centre (private), and Self Storage Units.

The Council in October 2008 refused to adopt proposed Amendment No 1 on the basis of it being considered inconsistent with the City's draft Activity Centres Strategy/Local Planning Policy. That draft strategy/policy has still not been approved by the City and even now cannot be regarded as a seriously entertained planning proposal that the planning authorities (including the Council) are required to have regard to in making planning decisions.

Subsequently the Council approved Amendment 1 with only Showrooms and Self Storage Units as permitted uses. SAT supported the showroom element in DR 318 of 2009 and in the decision specified the need for Drovers Place to be recognized as a Centre in the City's planning strategies.

The WAPC has adopted a new State Planning Policy 4.2 "Activity Centres for Perth and Peel" which specifically provides for Out-of-Centre Centres such as Drovers Place. The Drovers Place Centre and the proposals in this amendment satisfy the guidelines of SPP4.2 for Out of Centre locations.

SPP4.2 also contains clarification of the term "bulky goods retail and showroom. For technical and legal reasons the definition of showrooms in LSP80 should be taken from SPP4.2 in preference to the earlier definition

used in draft LSP80 arising out of SAT 318 of 2009. The SPP4.2 definition is specified below:

“Bulky goods retail or showroom” means large premises used to display, sell by wholesale or retail, or hire automotive parts and accessories, home entertainment goods, camping and recreation equipment, household appliances, electrical light fittings’ office equipment supplies, animal and pet supplies, party supplies, floor coverings, swimming pools and supplies, furnishings, bedding and Manchester, hardware, furniture, garden supplies and goods of a bulky nature that require a large area for handling, display or storage; or direct vehicle access to the site of the premises by the public for the purpose of loading goods into a vehicle after purchase or hire.

The expert advice of Macroplan contained in Attachment 1 should also be referred to as a guide to the manner in which SPP4.2 should be considered in relation to this proposed Amendment.

5. TRAFFIC CONSIDERATIONS

Transcore have provided a brief technical report on the traffic implications arising from the uses in this proposed Amendment in Attachment 2. This assessment concluded that the increase in trip production resulting from the changes in land use proposed is “considered to be insignificant and not expected to have any adverse impact on the operation of the development’s access/egress points onto Wanneroo Road and Joondalup Drive”.

6. RETAIL NURSERY

An approved retail nursery already exists on Lot 811 and should remain as a permissible use.

Draft LSP80 includes a “plant nursery: but that is an entirely different land use that the established “retail nursery: permitted under LSP47 and established on Lot 811. The “retail nursery” use should be reflected in LSP80 as it is an appropriate niche use of Drovers Place and has already been established pursuant to LSP47 and a Council approval of the use. Draft LSP80 undoes all that by making a retail nursery a prohibited use.

At it’s meeting of 29th July 2008 the Council approved a “retail nursery” on Lot 811 with the following use definition:

“Retail Nursery means land and/or buildings used for the storage, display and retail sale of nursery and horticultural products including plants, seeds, bulbs, seedlings, trees, and other nursery stock and products associated with horticulture, domestic gardens, outdoor living, garden decor and clothing for gardening and may include associated outdoor leisure products and an incidental cafe.”

Draft LSP80 includes a “plant nursery” as a permissible use in the Central Precinct. The use is defined in Scheme 2 as follows:

“Plant nursery: means land and/or buildings used for the propagation, nurturing and growing of plants, and where that is the predominant use may include as an incidental use the retail sale of seeds, bulbs, seedlings, shrubs, trees and other nursery stock and additionally plant containers, implements, sprinklers and home reticulation equipment”.

Because the City of Wanneroo framed SP47 with the term “Retail Nursery” - a different land use description than a “Plant Nursery” it is clear that a “Retail Nursery” is not the same as a “plant nursery” that is place for propagation and growing of plants without retailing other garden and outdoor living products. There is no justification for a “retail nursery” land use being removed as a permitted use. The administration’s argument that the change is OK because the use will have non-conforming use rights does not give security for the use – it remains threatened as a prohibited use under the Scheme.

7. GROWERS MART

Growers Mart definition has been made discretionary – from being a “P” Permitted Use under SP47. A discretionary use is a “use not permitted” except with the approval of the Council. This is a major negative shift in land use permissibility from SP47 without any justification whatsoever.

Also, the Growers Mart definition has changed to separate out butcher, baker and fishmonger from growers mart. The new definition of growers mart is very restrictive and would not cover or include some of the uses in the existing growers mart. For example, cooked crayfish, prawns etc in the fish shop and primary products approved by the City in the growers mart – Gourmet Deli. The butcher also involves meat processing for wholesale sale which may be regarded as “industry” and this is not covered by the new definition. There is no definition of butcher or fishmonger in the Scheme or draft LSP80.

The use “Growers Mart” is a use category in its own right. It is not just a group of separate land uses. That was agreed by the City at the SAT hearing on the primary products. This use category is important to maintain as a planning unit and be maintained in one definition rather than be broken into it’s components.

Some elements of the existing uses in the growers mart would not comply with the definitions under draft LSP 80. The existing uses were established under the existing definition – one written by the City. The owner is working within that definition but now draft LSP 80 proposes to change the definition and further restrict growers mart uses not with standing that the interpretation has now been determined by SAT. We believe there is no justification for such a change.

Accordingly we propose that draft LSP80 land use definitions for the growers mart revert to that in Approved LSP47 and include milk, cheese and yoghurt and the gourmet deli as follows:

“Growers mart means any land or buildings used for the wholesale, distribution and retail sale of primary products limited to food and beverages for human consumption including fruit and vegetables, meat, fish, bread, milk, cheese and yoghurt and may include a gourmet deli.”

8. PROPOSED ADDITIONAL USES

The following additional uses are proposed to be included as permissible uses in Lots 810 and 811 Wanneroo Road under LSP 80:

- Car wash and coffee shop

This is not an automated car wash machine, but rather a car wash conducted manually by attendants while the driver waits or goes shopping at Drovers Place. The Crystal Car Wash chain of establishments in Sydney is an example of this type of use. It is not yet established in Perth.

A car wash is a car-orientated use that would suit the intended nature of the Central Precinct. Nearby Activity Centres are unlikely to include this use. It is not a retail use so would therefore not interfere with the retail viability of surrounding Activity Centres. The incidental coffee shop provides a waiting area and meeting place for clients while their vehicle is being washed.

- Hairdresser

There is a shortage of hairdresser establishments in the City of Wanneroo. Small hairdressers are unable to pay the rent in shopping centres. For example, the hairdresser in Wanneroo Central was squeezed out for a higher rent use. This is not a use that should only be restricted to shopping centre locations or activity centres as there is ample business for hairdressers to be located in Drovers Place and other centres. It is a use that is service oriented rather than retail and should be supported.

- Liquor Store

Large format liquor stores are suited to car orientated Precincts such as the Drovers Place Precinct. We have demonstrated that there is limited opportunity to locate such use adjacent to existing activity centres. A major liquor store operator has committed to Drovers Place (if approved) because he is unable to find a suitable alternate site in or near the Wanneroo Town Centre that meets his locational criteria. This will not preclude such use in or

around other centres. In the future; there will be sufficient demand for both locations because of the large population growth in the catchment area.

- Recreation Centre (ie, gym)

A recreation centre is not a retail use and will not compete with the retail viability of surrounding Activity Centres. It will provide an appropriate additional niche use for Drovers Place. A gym of up to 1,250 sq metres is proposed at Drovers Place by the operator of an existing gym at Clarkson. The operator is unable to find alternative sites to locate this facility in the City of Wanneroo. Location of a gym at Drovers Place will not preclude such use establishing at Activity Centres when there is an opportunity.

The use "Private Recreation" which is permissible under draft LSP80 is for parks or playing grounds requiring an admission fee. Such use is inappropriate for the Drovers Place land and is not an appropriate commercial niche use. The "recreation centre" land use defined in the Scheme is a suitable land use for Drovers Place.

- Dry Cleaning Premises

Dry cleaning and Laundromat premises go "hand in hand". A Laundromat is permissible under draft LSP80 but not the complementary dry cleaning premises. This use is not a retail activity and will not compete with the viability of surrounding Activity Centres so should be included at Drovers Place to provide full cleaning services to the public.

Most of these proposed land uses are not uses that can normally be accommodated in local retail centers because they usually need extensive floor space and/or cannot afford the high rents of a shopping center. This is a similar situation to that for the established growers mart and showrooms.

Accordingly, we propose to include these uses as permissible land uses on Lots 810 and 811 in LSP 47 to cover the local market demand. This is necessary because the proposed tenants cannot find acceptable sites for these uses in or adjacent to the existing centres in Wanneroo.

All these uses would help form a logical land use grouping to help realize the potential of this locality and to provide services to the local community that are not provided elsewhere. Note that these are not uses that would go into a designated shopping center because the floor space required would not be available and/or affordable rents are not available. Also, we have examined adjacent locations to the Wanneroo Town Centre and other Centres in Wanneroo and found they cannot accommodate the proposed uses (see attachment 3).

The site comprises 4.4238 hectares of useable land "zoned" under LSP 47 for Restricted Business but presently only allows five uses, namely: retail nursery with incidental café, landscape supplies, showrooms, self storage units and growers mart.

With limitations being imposed upon these uses by the LPS and the City restricting the conduct of those uses, it is necessary to expand the potential permissible uses to fill vacant floor space.

Lots 810 and 811 have a locational attraction and potential to accommodate the proposed additional uses within a controlled traffic environment and without any detriment to the amenity of the locality. The buildings and parking areas already approved on the site can be modified to accommodate these additional uses. Furthermore the location accords with the City's adopted Retail Strategy (of 2001), being an existing strategic location for such extensive floor space uses and can logically be added to the existing Restricted Business area of LSP 47. The proposal also conforms with the criteria for additions to existing Out of Centre locations set out in SPP4.2.

PROPOSAL:

1. That the Council RESOLVE TO AMEND LSP80 as follows:

MODIFY Table C — Planning Requirements for the Central Precinct by adding the following provisions.

In Clause 2.1 add the following additional uses to the list of discretionary ('D') uses:

- **Car Wash**
- **Dry Cleaning Premises**
- **Hairdresser**
- **Liquor Store**
- **Recreation Centre**
- **Retail Nursery**

In Clause 2.1 delete the following uses from the list of discretionary uses:

- **Butcher**
- **Bakery**
- **Fishmonger**

In Clause 2.2, Delete the existing provisions and substitute:

"Car Wash, Dry Cleaning Premises, Hairdresser, Liquor Store, Recreation Centre, Retail Nursery and Self Storage Units shall be discretionary ("D") uses for Lots 810 and 811 Wanneroo Road only."

In Clause 2.4, Delete the definitions of Growers Mart and Showrooms and substitute the following definitions :

"Growers mart" means any land or buildings used for the wholesale, distribution and retail sale of primary products limited to food and beverages for human consumption including fruit and

vegetables, meat, fish, bread, milk, cheese and yoghurt and may include a gourmet deli.’

“Bulky goods retail or showroom” means large premises used to display, sell by wholesale or retail, or hire automotive parts and accessories, home entertainment goods, camping and recreation equipment, household appliances, electrical light fittings, office equipment supplies, animal and pet supplies, party supplies, floor coverings, swimming pools and supplies, furnishings, bedding and Manchester, hardware, furniture, garden supplies and goods of a bulky nature that require a large area for handling, display or storage; or direct vehicle access to the site of the premises by the public for the purpose of loading goods into a vehicle after purchase or hire.’

And add the following definition:

“Retail Nursery means land and/or buildings used for the storage, display and retail sale of nursery and horticultural products including plants, seeds, bulbs, seedlings, trees, and other nursery stock and products associated with horticulture, domestic gardens, outdoor living, garden decor and clothing for gardening and may include associated outdoor leisure products and an incidental cafe.”

2. PURSUANT to Clause 9.7.1 of District Planning Scheme No. 2 give public notice for 28 days to Amendment No 1 being appropriate at Council’s discretion under Clause 9.7.3 of the Scheme.

Please contact us should you require further information.

Yours faithfully,



Ed Turner FPIA

ATTACHMENT 1

1st November 2011

Macroplan letter of 31 October 2011



1 November 2011

Ray Jackson
Director
Stonewall Constructions
PO Box 1026
Wangara WA 6947

Dear Ray,

RE: Drovers Place - Additional Uses in Lots 810 and 811

I refer to our meeting dated 26 October 2011 in relation to the above matter and provide the following advice. MacroPlan understands that you have received a market response to the advertised showrooms at Drovers Place that indicates a need for a greater flexibility for permissible land uses beyond those allowed under the showroom definition arising from your recent SAT decision. In particular, you wish to seek in principle support from the City of Wanneroo and DoP to include additional uses such as gymnasium, dry cleaner and liquor store as permissible uses within the showroom premises. It is noted that this has come about as a result of operators of these uses currently expressing interest in your development due to a lack of available floor space in alternative locations elsewhere in the City of Wanneroo (or Joondalup).

MacroPlan also understands that you have asked us to consider whether the addition of such floor space uses would be contrary to the principles established by the decisions of the SAT in its ruling. In particular you have asked us to consider the appropriate and acceptable level of use having regard to its position in the retail hierarchy and whether there is scope to include such uses without increasing the economic impact levels on other centres beyond that found to be acceptable by the Tribunal.

The Tribunal placed the following restrictions on the definition of showroom:

“Premises used to display, sell by wholesale or retail, or hire, automotive parts and accessories, camping and sporting equipment, electrical light fittings, pet supplies, floor coverings, furnishings, furniture, household appliances (where such household appliances are not of a bulky nature, or otherwise permitted by this definition, the display of such household appliances is not to exceed 10% of the NLA of an individual showroom premises area) party supplies, hardware or goods of a bulky nature but not excludes open air display”.

In this regard, it is my opinion that the above definition is unnecessarily restrictive in terms of providing an appropriate level of protection required to maintain the integrity of the retail hierarchy. It is my view that the abovementioned definition also unreasonably limits the ability of the development to respond to market place demand which overall results in a loss of economic development and job opportunity for the local community. Furthermore the definition of showroom arising from the SAT decision has now been superseded by the definition of showroom uses contained in SPP4.2 Activity Centres for Perth and Peel.

SPATIAL PLANNING	GROUND FLOOR
PROPERTY ACQUISITION	12 ST GEORGE TERRACE
ECONOMIC PLANNING	PERTH WA 6000
REGULATORY	PO BOX 8000, PERTH WA 6000
SPATIAL PLANNING	1 ST GEORGE TERRACE 111 & 112E TOWER
POLICY & STRATEGY	64500000000000000000
FINANCIAL MODELLING	64500000000000000000
GIS SERVICES	



It is considered that a revision of the uses considered appropriate for 'Showroom premises' at this location will not have an undermining effect on the established retail hierarchy of the area. This amendment include allowances of such uses as:

- Car wash;
- Hair dresser;
- Liquor store;
- Recreation centre / gym; and
- Dry cleaning premises

I base this conclusion on the fact that the retail assessment that formed the basis of my evidence during the hearing included the full range of potential use found in the modern use of showroom floor space and that the level of impact on the hierarchy was considered acceptable.

It remains my opinion that a less restrictive definition of the uses permissible in the Drivers Place centre will allow the development to better serve the surrounding catchment in the absence of other developments occurring. MacroPlan maintains that the community is best served by a development that is in response to the market demand it generates.

While MacroPlan essentially agree that such uses should be located in the areas designated as Activity Centres, the ability of Drover Place to accommodate additional compatible uses (i.e. gymnasium, liquor and hair dresser) will not delay or preclude the ability of the designated centres to offer similar services. This approach is in keeping in the spirit of competition and net community benefit as it fosters more competitive pricing and consumer choice.

In order to ensure this amendment does not impact on the delivery of similar uses at surrounding centres, while supporting the needs of the surrounding community, MacroPlan has conducted a gap assessment for the indicated uses to be allowed at the site. The allowance for car wash, hairdresser and dry cleaning premises do not provide a concern in terms of impacts on surrounding land uses, and would complement the uses of the marketplace 'role' of the centre. In terms of the large liquor store at the site, and a recreation centre, MacroPlan has undertaken further analysis.

While it is understood there will be a number of retail developments and expansions in surrounding areas over the coming years, the liquor store will fill both a spatial and economic market gap for residents, as well as providing reduced vehicle trips while customers conduct their shopping needs for other food retailing at the centre. The closest liquor outlets for residents to the east of Lake Joondalup are located at the Carramar Centre (small outlet 1km from the site) and Singara (4.5km from the site), with the likelihood of another being delivered in the future at the Banksia Grove District Centre. This site could allow for a larger format showroom liquor outlet (Dan Murphys, First Choice etc) which would also provide for higher competition and lower prices for the surrounding residents.

A recreation facility would further allow for a community atmosphere at the centre and, with reference to *State Planning Policy 4.2 Activity Centres for Perth and Peel*, would provide for a more vibrant centre with a wider range of uses. There is a fitness centre located 1km to the east of the subject site, however, apart from this facility there is a lack of alternatives for residents to the east of Lake Joondalup. This alteration will allow for the

STRATEGIC PLANNING	REGIONAL PLAN
PRIORITY ACTIONS	10-21 GEORGINA TERRACE
ECONOMIC ANALYSIS	PURTH RD 100A
ACTING ANALYSIS	RD 100A 1000, PURTH RD 1000
SPATIAL PLANNING	1 81 3 1005 1000 : 10 1 0000 1000
POLICY & STRATEGY	10-21 GEORGINA TERRACE
FINANCIAL ANALYSIS	10-21 GEORGINA TERRACE
20-10-1000	



provision of a service to the community which at present is severely lacking for the resident population, and with a lack of available locations for such a facility currently in surrounding locations.

MacroPlan's detailed assessment has also noted that a change in land uses allowances cannot be used to alter an impact assessment on smaller tenancies, as it only changes what tenants could occupy the space, and not necessarily what tenants will occupy the space. As such, while the amendment will allow for a range of uses to be allowed at the site in future, these uses may not necessarily occupy the premises. As such, MacroPlan conducts impact assessments on surrounding retail centres as a whole, rather than the tenancies or allowed uses at those centres. Importantly, the added flexibility of uses on site will not preclude the ability as previously to use the floorspace for showroom premises which were determined by Macroplan and agreed by SAT as having not having a significant level of impact on surrounding centres as the additional uses.

It is further considered that in terms of the role and function of Drovers Place outlet there is room within the general definition of the Activity Centre Policy for consideration of the development to play a legitimate role in the retail hierarchy. In my opinion it would be better to acknowledge the role and function of the development and establish strategies to deal in some of the issues identified by DoP regarding its non-status as an activity centre. This could be achieved by acknowledging the specialised nature of activity at Drovers Place and reviewing the accessibility of the site to public transport routes and walking and cycling facilities.

In summary, I can advise that the replacement of showroom floor space with the types of land uses you propose will not threaten the hierarchy of existing and planned centres in the area. Furthermore, I do not consider that the proposed amendments to the wording will have any significant increased impact on the competing showroom clusters around Drovers Place. Should it be required I am in a position to provide further evidence of my views and opinions outlined in the letter.

Please feel free to contact me if you have any further queries regarding this matter.

Yours sincerely,

Brian Haratsis
Managing Director
MacroPlan Australia

GENERAL PLANNING	REGIONS
PROPERTY ACQUISITION	12 DE GEORGES TERRACE
ENVIRONMENTAL ANALYSIS	12 DE GEORGES TERRACE
REAL ESTATE	12 DE GEORGES TERRACE
ENVIRONMENTAL PLANNING	12 DE GEORGES TERRACE
PROPERTY STRATEGY	12 DE GEORGES TERRACE
FINANCIAL ANALYSIS	12 DE GEORGES TERRACE
MARKETING	12 DE GEORGES TERRACE

ATTACHMENT 2

Transcore Technical Report of 31 October 2011



Technical Note: No 1

Date: 31/10/2011

Project No: t11.181

Project: Lots 810 & 811 Wanneroo Road, Wanneroo

Subject: Change of Approved land use – Traffic Assessment

INTRODUCTION

Transcore has been engaged by Stonewall Construction to investigate the traffic impact associated with the proposed change in approved land uses for the existing commercial complex located on Lots 810 & 811 Joondalup Drive in City of Wanneroo. The subject commercial complex forms part of the Drivers' Place Precinct Structure Plan which occupies land between Wanneroo Road, Joondalup Drive and Lake Joondalup Nature Reserve.

The proponent intends to develop a 3,420m² GFA portion of the commercial complex, which was formerly approved as retail showroom use, with a mix of retail, commercial and recreational uses. This Technical Note assesses the traffic impact of the proposal, as requested by the City of Wanneroo for a traffic report to assess the impact from the proposed change in use.

Accordingly, this Technical Note aims to establish the net traffic impact as a result of the proposed change of land use and investigate the flow-on effect on the two access points to the development on Wanneroo Road and Joondalup Drive.

BACKGROUND

The subject commercial centre is located on Lots 810 & 811 Wanneroo Road which is situated immediately to the southwest of Wanneroo Road/Joondalup Drive intersection in Wanneroo. Refer **Figure 1** for locality map. The commercial centre entails two access/egress points onto external road network as following:

- Wanneroo Road crossover, located approximately 250m south of Wanneroo Road/Joondalup Drive signalised intersection and operates as left-in/left-out/right-in, with a left-turn slip lane and right-turn pocket on Wanneroo Road; and
- Joondalup Drive/Drobers Place intersection located approximately 500m west of Wanneroo Road, which provides indirect access to the commercial complex via Drobers Place operating as a service road. This intersection is a priority-controlled T-intersection with turn facilities on Joondalup Drive.



Wanneroo Road and Joondalup Drive in the vicinity of the subject site are dual divided carriageways with wide medians. Wanneroo Road and Joondalup Drive form a fully-channelised, four-way signalised intersection with turn facilities on all approaches to the intersection. Refer **Figure 1** for more details.

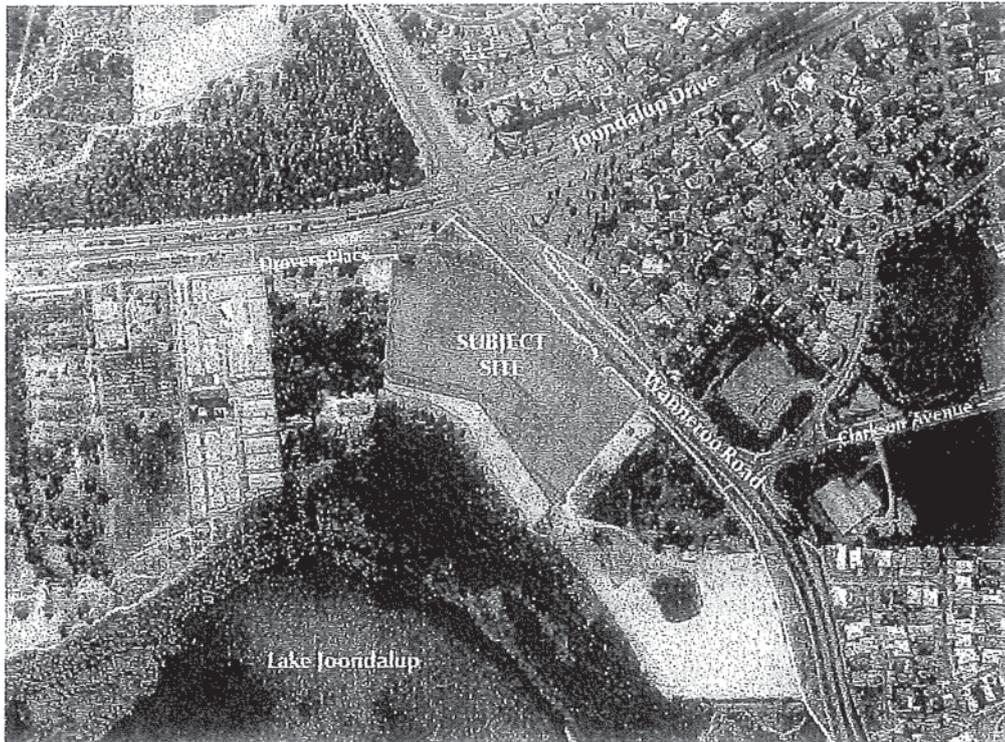


Figure 1. Locality Map

TRAFFIC ASSESSMENT

The subject of this traffic assessment is a portion of the existing commercial complex totalling 3,420m² GFA which was originally approved as retail complex land use. The proponent instead intends to develop a mix of retail, commercial and recreational uses as follows:

- Car Wash – 500m²;
- Hairdresser – 70m²;
- Liquor Store – 1,250m²;
- Recreation Centre (Gym) – 1,500m²;
- Dry Cleaners' Shop – 100m²;

Traffic generation rates for the approved and proposed land uses were sourced from the *"Guide to Traffic Generating Developments, Roads and Traffic Authority of New South Wales"* (2002), *"Trip Generation, Institute of Transportation*



Engineers" and "Land Use Traffic Generation Guidelines, Director-General of Transport, South Australia " publications.

Accordingly, the estimated total net vehicular traffic as a result of the proposed change in land use at the subject site is illustrated in the following table (refer Table 1).

Land uses	GFA	Unit	Daily Traffic Rate (per unit)	Total Daily Trips (ins and outs)
Approved Land Use				
Showroom	3,240m ²	m ²	40 trips per 100m ²	1,368
Total Approved				1,368
Proposed New Land Uses				
Car Wash	500m ²	3 stalls	132.8 trips per stall	398
Hairdresser	70m ²	4 chairs	32 trips per chair	104
Liquor Store	1,250m ²	m ²	35.64 trips per 100m ²	446
Gym	1,500m ²	m ²	45 trips per 100m ²	675
Dry Cleaner	100m ²	m ²	107 trips per 100m ²	107
Total Proposed				1,730
Net Increase				+ 362

Table 1. Traffic generation for the existing and proposed land uses

Accordingly, it is estimated that the approved land use would generate approximately 1,368 total daily trips (both inbound and outbound) during a typical Saturday. The proposed new land uses are estimated to generate a combined total of approximately 1,730 total daily trips (both inbound and outbound) during a typical Saturday.

As the proposed mix of retail, commercial and recreational uses are proposed to replace the portion of approved retail showrooms, the net traffic increase on the road network is estimated to be in the order of 362 total daily vehicular trips both inbound and outbound during a typical Saturday which is the peak trading day for the complex.

Considering the size of the commercial complex and the total estimated traffic generation for the development of approximately 7,400 vehicular trips per day (during Saturday)¹, the estimated net traffic increase, as a result of the proposed change of use for the portion of the development, represents an overall increase of less than 5%.

Transcore's 2004 traffic report assessed the traffic operations of the then proposed Wanneroo Road crossover intersection and the intersection of Joondalup Drive/Drover's Place for the proposed development at the subject site.

¹ Based on the peak hour traffic generation sourced from the Traffic Impact Statement Report for the proposed development prepared by Transcore (January 2004)



For the purpose of this assessment a total of 28,300 m² of development was assumed including 17,850 m² of showrooms.

The analysis showed very good operating conditions for the two intersections with adequate spare capacity to accommodate future growth (overall Level of Services of "A").

The traffic increase of less than 5% for the proposed change of use is considered to be insignificant and can be accommodated by the access and egress system on Wanneroo Road and Joondalup Drive without undermining traffic operations.

CONCLUSIONS

The estimated increase in trip production as a result of the proposed change of land use is considered to be insignificant and is not expected to have adverse impact on the operation of the developments' access/egress points onto Wanneroo Road and Joondalup Drive. The estimated additional traffic can be accommodated by the high standard of the abutting road network.

ATTACHMENT 3

AMENDMENT 1 TO LSP 80 - REPORT

1.0 BACKGROUND:

The uses in the existing Drovers Place Growers Mart development are a unique mix of retail and wholesale businesses with storage, warehousing and processing of primary products on-site. It employs a total of 290 full and part time staff.

Existing and approved Land Uses and floor space

GROWERS MART		Retail	Processing and Other
1.	Fruit and Vegetables	550 m2	1850 sq m
2.	Meat	450 m2	2816 sq m
3.	Fish	100 m2	269 sq m
4.	Bread	50 m2	200 sq m
5.	Gourmet Deli (Unit 7)	120 m2	134 sq m
6.	Other	140 m2	
Total Floor space is 6,580 sq metres			
SHOWROOM			
Showrooms – Vacant (Units 8 & 9)			654 sq m
Showrooms (unit 10 Pet City)			538 sq m
Total existing is 1,471 sq metres			
Potential additional showrooms is 3,529 sq metres			
OTHER USES			
Retail nursery, restaurant Storage & administration			6,087 sq m
Self storage units			

Potential additional development is to increase showroom floor space up to 5,500 sq m NLA and develop self storage units. Under this proposed Amendment 4 additional uses could occupy the vacant showroom premises or proposed floor space on Lot 811.

2.0 PROPOSED ADDITIONAL USES TO LSP 80

2.1 Market Demand

With the development of the growers mart and retail nursery it has become apparent that the location has an attraction for other uses to serve the locality that are presently not available under LSP47. The owner has been inundated with expressions of interest for the additional uses nominated in this proposal

Liquor Stores:

These are provided in the City Wanneroo at about half the rate as for the metropolitan area. This indicated under provision in the City.

Gym and Fitness Centres:

Gym and Fitness centres are also underprovided in the City compared to the metropolitan area.

Uses in the City are summarized below as premises per population for the City of Wanneroo vs Greater Perth in 2011:

USE	City of Wanneroo		Greater Perth	
Car wash	1	1/156,300	272	1/5,936
Dry Cleaner	4	1/39,080	140	1/11,533
Hairdresser	42	1/3,722	1910	1/845
Liquor store	21	1/7,444	437	1/3,695
Gym / Fitness Centre	16	1/9,770	350	1/4,613

Whilst this comparison lacks the accuracy of a survey, it compares like with like and is indicative of supply and demand for comparison purposes. We have not included some uses in this analysis because of the difficulty of definition of those uses in the Yellow Pages.

This Table shows that the nominated uses proposed are under represented in the City of Wanneroo compared to Greater Perth. That suggests that many people in the City of Wanneroo are going outside the City for these uses or services.

3.0 IMPACT ON THE EXISTING RETAIL HIERARCHY

The development of 5,500 sq metres of showrooms on Lots 810 & 811 will not impact in any significant manner upon the retail hierarchy of the locality. This was established by SAT in DR 318 of 2009 (see paragraphs 67 and 68 of the decision reproduced below).

67 Drovers Place is not a regional or district level centre and does not undermine the planned and existing activity centres hierarchy as identified in the planning framework. However, the additional uses will further reinforce the centre as an 'out-of-centre' development which will need to be reflected in local planning strategies.

68 In our view, the proposed amendment is not inconsistent with the existing and planned hierarchy of activity centres provided for in planning policies or strategies, provided our concerns as to conversion of the whole site to showroom use is dealt with.

While this decision referred to showrooms, parallel conclusions can be drawn because any approvals for the additional uses proposed here will often occupy showroom floor space. The net economic impact will be about the same, according to Macroplan. We also note that the car wash, veterinary consulting rooms and veterinary hospital and private recreation (gym) will have no commercial impact on retailing at all and will therefore reduce the impact footprint of Drovers Centre.

Advice from Macroplan dated 25th November 2010 is shown in **Attachment 2**. This advice confirms that additional uses, including a liquor store at the Drovers Mart:

"will not delay or preclude the ability of the designated activity centres to offer similar services."

and

"..... the replacement of showroom floor space with the types of land uses you propose will not threaten the hierarchy of existing and planned centres in the area."

The addition of a few additional uses will provide useful service for residents to complement what exists at the Drovers Centre and to facilitate more effective multipurpose shopping by visitors already destined on Drovers.

4.0 SAT ADVISE NEED FOR THE CITY TO INCLUDE DROVERS INTO LOCAL PLANNING STRATEGIES

The State Administrative Tribunal, in their decision in paragraph 67 of DR 318, the appeal dealing with proposed Showrooms at Drovers under Amendment 1 to LSP 47 stated that this out-of-centre location needed to be reflected in local planning strategies.

The status of Council's Centres Policies are that the existing adopted Centres Strategy is still in force but is not referred to in planning recommendations by

Administration, whereas the draft Activity Centres Strategy has not been adopted by the Council but is quoted in all relevant planning proposals by Administration. Neither of these policy documents presently includes Drovers Place.

The SAT decision DR 318 stated as follows:

85 The respondent's case rested heavily on the proposition that showroom development should be contained to designated centres. The applicants' experts argued that there is a necessity to provide different price points to satisfy public need, and therefore to have space available for showroom uses in both high and low rental areas. Ms Iverach accepted that there is a place for both high rent and low rent locations, but considered that both could be accommodated in planned centres. Mr Witherby summed up his opinion on the question in the following way:

I think the question is whether a location such as Drovers Place would offer a rental advantage over a large planned activity centre, and in my view even if a large planned activity centre did make provision, even substantial provision, for showroom uses, it would still nevertheless attract a higher rental than an area such as Drovers Place, such as to exclude a number of - I think the term was used, you know, shed/factory type retail operations. ... but what I'm seeing in the case of Drovers Place is it is a centre; it's not an activity centre; it's a limited centre that serves a distinctly identifiable market niche that is not being met by planned centres elsewhere within the corridor, and to my mind that really goes to the heart of saying, well, at the end of the day, will this be improving a

level of service to the community or will it be to the detriment to the level of service to the community? And, you know, I would need to form a view, which I don't form, that Drovers Place had an impact sufficient to genuinely threaten the viability of alternative centres before I could form a view that there was community detriment associated with this development. So to my mind the question is not whether it has any impact - and there has been a lot of discussion about that - but whether that impact would be sufficient as to result in an overall diminution of the level of services available to the community at large; that any loss was not more than made good by the new development. Now, certainly from the economic evidence that I have seen and my own experience in this area, I would conclude that the impacts are modest, that they would not threaten the viability of any alternative centre, whilst at the same time providing the opportunity for a type of consumer need that is not currently being met within the corridor. I'd like to see it included in policy and this type of centre specifically dealt with by policy because it's a real community need.

86

We agree with Mr Witherby's observations.

The SAT decision quoted above strongly suggests the need for Drovers Place to be included in local planning strategies. We propose that Administration be directed by Council to do so to remove the uncertainty of the status of this location.

5.0 WAPC SPP 4.2 ACTIVITY CENTRES POLICY

In August 2010 the WAPC's new SPP 4.2 was gazetted. It recognizes the need for Out-of-Centre development and sets guidelines for Out-of-Centre development.

Specific guidelines particularly relevant here include

"5.6 Out of centre development

(2) Where such uses cannot be accommodated within, or adjacent to, activity centres development should be restricted to established Mixed Business or equivalent zones with good access to public transport, rather than being dispersed."

5.6.1 Bulky goods retailing and mixed business

(3) The responsible authority should promote clusters of bulky goods retail adjacent to, or in close proximity to activity centres and the regional road and public transport networks.

(6) The preferred sequence of suitable locations is:

1. Edge-of-centre sites integrated with, but not within, the walkable catchment or core activity centre precincts.
2. Where it is demonstrated that sufficient suitable sites in or adjacent to activity centres are not available, out-of-centre mixed business or equivalent zones integrated with established and well-located bulky-goods nodes.
3. In limited circumstances where it is demonstrated that sufficient suitable sites in or adjacent to activity centres or within or integrated with existing bulky-goods nodes are not available, other out-of-centre mixed business or equivalent zones.”

Thus, if there is no opportunity to locate mixed uses in or adjacent to an activity centre then they should be located in Mixed Business or equivalent Out-Of-Centre zones, preferably within an established bulky good node on regional roads and with good public transport.

It would be appropriate for the local activity centre strategy to recognize the out-of-centre locations to complete the retail and commercial land use hierarchy of centres and to provide the framework for economic assessment of proposals.

It is also necessary that proposals for Out-of-Centre locations conform to the economic impact requirements of the WAPC Policy. The SAT decision confirmed that Drovers was satisfactory in that regard.

6.0 EXISTING AND PLANNED CENTRES IN WANNEROO

The extent to which showroom and mixed business uses can be accommodated within or adjacent to existing and planned Centres needs to be examined to determine whether those additional uses can be better and more appropriately accommodated in those "centres".

We have examined the City's plans for the nearby Regional Centre of Wanneroo and the structure plan for the future Banksia Grove district centre to assess the potential for them to accommodate mixed business/showrooms at those centres as promoted by SPP 4.2 and other draft policies.

6.1 Carramar and Ashby:

Carramar and the proposed Ashby Village have neither potential for additional associated business/bulky goods use nor capacity for any significant private recreation facilities.

6.2 Lot 19 Clarkson Avenue

Lot 19 Clarkson Avenue is a proposed small competing Local Centre of less than 1,500sq m retail floor space. It will not compete with Drovers Place if it is developed as a local centre with a small supermarket and local service shops because those uses will not be located at Drovers. Unfortunately Lot 19 is likely to be developed without such local facilities. The developer has advised he intends to develop a Liquor Store and/or Medical Centre (or other use with

a major tenant) on that site. Such use would potentially compete with the Drovers Central Precinct but only because the planned local uses on Lot 19 will not be developed. The pity is that the Council's intention for local service shops on Lot 19 will not be realized because it has not specified that in the zoning provisions.

6.3 Banksia Grove:

Banksia Grove has some potential for associated business activity with, perhaps, 5 hectares allocated for business and high density residential (mixed use) which uses will compete with each other for end use. Indicative potential for showroom floor space staging for Banksia Grove suggests a showroom component of 5,300 sq. metres by the end of 2016 and a further 3,600 sq. metres of showrooms between 2016 and 2021 (Source: Shrapnel Urban Planning, April 2008). We understand the commencement of this Centre has been deferred.

Furthermore, Banksia Grove is near the edge of the urban area and in my view, will take many years to build a suitable population catchment to support its development. For example, the Shrapnel forecast figures are dependent upon full development of East Wanneroo. In any case, it may never attract the indicative Floor space of mixed business /bulky goods use because it is not a prime commercial location being on the outer edge of the urban area and away from the focus of movement which is towards Joondalup and places to the south.

6.4 Wanneroo:

Wanneroo Town Centre also has limited potential for business bulky goods use because of the small areas zoned and because they also compete with high density residential zoning on the same sites through mixed use zoning. However, we anticipate the Wanneroo Road frontages will be more attractive for business uses although the eastern side is substantially occupied by St Anthony's Primary School. The land north of the Wanneroo Town Centre is owned by the Catholic Church and Ingham 's Golden Eggs which have not shown any interest in development of their properties. We consider it is likely to be many years, if ever, before this Mixed Use/Business zoned land becomes available for development. If it does become available for development, we estimate the potential area for mixed business uses (including showrooms, offices and a residential component) on the Wanneroo Road frontage at about 3.5 ha which, if one half were developed for showrooms, could potentially accommodate about 3,000 square metres of showroom floor space.

We conclude that mixed business/bulky goods land use has limited potential at Banksia Grove and Wanneroo Town Centre but that land is not readily available for development now nor is it likely to be available for many years. It is also limited in capacity to fulfill all potential demand in the future. We do not dismiss the ability of these centres to develop uses in the future now proposed for Drovers Centre. The point is that development of such uses at Drovers does not preclude them from also being developed at Wanneroo or

Banksia Grove in the future when the land is available and the population has increased..

6.5 Need for additional out-of-centre Centres

We consider it unlikely that Banksia Grove and Wanneroo Centres will be unable to accommodate all future demand for mixed use development anyway. If mixed use (showrooms etc) is precluded from the Wangara Industrial area as suggested by the WAPC's SPP4.2 and City's draft activity centres strategy, Wanneroo will need a number of replacement mixed use locations like Drovers Place. The business zoned land in the Wanneroo Town Centre is well located for these uses but Banksia Park is unlikely to be attractive from a location or commercial viewpoint. Banksia Park will lack the required catchment for these uses now and may also be unattractive in the long term.

In other words, additional mixed business/bulky goods locations are needed now and into the future because the existing and planned centres lack the capacity to accommodate them.

7.0 DROVERS PLACE, AN OUT- OF- CENTRE DEVELOPMENT

The City's draft Strategy asserts that out-of-centre development is bad and should be prohibited. It assumes that a destination centre is inherently in conflict with sustainability objectives. That is a simplistic and incorrect view of the dynamics of retailing and trip attraction to facilities. It ignores the ability of a destination centre to attract multiple purpose trips in the same way as an activity centre may. It also fails to recognize people tend to move towards locations where there is a multiple choice of facilities they are seeking. The locational influence of facilities and the size of facilities relative to the focus of activities in urban areas are major influences on trip direction. So too is travel time and accessibility. These are all well known influences in retail and facility attraction. The draft Strategy is in conflict with the WAPC's SPP 4.2 because it fails to acknowledge Drovers as an out-of-centre location with existing and approved development potential.

It is necessary to recognise what has been approved and developed on Lots 810 and 811 as it forms part of the business and retail structure for the population of the City of Wanneroo. Judge Chaney's decision in SAT (DR318 of 2009) specifically recommended that it be included in the City's local planning strategies.

The existing Drovers Place Growers Mart fruit and vegetable retail outlet has 7,000 to 10,500 till transactions weekly which indicates a similar number of customers visiting the location. This destination centre is well supported by the community because it fulfils a demand that is not met elsewhere. We consider it is likely that the existing customers to Drovers Place will also become the customers of other uses at the location. Additional uses at Drovers Place will encourage multiple purpose trips to this location.

The Drivers Place Centre is located at the head of the Wanneroo Road Activity Corridor, adjacent to and readily accessible from a large adjacent urban catchment area. It also is a location that can intercept travel to and from Joondalup and the Mitchell Freeway or Wanneroo and places south as it is strategically located on the south western junction of Wanneroo Road and Joondalup Drive. It also has good road access. Many trips destined on distant locations have the potential to be intercepted at the Drivers Place Centre.

If an increase in the range of stores and services, facilities, entertainment and mixed business/bulky goods stores and the like were located at the Drivers Place Centre some of the trips destined on Joondalup and other distant places would be captured there with resulting reduced travel distances and improved sustainability. Local convenience goods trips would still remain the province of the local centres.

We consider that the location of Drivers Place is superior to other planned centres for mixed business/extensive floor space/low rent premises and has a future role to accommodate those uses that are unlikely or unable to locate within the planned centres in the north eastern suburbs. The specified additional uses proposed in Amendment 4 for the Drivers Centre will ensure it does not disrupt the economics of other centres. However, competition should still remain a positive ingredient appropriate to all centres.

8.0 SUMMARY OF CONCLUSIONS

We conclude that the Drivers Centre on Lots 810 and 811 Wanneroo Road is an Out-of-Centre location that:

8.1 SAT found is not inconsistent with the existing and planned activity centre hierarchy (SAT).

8.2 SAT found does not undermine the existing and planned activity centres hierarchy (DR318).

8.3 SAT found that Drivers Place should be reflected in local planning policies (DR318).

8.4 SAT found that an additional 5,500 sq m NLA floor space for showrooms would have an acceptable economic impact on competing centres (DR318).

8.5 Macroplan advise that alternate uses to showroom floor space as proposed here will not have any significant effect on the economic impact of Drivers (Macroplan 31 October 2011).

8.6 Macroplan advise that the additional uses will allow the community and shoppers visiting Drivers to enjoy more convenient facilities on a "one trip" basis (Macroplan 31 October 2011).

8.7 Macroplan advise that the advent of the additional uses at Drovers Centre will not preclude the location of similar uses in designated Activity Centres (Macroplan 31 October 2011).

8.8 There is a significant market demand for the proposed additional uses to serve the existing and fast growing population of the City of Wanneroo.

8.9 Proposed uses are identified as uses that are under-provided in the City of Wanneroo which means that residents are presently leaving the City to use those services elsewhere. Those uses should be provided in the City.

8.10 This proposal complies with the Out-of- Centre criteria of the WAPC's Activity Centres Policy (SPP4.2) that the City's own Centres Strategy and Activity Centres Strategy is required to conform with.

8.11 The Drovers Place Out-of-Centre development is consistent with WAPC SPP 4.2 criteria as there are presently inadequate opportunities to accommodate the proposed type of development elsewhere in designated activity centres.

8.12 The Drovers Place Centre is already designated for and used for "Mixed Business" and is located on major regional road with good public transport. It should be reflected in the City's local planning strategies.

END

TURNER MASTER PLANNERS AUSTRALIA
 PO BOX 430, VICTORIA PARK WA 6979
 PH: 9472 6606 EMAIL: edturner@iinet.net.au

AMENDMENT 1 TO LSP 80 CITY OF WANNEROO
 DROVERS PLACE
 LOTS 810 & 811 WANNEROO ROAD

Note: Reference is made to attached "Notes and extracts from a draft Economic Statement of Brian Haratsis, Chairman, Macroplan".

1. Proposal:

The following matters are proposed in Amendment 1.

Large Format Liquor Store

Hairdresser

Revised definition of Growers Mart/Gourmet Deli

Revised definition of Showroom

2. Drovers Place Centre

Drovers Place functions as a destination centre which generates specific trips rather than convenience shopping for daily or weekly goods.

It is an Out-of-Centre location as provided for in SPP 4.2

It has a different function and role than an Activity Centre. It is a location for mixed business and a necessary alternative location for uses that might otherwise located in industrial areas within the City of Wanneroo.

3. Economic Basis

Drovers Place has a substantial trade area population growth predicted for 2011 -- 2012. The main trade area is to increase from 114,940 to 176,350 persons.

Macroplan has found that Drovers Place has an insignificant retail trading impact on existing and proposed competing centres. This was accepted by the State Administrative Tribunal in DR318 of 2009.

The reason for this minor impact is because of the substantial population growth within the trade area and the resulting strong increase in retail expenditure by 2021.

Macroplan's current analysis suggests substantial growth within the trade area for the following uses:

- Liquor -- an additional \$45 million or about 4500 square metres of additional floor space.
- Hair and Beauty -- an additional \$14 million or a 40% increase.
- Supermarkets/Growers Mart -- an additional \$337 million or 42,000 square metres of additional floor space.

Macroplan conclude that this proposal will have a very low likelihood of impacts on existing or proposed centres and no impact on the retail hierarchy.

4. Liquor Stores

The proposal is for a large format liquor store of 1,250 square metres. This is a very different land use than the traditional convenience bottle shop (Woolworths or Liquorland) of 42 to 200 square metres connected to a

supermarket. The large format store does not fit within an activity centre. It is car oriented and destination oriented; it is not a convenience shop. A large format liquor store is bulky goods premises not a normal liquor store.

Based on the expenditure figures, the trade area will require 4 large format liquor stores over the next 10 years (or 3 large format stores and 5 or 6 traditional bottle shops). Macroplan advise that the advent of a large format liquor store at Drovers Place will not prevent nor delay liquor stores being located in activity centres elsewhere within the trade area.

5. Hairdresser

The proposal is for a hairdresser with a floor plate of 120 to 150 square metres. It will cater for both men and women's hairdressing and is of a size that it can include a training facility. Hairdressers at shopping centres are usually less than 50 square metres. There is a real need for additional apprentices/training in the hairdressing trade. The increased expenditure in hairdressing and beauty by 2021 suggests a demand for many more hairdressing premises than are likely to be located in the existing and proposed activity centres within the trade area.

The City of Wanneroo is significantly under-represented in hairdressers in so far as it has around 1 hairdressing outlet per 3,700 residents compared to 1 per 850 residents in the greater Perth region. There are spatial, travel time and self-sufficiency arguments that support the Drovers Place location for this facility.

6. WAPC Policy

Bulky Goods

SPP 4.2 specifically provides for bulky goods retailing and mixed business to be located in Out-of-Centre locations such as Drovers Place rather than activity centres and industrial areas.

The definition of showrooms in SPP 4.2 includes bulky goods and specifically: "goods of a bulky nature that require a large area for handling, display storage..... that does not include the sale of food, clothing or personal effects goods".

The definition of showrooms in LSP 80 also includes goods of a bulky nature. The Macroplan market research for showrooms that was accepted by the State Administrative Tribunal in the 2009 appeal included liquor sales within the bulky goods retail component. Their current analysis referred to in Item 3 also includes liquor sales within the bulky goods component. This is an industry standard. Bulky goods includes liquor sales.

The purpose of specifying liquor store in proposed Amendment 1 is to remove any doubt that the liquor store is in fact a use within the definition of showroom. We have appealed this matter to SAT but withdrawn the appeal in order to facilitate the earlier adoption of LSP 80. We believe a further appeal is unnecessary but is likely to eventuate if this use is not specifically recognized as a permissible use in LSP 80.

Shop -- Retail

SPP 4.2 also proposes that "shop -- retail" should be located within activity centres. This appears to be the reason for the SPC previously not supporting the proposed liquor store or hairdresser to be included in LSP 80.

We reiterate Macroplan advice:

"The advent of a large format liquor store or hairdresser at Drovers Place will not prevent nor delay liquor stores or hairdresser's being located in activity centres elsewhere within the trade area".

So the issue cannot be that these if these uses locate at Drovers Place, that will prevent from locating at activity centres. Maybe it is SPP 4.2 itself?

SPP4.2 Activity Centres Policy

This policy says "shop-retail" uses should be located in activity centres; but that does not apply to PLUC 5 uses that are "showrooms".

SPP 4.2 defines "Shop -- Retail" as specific uses defined in the WAPC's "Perth Land Use and Employment Survey". Such document is not available on the WAPC website nor is it attached to the policy. Reference to the "WASLUC standard land use classification system" shows that PLUC 5 is shop-retail and specifically excludes category 6 -- other retail. A hairdresser is PLUC 6. A Liquor store is PLUC 5 -- but is a showroom.

PLUC 5 Shop-Retail is described in WASLUC as:

"Any activity which involves the sale of goods from a shop located separate to/and all in a shopping centre other than those included in category 6 -- other retail".

PLUC 6 Other Retail is described as:

"Many of these activities normally not accommodated in a shopping centre. By virtue of their scale and special nature the goods of these activities separate them from the shop -- retail category (e.g., car sales yard, carpet showrooms)".

Hairdresser and beauty salon is classified as PLUC 623. However in the PLUC definitions PLUC 6 is "other retail". The DOP position on this matter may go back to the previous policy, SPP9 Metropolitan Centres Policy. That policy contained a list of uses in Appendix 4 which included a number of PLUC 6 uses within that policy's definition of shop -- retail. Both men's and women's hairdressers were noted as PLUC 6 but included in the Appendix as shop-retail for the purpose of that policy. That is NOT the case with SPP4.2 which only refers to PLUC 5 uses as shop-retail.

A liquor store is classified as a PLUC 5 -- shop-retail. However, SPP4.2 classifiessome PLUC 5 uses as the uses as showrooms. The reason for this is that the policy recognizes that bulky goods use has different characteristics than a shop and therefore these uses are alternatively defined rather than being included as shop-retail. This same argument applies to a large format liquor store. It is a showroom.

Therefore SPP4.2 does not prevent showrooms or hairdressers being located outside activity centres. It actually provides for showrooms to be located outside activity centres or in Out-of-Centre mixed business locations.

7. Growers Mart - Gourmet Deli

LSP 47 included a Growers Mart as a "P" permitted use and a definition that facilitated processing and wholesale as well as retail trade of primary products. Drovers Place contains substantial processing and wholesale functions. These are rendered non conforming by LSP 80 for reasons never stated by the City of Wanneroo. Furthermore, a Gourmet Deli was approved under the definition of Growers Mart but was subject to very restrictive approval conditions that limit the type and range of goods to be sold. Macroplan advise that there is a substantial unsatisfied demand for supermarket and growers mart goods in the Drovers Place trade area to 2021. They say that allowing additional specialist food and beverage goods at the Gourmet Deli will provide additional attraction and shopping amenity to those who visit Drovers Place, without any noticeable economic impact on other centres. Such additional goods would be a positive contribution towards filling the local demand for food and grocery needs within the area close to Drovers Place. Additional specialty goods and beverages available at the Gourmet Deli would not compromise a supermarket but rather, fulfil a market need for specialist goods and brands that are usually not available from supermarket shelves.

8. Showrooms

We note the showroom definition in LSP 80 is inconsistent with that in SPP 4.2. The LSP 80 definition arose from the 2009 SAT appeal on showrooms at Drovers Place and the Tribunal's direction to limit showrooms through the definition. LSP 80 contains a floorspace limit of 5,500 square metres NLA for showrooms on lots 810 and 811 Wanneroo Road (Drovers Place). That constraint would be maintained if the definition of showroom in LSP 80 was aligned to that in SPP 4.2.

9. Conclusions

We summarise the position as follows:

- a. Macroplan advise that due to substantial population growth in the trade area and consequential growth in the expenditure pool available to 2012 this proposal (Amendment 1 to LSP80) has no significant impact on existing and proposed competing activity centres and none on the hierarchy of centres.
- b. A large format liquor store and hairdresser at Drovers Place will not present or delay such use is also being established at activity centres elsewhere in the trade area.
- c. SPP 4.2 Activity Centres for Perth and Peel:
 - i) provides for bulky goods stores such as a large format liquor store within the definition of showrooms, to be located in Out-of-Centre/mixed business locations such as Drovers Place.
 - ii) does not define a hairdresser as "shop-retail" and does not require such uses to only locate at activity centres or otherwise preclude a hairdresser being located at Drovers Place.

d. A large format liquor store is a car oriented showroom use, not a convenience shopping use. It is better suited to a location outside activity centres. SPP 4.2 provides for such uses in these circumstances to be located at an Out-of-Centre mixed business locations.

e. A review of the definition of Growers Mart is warranted to accommodate existing processing and wholesale businesses at Drovers Place and to allow a reasonable range of goods to be offered at the Gourmet Deli.

f. The LSP 4.2 definition of showrooms should apply in LSP 80.

Ed Turner FPIA
10th August 2012

**LOTS 810 & 811 WANNEROO ROAD - DROVERS PLACE
PROPOSED AMENDMENT 1 TO LOCAL STRUCTURE PLAN 80**

**NOTES AND EXTRACTS FROM
A DRAFT ECONOMIC STATEMENT OF BRIAN HARATSI,
CHAIRMAN, MACROPLAN DIMASI
2ND AUGUST 2012**

Role and Function of Drovers Place

1. It should be noted that the role and functions of centres differ substantially and so does the type of uses that locate within those centres. As such, a use at the subject site may not necessarily compete with a tenancy which sells a similar product at a designated Activity Centre.

2. The existing uses (restaurant, Garden and Lifestyle outlet, Growers Mart including fruit and vegetable and meat processing distribution and sales, gourmet deli, patio and shed outlet, pet store) indicate the different types of shopping which takes place at Drovers Place. The site generates longer but less frequent trips where the average spending per person is higher than the traditional centre. In short, the Drovers Place site is a destination centre which generates specific trips, rather than a convenience centre where daily and weekly shopping is undertaken.

3. Some attributes of such a destination centre include:

- a. Larger 'bulky' purchases;
- b. A family destination where visitors stay for longer periods to enjoy the 'experience';
- c. Trade capture from a wide region according to survey data undertaken in August 2011;
- d. Strong arterial road linkages and good site visibility. Links are both north-south and east-west; and
- e. Larger tenancies, generally over 500m², which would not prevail in traditional Activity Centres.

Additional Uses of Large Format Liquor and Hairdresser

4. These large format liquor and hairdressing uses will not alter or amend the current designated hierarchy of Activity Centres within the City of Wanneroo. Such uses could also be located in the areas designated as Activity Centres, however, the ability of Drover Place to accommodate additional compatible uses (i.e. liquor and hair dresser) will not delay or preclude the ability of the designated centres to offer similar services if there is the ability to accommodate such uses nor would the inclusion of such uses impact on the Activity Centre hierarchy. This approach provides competition and net community benefit as it fosters more competitive pricing and consumer choice.

5. The centre is consistent with the Wanneroo hierarchy and that of State strategic policy Directions 2031 and Beyond — Activity Centres for Perth and Peel and State Planning Policy 4.2. SPP4.2 sets out guidelines for “Out-of-Centre” locations and

forms an important consideration for the future expansion or development of the Drovers Place site.

Review of 2009 Expert Evidence

6. MacroPlan Dimasi (formerly MacroPlan Australia) was commissioned in November 2009 to prepare an Economic Impact Assessment (EIA) with respect to the proposed development at lots 810 and 811, Drovers Place, Wanneroo Road in regards to Goldrange Pty Ltd and Anor v WAPC — SAT Proceedings DR 318 of 2009.

7. The EIA demonstrated that the proposed expansion at Drovers Place would not adversely impact upon the existing Activity Centre hierarchy or the evolution of the hierarchy. It was also demonstrated that the expansion would result in significant positive community benefits of the proposed development.

Key Findings of Evidence

8. The following points summarise the results of the 2009 MacroPlan Dimasi analysis. The socio-demographic profile confirms a customer profile that would be more inclined towards furnishing new or relatively new houses.

9. The evidence showed that there was not expected to be any theoretical retail turnover impacts upon any of the local, neighbourhood or district centres within or adjacent to the trade catchment if the then proposed bulky goods/showroom retail development was to proceed. The proposal was to include 12,034m² of development floorspace including 9,291m² of retail, including growers mart and retail nursery. Most centres of this nature provide smaller convenience retail options, minor supermarket retailing options or weekly supermarket shopping options as well as other core supporting retail (such as pharmacies, newsagents, small bottle-shops or cafes).

10. The estimated trading impacts upon the competitive bulky goods retail network were summarised as follows:

- a. Joondalup — Primary Centre = - 4%
- b. Wanneroo — Regional Centre = - 4%
- c. Clarkson Precinct = -2%
- d. Joondalup — Joondalup Gate = -2%
- e. Joondalup - Gateway Centre = -1%

11. Turnover impacts were measured as a proportion of the total bulky goods component at each centre.

12. Retail trading impacts were all identified as insignificant with no centre expected to experience impacts greater than 5%. This is well below the generally accepted industry benchmark of 10% - 15%.

13. It was argued that the then proposed development was forecast to yield employment generating outcomes, with jobs created directly and indirectly at the development and through the construction phase of the project. Direct jobs would include the retail workers at the site itself. Indirect jobs would include maintenance workers and on-going supply chain jobs created through the broader economy.

14. The proposed development would also result in other positive community benefits, including the following:
- Increased consumer choice (diversity) and competition;
 - Land use integration and efficiency maximisation upon car based nature of precinct. The site is only car-accessible without strong walkable / main street opportunities, therefore bulky goods retailing integrates with the existing nature of the precinct while increasing multi-purpose trips to the site.
 - There will be direct business to business synergies on-site. For example workers at the site will benefit from the additional land uses and and vice versa.

Planning Policy Update

15. A planning policy review has provided clear direction to the delivery of Activity Centres in the Perth and Peel regions. However, the updated policy indicates bulky goods centres (similar to that of Drovers Place), have a role to play outside of these centres where uses may not be accommodated or appropriate. It is clear that this policy is based on understanding and confirming the role and function of centres rather than restrictive planning provisions -which prevent development under all circumstances.

Population Growth Update

16. This population growth update has indicated that there will be a larger number of residents in the trade catchment than the initial expert evidence statement. This is as a result of stronger than expected population growth - particularly within the Primary Trade Area.

Trade catchment population difference, 2011 to 2021

Primary Trade Area	27,370	36,790
2009 Secondary Trade Area	83,620	117,950
Main Trade Area	110,990	154,740
Primary Trade Area	34,920	50,820
2012 Secondary Trade Area	80,030	125,530
Main Trade Area	114,940	176,350

Source: MacroPlan Dimasi (2012)

Expenditure Growth Update

17. The table below outlines the retail expenditure levels for the relevant land categories. These estimates provide, in real (non-inflated) terms, the expenditure pools generated by residents of the trade area which can provide an indication of the growth in demand for various retail types/ uses.

18. Supermarket and growers mart uses are combined within this assessment as both are based on food grocery spending, however, supermarket expenditure also includes other food and non food retail which adds to the expenditure pool for such tenancies.

Retail expenditure by categories

Category	Trade Area	Per Capita 2011/12	Exp. Pool 2011/12	Per Capita 2021/22	Exp. Pool 2021/22
Liquor	Primary	\$604	\$21m	\$637	\$32m
	Secondary	\$643	\$51m	\$679	\$85m
Hair and Beauty	Primary	\$180	\$6m	\$188	\$10m
	Secondary	\$191	\$15m	\$200	\$25m
Supermarket/ Growers Mart	Primary	\$4,676	\$163m	\$4,935	\$251m
	Secondary	\$4,755	\$381m	\$5,018	\$630m

Source: MacroPlan Dimasi (2012), MarketInfo (2012), ABS various (2006-2012), WA Tomorrow (2012)

Expenditure for proposed uses

19. Liquor

- a. Residents within the trade catchment spent on average \$632 on packaged liquor in 2011/12.
- b. Spending in the primary trade area on liquor is estimated at \$21 million and \$51 million in the secondary trade area.
- c. This is estimated to grow to \$32 million and \$85 million respectively by 2021/22.
- d. The primary and secondary catchments will generate \$45 million in additional liquor expenditure. This will generate demand for 4,500m² of additional floorspace (assuming an upper level required turnover density of \$10,000 per square metre).

20. Hair and Beauty

- a. Hairdressing uses fall within the categories of Hair and Beauty within the MarketInfo microsimulation model.
- b. Spending in the primary trade area on hair and beauty is estimated at \$6 million and \$15 million in the secondary trade area.
- c. This is estimated to grow to \$10 million and \$25 million respectively by 2021.
- d. This growth in expenditure in health and beauty of almost \$15 million over the coming decade is expected to strongly increase the demand for health and beauty such as hairdressing and also supporting training facility for this field.

21. Supermarket

- a. Spending in the primary trade area on food and groceries is estimated at \$163 million and \$381 million in the secondary trade area.
- b. This is estimated to grow by a total of \$88 million within the PTA to \$251 million and \$249 million to \$630 million in the STA by 2021 as a result of the strong population growth.
- c. While there are already locations indicated for additional supermarket and other food and grocery retailers, this growth in demand will equate to over 42,000m² of additional floorspace required by trade area residents over the coming decade (assuming a turnover density of \$8,000 per square metre).

22. Bulky goods and liquor sales are estimated to grow in the catchment by 6.7% per annum over the coming decade, having the strongest growth of all forms of retail for the area.

23. In 2009, Wanneroo Central had only recently opened and had relatively high vacancy. Wanneroo Central is now a thriving centre as compared to then, where

vacancy is low, demand for space is high and land use changes elsewhere (such as the subject site) are not likely to significantly impact the overall success and vibrancy of the centre.

24. Not only is retail expenditure and demand for retail uses growing strongly in the trade catchment, the overall retail market is accelerating in Western Australia as a by-product of mining sector growth. This is leading to trends towards higher demand, less vacancy and lower impact levels on existing centres of new and improved centres. The forecasts of growth in expenditure in the primary and secondary catchment indicates very high levels of growth in retail expenditure and consequently retail floorspace. Accordingly, there is a very low likelihood of impacts on existing or proposed centres by the proposed uses and no impact on the retail hierarchy.

Large Format Liquor Outlet

25. The Local Activity Centre adjacent to the site (Lot 19) is permitted under existing zoning to include a liquor outlet. There is, however, only an un-allocated shop floorspace of 400m² NLA shown on the approved plans. As liquor is a permitted use, it is possible for such a use to be applied for and approved by council, however, this site is adjacent to a school and proposed take away food outlets and may not be seen as an appropriate place to locate such a use.

26. Of particular note is that there is no comparable outlet within 5km of the Drovers Place site. The closest large format liquor outlet is more than 6km by road to the south-west of the site at Currambine.

27. While it is understood there will be a number of retail developments and expansions in surrounding areas over the coming years, the proposed liquor store will fill both a spatial and economic market gap for residents, as well as providing reduced vehicle trips while customers conduct their shopping needs for other food retailing at the centre.

28. There is around \$21 million of spending for liquor within the PTA, of which there is proximate access to just 7 liquor outlets. Even if all of these liquor outlets were trading very strongly (\$15,000 turnover per square metre), there remains a significant leakage of around 50%-60% of liquor spend from the catchment. This results in increased travel times for both convenience and destination liquor.

29. The current of provision of liquor outlets in the City of Wanneroo compared to Greater Perth and there is around 1 outlet to 7,400 residents in the City of Wanneroo compared to 1 outlet to every 3,700 residents in the Greater Perth region.

30. The per capita estimate above equates to around half the number of outlets per capita in Wanneroo compared to Greater Perth. This is a high level methodology which indicates that liquor uses are under-represented in the City of Wanneroo compared to Greater Perth.

31. There is need for a large format liquor store at the site, as well as the potential for a number of additional traditional liquor outlets within the primary trade area over the coming decade.

Alignment with Role and Function of Drovers Place

32. There is a clear difference between the role and function of the larger format liquor stores and traditional convenience liquor outlets. Some of the key attributes of larger format outlets are:

- a. Wider range including beer, wines, spirits and mixed drinks
- b. Competitive pricing
- c. Premium sections
- d. More car-parking (due to large shops & visitation profile — destination)
- e. Destination oriented (almost all customers will drive to the premises to buy liquor)
- f. Floorplates — above 300m² is considered as large format while smaller formats generally range from 40 to 200m² (bottleshop v Woolworths/Liquorlands that connect to supermarkets)
- g. Higher employment numbers with 6 —8 staff members in the store at any one time.

33. Because of its size, range and pricing, the large format liquor store will therefore be quite different, both in its market positioning and in the role which it will play, from other existing liquor stores within 5km of the subject site.

34. Within the restriction of the definition of 'showroom' retail floorspace placed on the subject site through the SAT decision, the use definition allows uses of "goods of a bulky nature".

35. A defining factor for larger format liquor outlets over their convenience counterparts is the physical size of the purchase made by the customer. This is not to say that a large number of customers will not make small purchases at the large format outlet, rather, that the general purchase is of a 'bulky' nature.

36. For example, the provision of trolleys at large format liquor outlets is reflective that these outlets are not of a convenience nature and rather sell "goods of a bulky nature" as permissible under the definition of showroom through the findings of the SAT.

37. Similar to the other uses on the subject site, a large format liquor store attracts residents from a significantly larger catchment area for destination shopping.

38. It is understood that there has also been strong interest from large format liquor outlet(s) to locate their operations on the Drovers Place site due to the lack of workable alternative sites in the area.

Hairdresser Land Uses

39. The assessment considered the potential for a hairdressing facility at the Drovers Place site. This would be somewhat different to a traditional small hair dressing salon, and with a larger floor-plate outlet and the potential for further training capacity compared to traditional hairdressers and is estimated to be around 150m² in size.

Need in Trade Catchment

40. The assessment examined traditional hairdressers within 5km of the subject site. The figure below outlines these tenancies.

Hairdressers within 5km of subject		
------------------------------------	--	--

site			
Name	Distance	Address	Suburb
Hotlocks Hair	1 km	7 Cheriton Drive	Carramar
Sonya Chisari Hair Artist	2 km	15 Atra Avenue	Tapping
Jo's for Hair	3 km	45 Candlewood Blvd	Joondalup
Hair 2 Day	5km	3 Selkirk Drive	Kinross
Saloon 8	3 km	71 Regents Park Road	Joondalup
The Hair Court	5km	949 Wanneroo Road	Wanneroo
Nanovich Hair Lounge	5km	3 Rocca Way	Wanneroo

Source: MacroPlan Dimasi (2012)

41. The above analysis indicates traditional hairdressers, of which the majority are located within retail centres, are accommodated in shops of approximately 50m².

42. These tenancies are not comparable to that proposed for the subject site. The potential training uses within the facility would provide complementary services to this catchment.

43. The locations of competing larger format hairdresser facilities with training capacity surrounding the Perth CBD show that there are relatively few of these facilities in the Perth metropolitan region and more in the northern corridor. The current of provision of hairdresser outlets in the City of Wanneroo compared to Greater Perth is around 1 outlet to 3,700 residents in the City of Wanneroo compared to 1 outlet to every 850 residents in the Greater Perth region.

44. The estimates above equate to less than a quarter the number of outlets per capita in Wanneroo compared to Greater Perth. This is a high level methodology which indicates that liquor uses are under-represented in the City of Wanneroo compared to Greater Perth.

45. Demand for such centres cannot be judged solely based on expenditure on hairdressing but rather a spatial need for such services. The subject site is well located and appropriate to include such training facilities within its larger format.

46. Given the clear gap for this use, there are both travel time and self-sufficiency arguments to reduce trip numbers from customers living and working in the City.

Alignment with Role and Function of Drovers Place

47. A hairdresser training facility has a far larger floorplate compared to traditional hairdressers.

48. It generally provides training capabilities, but some may also be provide services to the general public (retail).

49. Hairdresser training centres are generally located outside key designated Activity Centres on more affordable land at easily accessible locations.

50. As such, the role and function is more in line with a Drovers Place development rather than at a traditional retail centre.

Growers Mart / Supermarket Land Uses

51. In this assessment the potential for a growers mart and/or supermarket at the Drovers Place site is considered. While a supermarket is not indicated as a proposed use at Drovers Place, this section explores the need for a small supermarket in the area (if not provided for at Lot 19) and/or the need for flexibility within the definition of growers mart and its subsequent uses.

Need in Trade Catchment

52. There is around \$337 million of spending growth for supermarket floorspace within the trade catchment. Assuming there is no current market gap within supermarket/growers mart retail this will require an additional 42,000m² of food and grocery floorspace in the coming decade (sustainable turnover density of \$8,000 per square metre).

53. This 42,000m² could be delivered in a number of ways throughout the Activity Centre structure in Wanneroo.

54. There is need for a small convenience supermarket in the location to meet the needs of the surrounding community. This supermarket has been earmarked for the Lot 19 Local Activity Centre.

55. In a situation where such a supermarket were not to be delivered at the Lot 19 site, there should be provision made for such floorspace in close proximity to Lot 19. In that instance a small supermarket (less than 2,000m²) could be located on the subject site to perform the Local Activity Centre role.

56. Note that not all of the demand for food and groceries will be in the form of supermarket expenditure. Food and grocery expenditure is demanded in a range of formats, including:

a Supermarket — full weekly shopping experience with both dry and fresh goods. This is a 'one stop shop' for customers.

b Convenience stores — fill the gaps between consumers weekly shopping purchases. These outlets are in higher quantity than supermarkets but are lower in size and range.

c Growers marts / marketplace — provides higher quality goods which is generally derived from local producers. These destinations will have aspects of both destination retail and tourism (beyond trade) draw. They will generally also allow for customers to sample and purchase readymade food and beverages to enjoy local produce (e.g. over the counter or through a gourmet deli).

57. There is a strong ongoing demand at the site for the allowance of the gourmet deli to be able to serve a larger range of specialist gourmet food and beverage items.

58. This is currently not an allowable use at the site, which is preventing a readily available and demanded product from being provided to consumers. Such use is considered to be a minor ancillary use necessary with the provision of out-of-centre mixed business.

Alignment with Role and Function of Drovers Place

59. Comparison with a number of '7 day' growers marts around Australia, indicates that the Drovers Place subject site is appropriate to allow such uses as it provides both wholesale and retail functions.

60. A growers mart and gourmet deli (which has the ability to sell produce as food and beverages) will increase the overall vibrancy of the centre as a destination and further encourage family visitation, which is aligned with the role and function of the centre.

61. This is strongly aligned to the demographics of the trade catchment as previously noted in the Demographic Overview.

62. The inclusion of such uses at the subject site will not impact on the role and function of the Activity Centre Hierarchy of Wanneroo or impact on the further development and primacy of these centres. Rather, the uses on the site will complement the uses at other designated centres in Wanneroo.

Conclusions

63. This analysis has provided economic and property land use advice in regard to the proposed use of Drovers Place.

64. The conclusions are consistent with the need, role and function of the centre as outlined in the original SAT evidence.

65. The permission of showroom floor space with the types of land uses as proposed will not adversely impact the hierarchy of existing and planned centres in the area.

66. The proposed amendments to the definition of Showroom will not have any significant increased impact on the competing showroom clusters around Drovers Place.

67. A revision of the uses considered appropriate for 'showroom premises' at this location will not have an undermining effect on the established retail hierarchy of the area. That is, to include allowances of such uses as larger formats:

- a. Liquor store;
- b. Hairdresser, and
- c. Additional gourmet deli food and beverage items.

68. The retail assessment that formed the basis of economic impact evidence in the 2009 SAT appeal included the full range of potential uses found in the modern use of showroom floorspace and that the level of impact on the hierarchy was considered acceptable.

69. A less restrictive definition of the uses permissible in Drovers Place will allow the centre to better serve the surrounding catchment. The community is best served by a development that is in response to the market demand it generates.

70. The definition provided for gourmet deli is overly restrictive. Comparable thriving growers marts and gourmet delis provide food and beverage offer similar to those not allowable at Drovers Place. Allowing these uses will provide additional attraction and shopping amenity to families and other consumers who frequent Drovers Place.

71. There is strong growth in demand for food and grocery needs within the catchment over the coming decade.

72. Convenient food retailing should be delivered in close proximity to the resident population from where there is demand. A convenience supermarket may be proposed at the Lot 19 Local Activity Centre, however, if development is not to occur there, it should be undertaken in a nearby location in the short to medium term. Drovers Place would be an appropriate location.

73. This analysis is aligned to both the need for such uses at Drovers Place, and also the alignment to the role and function of centres within the City of Wanneroo.

Summary by Turner Master Planners Australia
10th August 2012