



## Statutory Planning Committee

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

**Tuesday 12 March 2013  
9.00 am**

**Level 2, Room 2.40  
One40 William Street  
Perth**



Neil Thomson  
Secretary, Western Australian Planning Commission

# Statutory Planning Committee

## Membership:

Member	Representation in accordance with <i>Planning and Development Act 2005</i>	Term of office ends
Mr Eric LUMSDEN	Chairman, WAPC Schedule 2 clause 4(2)(a)	30/04/2013
Mr Eric LUMSDEN	Director General, Department of Planning Schedule 2 clause 4(2)(b)	Ex officio
Mr Henty FARRAR	Nominee of the Regional Minister Schedule 2 clause 4(2)(c)	26/9/2013
Ms Elizabeth TAYLOR	Community representative Schedule 2 clause 4(2)(d)	5/11/2014
Mr Ian HOLLOWAY	Professions representative Schedule 2 clause 4(2)(e)	5/11/2014
Mayor Carol ADAMS	Local government representative Schedule 2 clause 4(2)(f)	1/02/2012
Ms Megan BARTLE	WAPC appointee Schedule 2 clause 4(2)(g)	5/11/2014
Ms Sue BURROWS	WAPC appointee Schedule 2 clause 4(2)(g)	5/11/2014

## 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 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 (Del 2009/05)

*Planning and Development Act 2005* Section 16(1)

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.
- 2.20 Such powers and functions of the WAPC as set out in-
  - (i) Part 5 of the Act;
  - (ii) *Town Planning Regulations 1967*

as are necessary for the preparation, promulgation and the making of recommendations in relation to the Improvement Scheme authorised by Improvement Plan No. 37 for the Browse Liquefied Natural Gas Precinct.

**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**
- 4. Disclosure of interests**
- 5. Declaration of due consideration**
- 6. Deputations and presentations**
- 7. Announcements by the Chairperson of the board and communication from the WAPC**
- 8. Confirmation of minutes of the meeting of 26 February 2013**
- 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**

<b>Item No</b>	<b>Report</b>	<b>Request</b>	<b>Report Required by</b>
7474.10.11	DA to Construct Ancillary Dwelling – Lot 7 Mottram Road, Carmel	To request DoP to provide more information on bush fire control, access and management plan and maximum sizes of ancillary accommodation	TBA

- 13. Closure - next meeting to be held on 26 March 2013**

## Statutory Planning Committee

Minutes  
of ordinary meeting 7476  
held on Tuesday 26 February 2013

### Attendance

#### Members

Mr Eric Lumsden	WAPC Chairman (Presiding Member) Director General, Department of Planning
Ms Megan Bartle	WAPC appointee (arrived at 9.04 am)
Ms Sue Burrows	WAPC appointee
Mr Henty Farrar	Nominee of the Regional Minister
Mr Ian Holloway	Professions representative
Ms Elizabeth Taylor	Community representative

#### Officers

Ms Kylie Beach	<b>Department of Planning</b> Senior Planning Officer, Independent Planning Reviewer (Item 10.3)
Ms Alice Brown	Senior Planning Officer, Northern Regions (Item 9.1)
Mr Rob Cull	Senior Planning Officer, Perth and Peel Planning (Item 10.4)
Mr John DiRosso	Senior Planning Officer, Perth and Peel Planning (Item 10.4)
Ms Cath Meaghan	Planning Director, Regional Planning and Strategy (Item 10.5)
Ms Jackie Stone	Principal Planning Officer, Regional Planning and Strategy (Item 10.5)

#### Committee Support

Ms Leah Carr	Committee Support Officer - Department of Planning
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### 7476.1 Declaration of Opening

The Presiding Member declared the meeting open at 9.00 am, acknowledged the traditional owners and custodians of the land on which the meeting is taking place and welcomed Members.

### 7476.2 Apologies

Nil.

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### 7476.3 Members on Leave of Absence and Applications for Leave of Absence

Mayor Adams has previously been granted leave of absence for the Statutory Planning Committee meeting scheduled for 26 February 2013.

### 7476.4 Disclosure of Interests

Nil.

### 7476.5 Declaration of Due Consideration

No declarations were made.

### 7476.6 Deputations and Presentations

Nil.

### 7476.7 Announcements by the Chairperson of the Board and communication from the WAPC

Nil.

### 7476.8 Confirmation of Minutes

7476.8.1 **Minutes of the Statutory Planning Committee meeting held on Tuesday 12 February 2013**

**Resolved**

***Moved by Ms Taylor, seconded by Mr Holloway***

*That the minutes of the Statutory Planning Committee meeting held on Tuesday 12 February 2013, be confirmed as a true and correct record of the proceedings.*

***The motion was put and carried.***

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### 7476.9 Reports

#### 7476.9.1

#### **Subdivision to Create 24 lots for Rural Small Holdings - Lot 1 Old Darwin Road, Kununurra**

File 146818  
Report Number SPC/366  
Agenda Part C  
Reporting Officer Planning Manager, Kimberley

#### **Resolved**

#### ***Moved by Ms Taylor, seconded by Mr Holloway***

*That the Western Australian Planning Commission resolves to approve the application for subdivision of Old Darwin Road, Kununurra as shown on the plan date-stamped 02 October 2012. This decision is valid for four years subject to the following Conditions and Advice:*

#### CONDITIONS:

1. Arrangements being made with the licensed water supply provider so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Licensed water supply provider)
2. A restrictive covenant, to the benefit of the Shire of Wyndham-East Kimberley pursuant to Section 129BA of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a restriction on the use of the land. Notice of this restriction is to be included on the diagram or plan of survey (deposited plan). The restrictive covenant is to state as follows:

*'This lot is not to be developed for any purpose other than a residential dwelling and domestic garden activities only. No irrigated horticultural or irrigated agricultural development is permitted.'*

(Local Government)

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3. The subdivision plan being amended to allow for an additional lot north of lot 19 to a minimum size of 4 ha and for the amalgamation of lots 1, 2 and 23 into lot 24 for the purposes of retaining a 500 metre separation distance from the existing landfill site. (Local Government)

4. In relation to Condition 3, a restrictive covenant is to be placed on the certificate of title for the additional lot which is to state as follows:

*'This lot is within the 500m separation distance to the Kununurra Landfill site. Any development on this lot is to be contained outside the separation distance area.'* (Local Government)

5. Prior to the commencement of subdivisional works, an urban water management plan is to be prepared and approved, in consultation with the Department of Water, consistent with any approved Local Water Management Strategy.  
(Local Government)

6. The land being filled, stabilised, drained and/or graded as required to ensure that

- a) lots can accommodate their intended development; and
- b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and
- c) stormwater is contained on-site, or appropriately treated and connected to the local drainage system.

(Local Government)

7. A geotechnical report is required:

- a) Prior to the commencement of subdivisional works, the landowner/applicant is to provide a pre-works geotechnical report

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certifying that the land is physically capable of development or advising how the land is to be remediated and compacted to ensure it is capable of development; and

- b) In the event that remediation works are required, the landowner/applicant is to provide a post geotechnical report certifying that all subdivisional works have been carried out in accordance with the pre-works geotechnical report.

(Local Government)

8. A fire management plan being prepared, approved and relevant provisions implemented during subdivisional works, in accordance with the WAPC's *Guideline Planning for Bushfire Protection Edition 2, May 2010 (in particular Appendix 3)* to the specifications of the local government and/or the Department of Fire and Emergency Services.

(Local Government)

9. A notification, pursuant to section 70A of the *Transfer of Land Act 1893* is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

*'The lot(s) is/are subject to a fire management plan.'*

(Local Government)

10. Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant's cost.

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As an alternative, and subject to the agreement of the Local Government the Western Australian Planning Commission (WAPC) is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local government and 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)

11. Engineering drawings and specifications are to be submitted and approved, and satisfactory arrangements being made for subdivisional works to be undertaken in accordance with the approved plan of subdivision and engineering drawings and specifications, for the construction of full earthworks, one carriageway, shared path(s), drainage facilities and grade separated pedestrian crossing(s) required for the portion of Old Darwin Road abutting the application area.  
(Local Government)
12. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)
13. An acid sulphate soils self-assessment form and, if required as a result of the self-assessment, an acid sulphate soils report and an acid sulphate soils management plan shall be submitted to and approved by the Department of Environment and Conservation before any subdivision works or development are commenced. Where an acid sulphate soils management plan is required to be submitted, all subdivision works shall be carried out in accordance with the approved management plan.  
(Department of Environment and Conservation)

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14. Certification from Horizon Power that financial and other requirements have been satisfied for the provision of underground electricity to the lots approved under this application.
15. Such padmount sites as may be required by Horizon Power being transferred free of cost to Horizon Power, with the locations of the sites being to the satisfaction of the local authority.
16. Certification from Horizon Power that satisfactory arrangements have been made for the provision of easements for Horizon Power existing or future equipment.

### ADVICE:

1. Condition 5 has been imposed in accordance with *Better Urban Water Management Guidelines (WAPC 2008)*. Further guidance on the contents of urban water management plans is provided in *'Urban Water Management Plans: Guidelines for preparing and complying with subdivision conditions'* (Department of Water 2008).
2. In regard to Condition 10, the landowner/applicant is advised that the road reserves, including the constructed carriageways, laneways, truncations, footpaths/dual use paths and car embayments, are to be generally consistent with the approved plan of subdivision.
3. Condition 13 makes reference to an 'acid sulphate soils self-assessment form'. This form can be downloaded from the Western Australian Planning Commission's website at: [www.planning.wa.gov.au](http://www.planning.wa.gov.au).
4. The 'acid sulphate soils self-assessment form' makes reference to the Department of Environment and Conservation's 'Identification and Investigation of Acid Sulphate Soils' guideline. This guideline

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can be obtained from the Department of Environment and Conservation's website at: [www.dec.wa.gov.au](http://www.dec.wa.gov.au)

5. In regard to Condition 15, Horizon Power provides only one underground point of electricity supply per freehold lot.
6. Clearing of native vegetation is prohibited in Western Australia except where a clearing permit has been granted or an exemption applies. Any clearing of native vegetation will need to take into consideration the requirements of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004*.
7. Main Roads Western Australia advises the landowner/application with regard to the Victoria Highway:
  - (a) no earthworks are to encroach onto the road reserve;
  - (b) no stormwater drainage is to be discharged onto the road reserve;
  - (c) the landowner/applicant shall make good any damage to the existing verge vegetation.

***The motion was put and carried.***

### 7476.10 Confidential Items

#### 7476.10.1 Proposed Planning Bulletin 108/2013 - Layout Plans

File	DP / 09 00113
Report Number	SPC/367
Agenda Part	A
Reporting Officer	Planning Manager – Aboriginal Communities

**THIS ITEM IS CONFIDENTIAL**

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**7476.10.2 City of Wanneroo District Planning Scheme Amendment No.117 - For Final Approval**

File TPS/0689  
Report Number SPC/368  
Agenda Part B  
Reporting Officer Planning Manager - Schemes, Strategies & Amendments

**THIS ITEM IS CONFIDENTIAL**

**7476.10.3 City of Fremantle Local Planning Scheme No.4 Amendment No.12 - For Final Approval (Following Readvertising)**

File TPS/0214  
Report Number SPC/369  
Agenda Part B  
Reporting Officer Planning Manager - Schemes, Strategies and Amendments

**THIS ITEM IS CONFIDENTIAL**

**7476.10.4 Endorsement of Forrestfield Industrial Area - Stage 1 Local Structure Plan**

File SPN / 0463  
Report Number SPC/370  
Agenda Part C  
Reporting Officer A/Director, Metropolitan North-East

**THIS ITEM IS CONFIDENTIAL**

**7476.10.5 Shire of Toodyay Local Planning Scheme No. 4 Amendment No. 3 - For Final Approval**

File TPS/0757/1  
Report Number SPC/371  
Agenda Part E  
Reporting Officer Director, Wheatbelt Region

**THIS ITEM IS CONFIDENTIAL**

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## 7476.11 General Business

### 7476.11.1 R Codes

Ms Taylor advised the Committee that she was approached by a member from the City of Belmont in regard to the new R Codes that state that any applications over R20 can go up to R100 and that the City recently had received two R40 development applications that had gone up to R80.

The Committee were advised that these new Multiple Unit Codes are part of the Addendum to the recently updated R Codes. This Addendum to the R Codes allows units to be built on top of each other (up to 2 or 3 storeys) as long as the built form complies with the Codes. Density may be increased as long as setback, height, and plot ratio issues are met.

## 7476.12 Items for Consideration at a Future Meeting

Item No	Report	Request	Report Required by
7474.10.11	Development Application to construct ancillary dwelling - Lot 7 Mottram Road, Carmel	To request DoP to provide more information on bush fire control, access and management plan and maximum sizes of ancillary accommodation.	TBA (DoP currently awaiting information from applicant)

## 7476.13 Closure

The next ordinary meeting is scheduled for 9.00 am on 12 March 2013, in Room 2.40.

There being no further business before the Committee, the Presiding Member thanked members for their attendance and declared the meeting closed at 9.32 am.

**PRESIDING MEMBER** \_\_\_\_\_

**DATE** \_\_\_\_\_

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10.2 SHIRE OF TOODYAY LOCAL PLANNING  
SCHEME NO. 4 AMENDMENT NO. 1 - FOR  
FINAL APPROVAL

## ITEM NO: 9.1

### SUBDIVISION TO CREATE 2 LOTS FOR RESIDENTIAL PURPOSES – WHITNELL GARDENS, MURDOCH, CITY OF MELVILLE

**WAPC OR COMMITTEE:** Statutory Planning Committee

REPORTING AGENCY: Department of Planning  
REPORTING OFFICER: Planning Officer - Metropolitan Planning Central  
AUTHORISING OFFICER: Director - Metropolitan Planning Central  
AGENDA PART: C  
FILE NO: 146282  
DATE: 16 January 2013  
ATTACHMENTS: 1 - Plan of Subdivision;  
2 - TPS Zoning and Location Plan;  
3 - Subject site;  
4 - Diagram 15464  
REGION SCHEME ZONING: MRS:URBAN  
LOCAL GOVERNMENT: City of Melville  
LOCAL SCHEME ZONING: Residential R12.5 Living Area  
LGA RECOMMENDATION(S): Refusal  
REGION DESCRIPTOR: Perth Metro Central  
RECEIPT DATE: 19 June 2012  
PROCESS DAYS: 84  
APPLICATION TYPE: Subdivision  
CADASTRAL REFERENCE: Lot 303 Whitnell Gardens, Murdoch

#### RECOMMENDATION:

***That the Western Australian Planning Commission reconsiders its decision dated 11 September 2012 to refuse the application for subdivision at Lot 303 Whitnell Gardens, Murdoch (WAPC ref. 146282), and resolves to approve the application subject to the following conditions and advice set out below:***

#### CONDITIONS:

- 1. The land being filled, stabilised, drained and/or graded as required to ensure that:***
  - a) lots can accommodate their intended development; and***

- 
- b) finished ground levels at the boundaries of the lot(s) the subject of this approval match or otherwise coordinate with the existing and/or proposed finished ground levels of the land abutting; and*
- c) stormwater is contained on-site, or appropriately treated and connected to the local drainage system. (Local Government)*
- 2. Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures present on Lot A at the time of subdivision approval being demolished and materials removed from the lot(s). (Local Government)*
  - 3. Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)*
  - 4. Arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)*
  - 5. 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)*
  - 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 to the lot(s) shown on the approved plan of subdivision. (Western Power)*

**ADVICE:**

- 1. In regard to Condition 2, planning approval and/or a demolition licence may be required to be obtained from the local government prior to the commencement of demolition works.*
- 2. The applicant is advised to liaise with the Local Government regarding the removal of the existing solid wall/fence, paving and landscaping in front of proposed Lot A.*
- 3. In regard to Conditions 3,4 and 5, the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On receipt of a request from the landowner/applicant, a Land Development Agreement under Section 67 of the Water Agencies (Powers) Act 1984 will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.*
- 4. In regard to Condition 6, Western Power provides only one underground point of electricity supply per freehold lot.*

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## SUMMARY:

The key points relating to this report are as follows:

- Freehold subdivision application was submitted to the WAPC on 19 June 2012;
- The application was refused on the 11 September 2012 because the proposal did not meet the requirements of the R12.5 density code which is applicable to the land;
- The WAPC received a reconsideration request on the 08 October 2012;
- The application can be supported due to the unusual characteristics of the site;
- The subject lot is the only lot in the locality that could be subdivided to create 2 lots;
- The subject lot originally consisted of two (2) lots prior to an amalgamation application approved by the WAPC;
- The subdivision would not result in any harm to the character of the area of general streetscape;
- The applicant could theoretically create two (2) lots by exploring other options, and
- Owing to the sites characteristics there is no risk of setting a precedence.

## LEGISLATION / STRATEGIC PLAN / POLICY:

**Legislation** Subdivision / Development Approval / Reconsiderations - Part 10 of the P&D Act 2005

### Strategic Plan

Strategic Goal: Planning  
Outcomes: Effective Delivery of Integrated Plans  
Strategies: Implement State and Regional Planning priorities

### Policy

Compliance: Proposal complies with WAPC policies unless discussed in Planning Assessment section.

### Site Description

The subject site is referred to as Lot 303 on Diagram 72705 (**Attachment 3 - Subject site**). Lot 303 was created from an amalgamation of two (2) lots (Lot 53 & Lot 54) which were created under a structure plan for the area (**Attachment 4 - Diagram 15464**). It is clear from Diagram 15464 that the general layout of the structure plan area is consistent with a R25 code and less consistent with the R12.5 density code in terms of lot area and lot frontage requirements.

It is noted that there are no lots of comparable size (1438m<sup>2</sup>) in the immediate locality or the R12.5 coded area generally. Furthermore, according to WAPC records no other lots have been amalgamated in this way.

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The lower density code of R12.5 was created by the City to facilitate a 'conservation link' along Murdoch Drive by limiting subdivision possibilities in this area while making the most of open space and nature strip preservation. All 'conservation link' areas within the municipality of Melville are prescribed a R12.5 density code.

## **INTRODUCTION:**

The Western Australian Planning Commission (WAPC) received a freehold subdivision application on the 19 June 2012. This application sought approval to subdivide a previously amalgamated lot to create two (2) green title lots with areas of 531m<sup>2</sup> and 907m<sup>2</sup> which equates to minimum and average lot sizes of 531m<sup>2</sup> and 709m<sup>2</sup> respectively. An existing dwelling on one of the lots is proposed to be retained (lot B) while all built form is to be demolished on the newly created lot (lot A).  
**(Attachment 1 - Plan of Subdivision)**

The subject site is Lot 303 (No. 20/22) Whitnell Gardens, Murdoch and falls under the jurisdiction of the City of Melville (**Attachment 2 - TPS Zoning and Location Plan**). The land was coded R25 at the time of amalgamation under a previous Town Planning Scheme (TPS), however, the land is now coded R12.5 under the City of Melville (the City) Community Planning Scheme No.5 (CPS5). It is the R12.5 density code that applies to this subdivision.

Lots which are assigned a density code of R12.5 must generally achieve minimum and average lot sizes of 700m<sup>2</sup> and 800m<sup>2</sup> respectively as per the requirements of Table 1 State Planning Policy 3.1 Residential Design Codes 2010 (R-Codes).

As mentioned, the subject proposal achieves minimum and average lot areas of 531m<sup>2</sup> and 719m<sup>2</sup> which represents a departure from Table 1 of the R-codes of 24.1% and 10.18% respectively. In addition, the proposal has a shortfall in lot frontage requirements (14.71m achieved in lieu of 17m required).

The applicant considers that the peculiarities and unique characteristics of the site warrants approval despite a failure to meet the requirements of the R-Codes and WAPC DC Policy 2.2 Residential Subdivision (DC2.2) for land coded R12.5.

As the subdivision proposal failed to meet the area requirements of the R12.5 density code the application was refused for the following reasons:

- i) *Proposed Lot A does not comply with the minimum frontage requirements for the R12.5 density code prescribed by Table 1 of the Residential Design Codes of WA.*
- ii) *Proposed Lot A does not comply with the minimum frontage requirement for the R12.5 density code prescribed in Table 1 of the Residential Design Codes of WA*
- iii) *Approval of the subdivision would set an undesirable precedent for the further subdivision of other lots of a similar size in this locality which would undermine the objectives and provisions of the City of*

Subsequent to this refusal, the WAPC received a request for reconsideration on 08 October 2012. This will be assessed in this report.

### **CONSULTATION:**

The City objected to the original subdivision application on 28 June 2012 and has reiterated this by responding to this reconsideration request on 12 November 2012 citing the following reasons for refusal:

- i. Non-compliance with the minimum site area requirement of 700m<sup>2</sup> for density coding of R12.5:
- ii. Non-compliance with the average site area requirement of 800m<sup>2</sup> for the density coding of 12.5: and
- iii. Non-compliance with the minimum lot frontage requirement of 17.0m for the density coding of R12.5.

### **COMMENTS:**

The application was refused due to a failure to comply with the requirements of the R-Codes and WAPC Policy DC2.2. At the time of original assessment, officers considered that there was no provision outside of the relevant policies to vary lot size requirements beyond 5%. (see below)

The Commission may vary the requirements of Table 1 of the R-Codes, where:

- the minimum lot size variation applies to only one lot in the subdivisions;
- the variation reduces the area of that one lot by no more than **5%** of the minimum lot size specified in Table 1 or elsewhere in the R-Codes;
- the variation in the area of that one lot reduces the average lot size of the overall subdivision by no more than **5%** of the average lot size specified in Table 1 or elsewhere in the codes; and
- the variation has been demonstrated by the applicant to have a particular beneficial outcome for the community or the Commission forms the opinion that it will have a particular beneficial outcome for the community

The variations proposed under this proposal go over and above that allowed under the policy by comprising variations of 24.1% and 10.18% to minimum and average lot size requirements respectively. Despite this shortfall, the application is being presented to the Statutory Planning Committee (SPC) because it is now considered that there are grounds to approve the application despite the above the policy conflicts.

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## Reasons to support the application

Notwithstanding the variation limitations mentioned previously, case law suggests that the WAPC has the capacity to apply further discretion if the subdivision application is deemed to be unusual, unique or if there are extenuating circumstances to depart from policy requirements.

In the case of **Clive Elliot Jennings and Co Pty Ltd v Western Australian Planning Commission (2002) 122 LGERA 433**, the State Administration Tribunal (SAT) member held that, *while the Policy guides the exercise of planning discretion it does not replace the discretions in the sense that it is to be inflexibly applied.*

*"...the relevant consideration in many applications will be why the 'policy' should not be applied; why the planning principles that find expression in the 'policy' are not relevant to the particular application"*

This principle was applied in **Landpark Holdings PTY Ltd v Western Australian Planning Commission (2007) WASAT 130** when SAT approved a two lot subdivision, which is not dissimilar to this reconsideration application, proposed lot size variations exceeding 5%. It is noted that the variations to lot size in the Landpark Holdings case were around 50% and far greater than that being considered under this application.

In the Landpark case, SAT determined that it was appropriate, in the particular and somewhat unusual circumstances of the case, to depart from WAPC policy that requires the minimum site area and frontage requirements of the R-codes to form the basis for the subdivision of land and grant subdivision approval for undersized lots for the following reasons:

- the site formally comprised two (2) lots of approximately the size of the proposed lot;
- the proposed lot sizes were consistent with that which is characteristic in the locality;
- there would not be any significant streetscape impact, and
- there would be no loss of natural vegetation.

SAT also found that the proposed lot frontages of 34.6m and 34.7m in lieu of 40m would not warrant refusal of the application as there was an agreement between all parties, including the WAPC, that the resultant lots would be capable of residential development.

In terms of this reconsideration application, it is evident that there are comparable characteristics to the Landpark Holdings case. It is considered that in the same way as Landpark Holdings, the creation of two (2) lots on the subject site is appropriate for the following reasons:

- diagram 15464 proves that the site formally comprised two (2) lots of approximately the size as the proposed lots;
- diagram 15464 also demonstrates that the proposed lot sizes will be consistent with the established local character;
- there would not be any significant streetscape impact: and

- 
- there would not be any loss in natural vegetation\*.

*\*N.B the fourth point is only important insofar as the subject site is also affected by a conservation link. It is considered that there would be no adverse effect on the intent of the conservation link. Suitable vegetation could also be planted as part of a development proposal.*

Taken together, it is considered that there are sufficient grounds to support the application, despite the policy deficiencies.

#### Other matters for consideration

In considering the subject proposal it is acknowledged that a two (2) lot subdivision could be created if the subdivision and creation of a second lot were to facilitate a single bedroom dwelling. The R-codes provides for further variation (up to a third of the site area) where the resultant lot is for single person or aged or dependant person purposes. However, while this is an important matter to consider, and an option that the applicant could pursue, it is considered that this would be inappropriate as a single persons dwelling, on a lot of this size, that would represent inefficient use of the land.

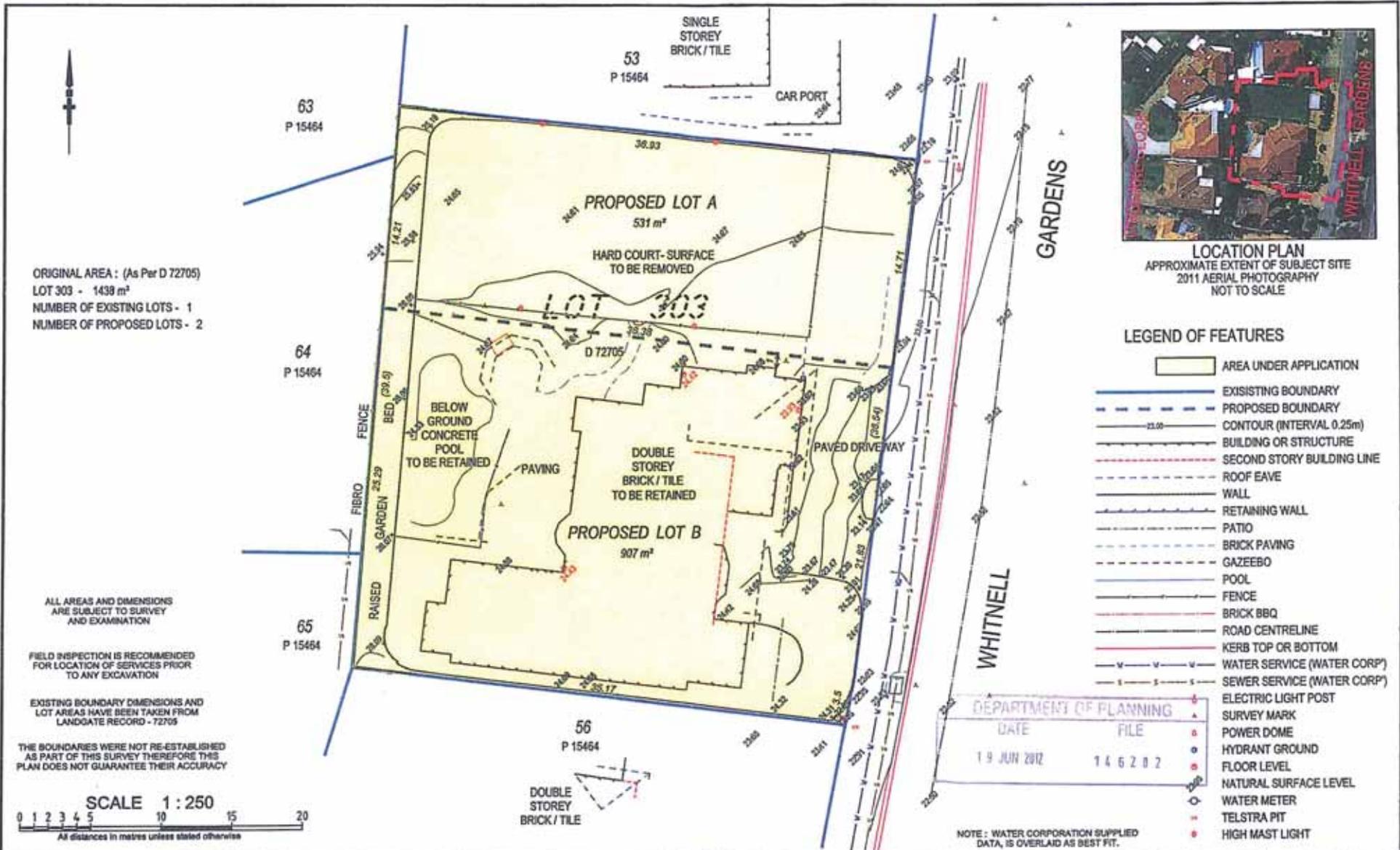
It is also pertinent to note that minimum lot area and minimum lot frontage could be achieved under a two (2) lot subdivision if the applicant chose to demolish the existing dwelling and realign the proposed boundaries. Again, while this is an option for the applicant to pursue, it is considered to be an onerous one, in terms of the additional costs and time involved in such a process and wasteful in terms of demolishing a satisfactory dwelling. While a short fall to average lot area would still remain under this option, it has been established through other SPC decisions that average lot areas are less critical in smaller subdivision configurations.

Additionally, in strategic terms and notwithstanding the policy shortfalls, it is considered that a two (2) lot subdivision in this location is appropriate as the site is in close proximity to the proposed Murdoch Activity Centre and there is a commitment by the City to provide an additional 11,200 dwellings under Directions 2031 and Beyond. Smaller infill subdivision proposals, such as this, can contribute to the City in meeting this goal.

#### **CONCLUSION:**

It is considered that there are reasonable grounds to support this reconsideration request, despite there being a failure to comply with the R-Codes and WAPC Policy DC 2.2 in terms of minimum and average lot size requirements (531m<sup>2</sup> achieved, 700m<sup>2</sup> required) and (709m<sup>2</sup> achieved, 800m<sup>2</sup> required) respectively. This view has been reached by conducting a thorough historical assessment of the proposal and taking into account of previous SAT decisions which have established a pattern of similar approvals.

Therefore, it is considered that the unusual circumstances of this proposal are such that it is appropriate to depart from policy requirements and conditionally approve the application.



**LOCATION PLAN**  
 APPROXIMATE EXTENT OF SUBJECT SITE  
 2011 AERIAL PHOTOGRAPHY  
 NOT TO SCALE

**PROPOSED SUBDIVISION OF**  
**LOT 303 ON D 72705**  
**#22 WHITNELL GARDENS, MURDOCH**

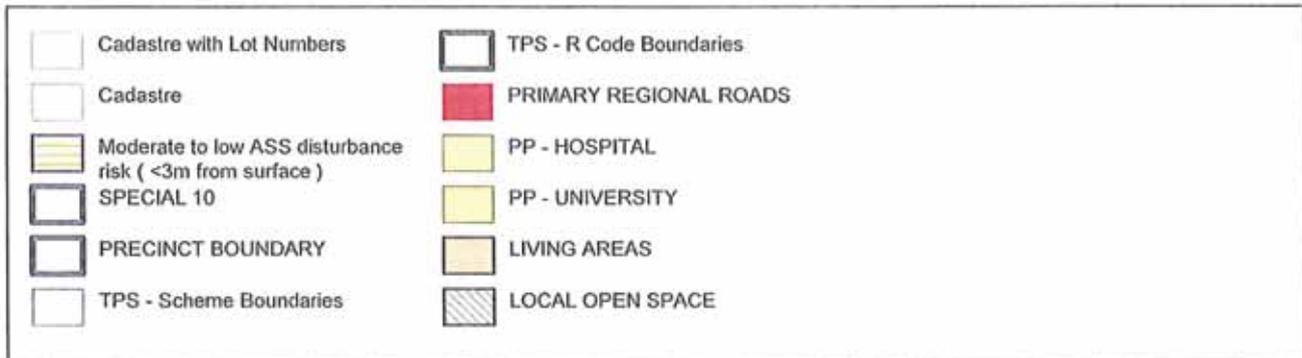
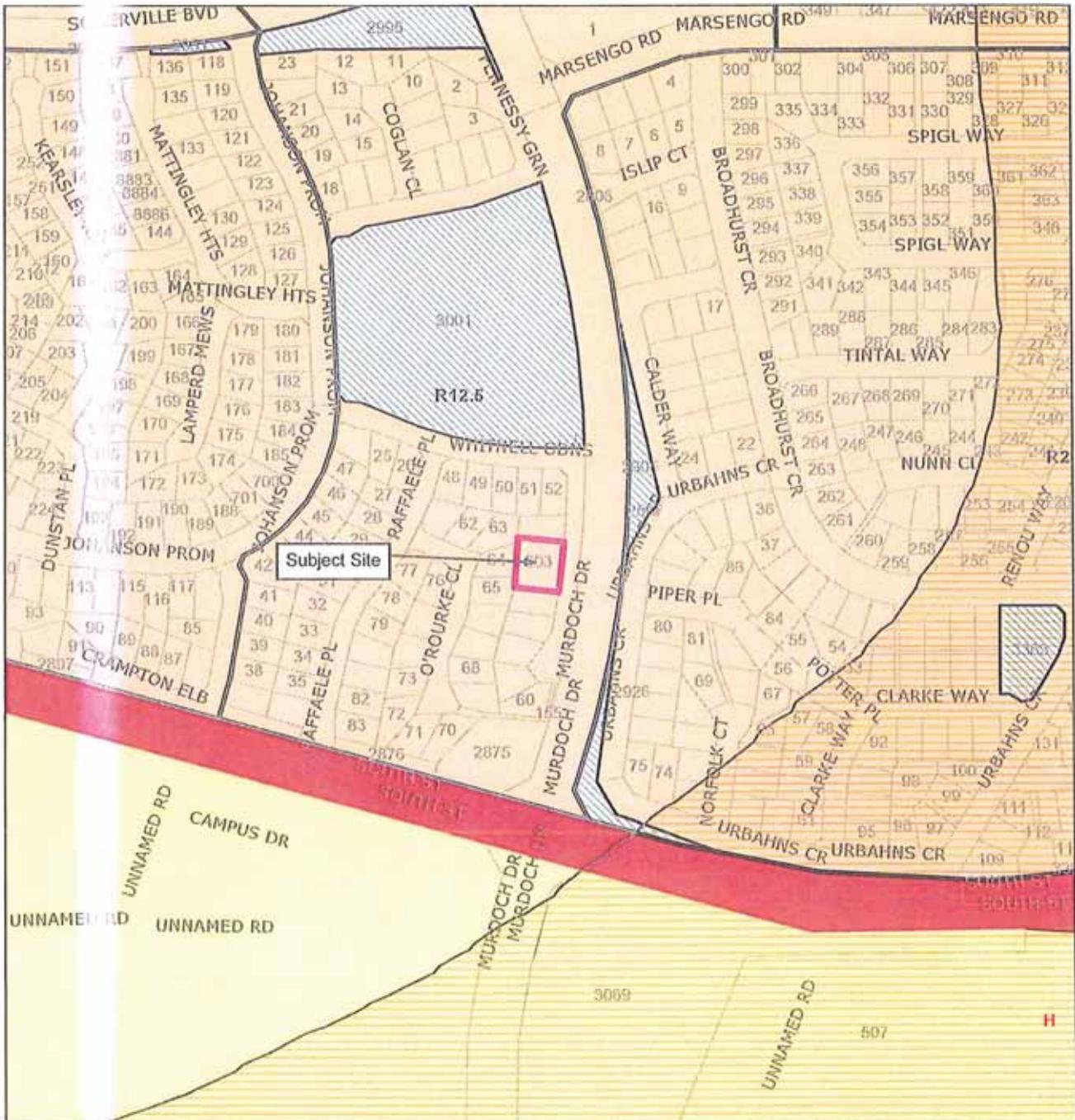
**DATUM**  
 HORIZONTAL - PCG 94  
 VERTICAL - A.H.D.

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**Brown McAllister Surveyors**  
 Licensed Surveyors | Land Development & Strata Consultants | Engineering Surveyors

Email : admin@brownmcallister.com.au Tel: (08) 9386 9688  
 43 Broadway, Nedlands, Western Australia, 6009 Fax: (08) 9386 9677

SHEET	A3
SURVEYED	S. KEENAN - 08/05/2012
FIELD NOTES	Digital Data
DRAWN	M.J.McDONALD - 14/05/2012
CHECKED	
REFERENCE	12059-1SK_rev2



Scale 1:4,703  
 0 125 m

Prepared by: kgibson  
 Prepared for:  
 Date: Thursday, August 16, 2012 12:32  
 Plot identifier: P20120816\_1232

**DP INTERNAL USE ONLY**



Attachment 2  
 Locality / TPS Zoning Map

Town or District.	Number of Lot or Location.	Field Book.	Scale.	Certificate in wh. Land is Vested.	Area
COCKBURN SOUND	LOTS 54 & 55 OF LOC. 549		1:500	Vol. 1723 1723 Fol. 131 132	1438 m <sup>2</sup>

LIMITED IN DEPTH TO 60.96 METRES



Compiled from Plan 15464

COTTRIDGE & ENGINEERING SURVEYS



DIA 72705

**CERTIFICATE**

I hereby certify that this survey was performed by me personally (or under my own personal supervision, inspection and field check) in strict accordance with the Licensed Surveyors (Guidance of Surveyors) Regulations, 1961.

Date: 12.10.87. **COMPILED** Licensed Surveyor

Approved by State Planning Commission

FILED 14 OCT 1987 23868

For Chairman 20/10/87

Approved *Alan Bond* Inspector of Plans and Surveys Date: 10.11.87

Examined *Miss Kavanagh* Date: 10.11.87

D.H. 9/1/88 CP22105/4/86-1000 D.P. 14816

Plan, Diagram, Index Plan, PERTH, 2000, 12.12. On 15464.

Office Registered Fee Paid \$65 90801 23.10.87 MAP

Diagram No. **72705**

LANDGATE COPY OF ORIGINAL NOT TO SCALE Fri Dec 21 13:08:01 2012 JOB 40766561

# PLAN 15464

## PT LOT 7 OF COCKBURN SOUND LOC. 549

SURVEYOR J.A.M. MULLEN  
F.B. 52475, 52476 & 52478, 52765 & 52766  
TOTAL AREA 7.2392 ha  
PLAN 15143  
INDEX PLAN PERTH 2000 12.12  
C.T. 1702-494 & 1723-167(PAW)

LIMITED IN DEPTH TO 60.96 METRES

IN ORDER FOR DEALINGS  
17.3.86

APPROVED  
3 - 4 - 86

P.A.W/B.O.W as shown on this Survey  
is amended to Lot 155

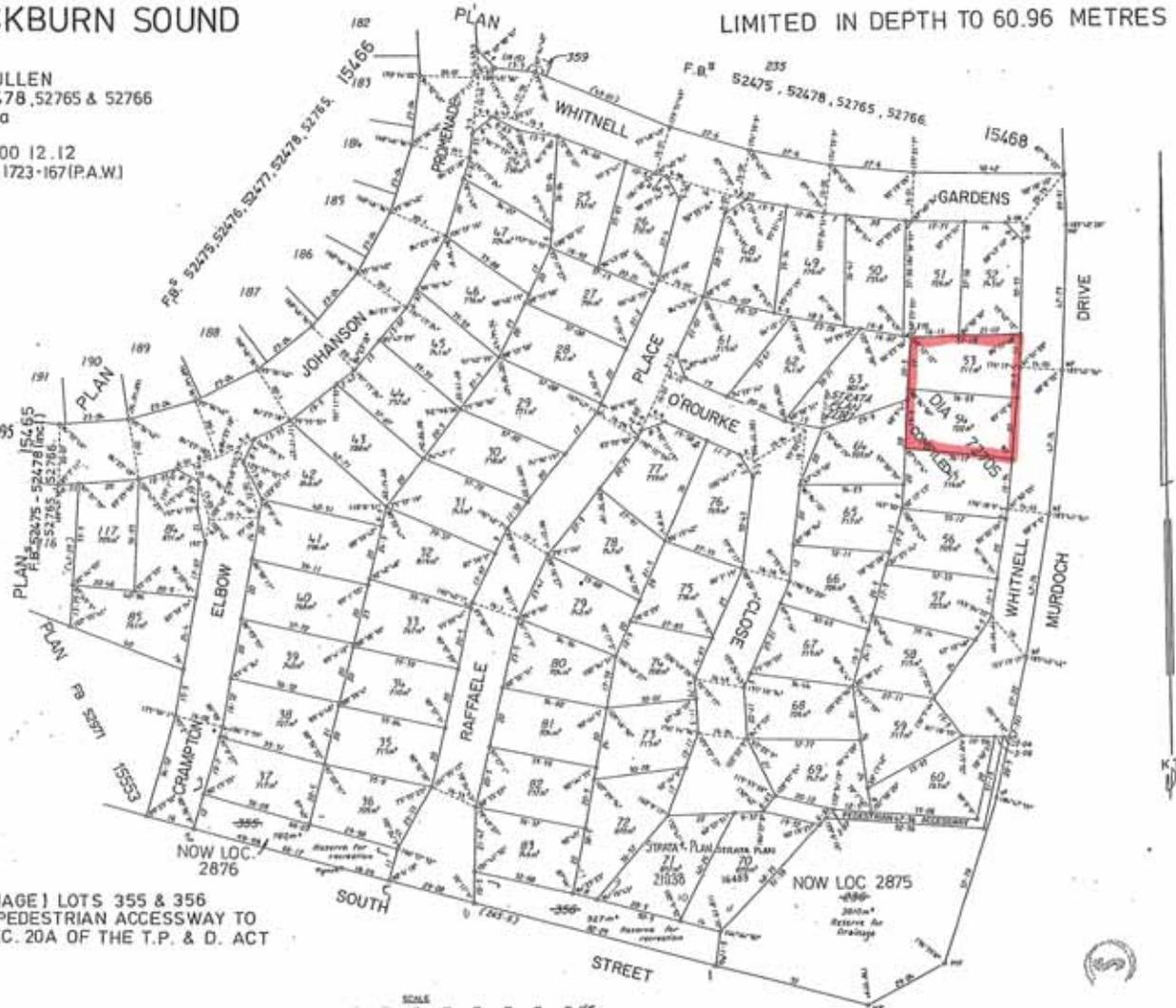
Regulation 6 Transfer of Land (Surveys) Regulation 1995  
Corr. 1775-2000-01  
Date: 1/3/86

**LOCAL GOVERNMENT ACT**  
ALL ROADS WITHIN THE GREEN  
BORDER ARE NOW DEDICATED.

**LOCAL GOVERNMENT ACT**  
ALL ROADS WITHIN THE GREEN  
BORDER ARE NOW DEDICATED.

**LOCAL GOVERNMENT ACT**  
ALL ROADS WITHIN THE GREEN  
BORDER ARE NOW DEDICATED.

LOT 236 (RESERVE FOR DRAINAGE) LOTS 355 & 356  
(RESERVES FOR RECREATION) & PEDESTRIAN ACCESSWAY TO  
VEST IN THE CROWN UNDER SEC. 20A OF THE T.P. & D. ACT



PLAN 15464

## ITEM NO: 9.2

### CITY OF MANDURAH - ENDORSEMENT OF CITY CENTRE PRECINCT PLAN

**WAPC OR COMMITTEE:** **Statutory Planning Committee**

REPORTING AGENCY: Department of Planning  
REPORTING OFFICER: Senior Planning Officer  
AUTHORISING OFFICER: Planning Manager  
AGENDA PART: C  
FILE NO: 801/6/13/21PV  
DATE: 22 February 2013  
ATTACHMENTS: 1 - Location Plan  
2 - Advertised Precinct Plan  
3 - Indicative Development Plan  
4 - Schedule of Submissions  
5 - Submissions Location Plan  
6 - Tracked Modifications

REGION SCHEME ZONING: Urban and Regional Centre  
LOCAL GOVERNMENT: City of Mandurah  
LOCAL SCHEME ZONING: City Centre Development, Tourist  
LGA RECOMMENDATION(S): Endorse with modifications  
REGION DESCRIPTOR: Peel  
RECEIPT DATE: 2 December 2010  
PROCESS DAYS: 813  
APPLICATION TYPE: Precinct Plan  
CADASTRAL REFERENCE: Various lots generally bound by Peel and George Streets, Pinjarra Road and Mandurah Terrace, and portion of Ormsby Terrace, Mandurah.

**RECOMMENDATION:**

*That the Western Australian Planning Commission resolves to:*

**1. approve the Mandurah City Centre Precinct Plan subject to:**

**1.1 the Minister approving Amendment 96 to Mandurah Town Planning Scheme 3;**

**1.2 the precinct plan text being updated in accordance with the tracked changes shown at Attachment 6, including:**

- 
- (i) a simplified zoning plan being incorporated into the document;*
  - (ii) clause 2.2.1.3 - 'Mewburn Site Development Guide Plan Area' being revised to state that any redevelopment of the Mewburn site should aim to provide a similar amount of parking and open space to that which currently exists. In addition, this clause should be amended to remove WAPC from the approval process for a Development Guide Plan with reference being added to the approval process outlined under Clause 4.13.4 of Town Planning Scheme 3;*
  - (ii) the Land Use Table being updated;*
  - (iv) setback and building height provisions being simplified; and*
  - (v) other administrative modifications.*

*1.3 a notation being added to Figure 3 to state that details on the plan outside of the precinct plan boundary are indicative only;*

*1.4 clause numbering within the precinct plan text being reviewed and simplified as appropriate;*

**2. advise the City of Mandurah of its decision.**

#### **SUMMARY:**

The City of Mandurah requests the Western Australian Planning Commission's (WAPC's) approval of the Mandurah City Centre Precinct Plan (MCCPP), to guide future land use and development within the City Centre. The plan incorporates approximately 35 hectares of land in central Mandurah, generally reflecting the 'Regional Centre' zone in the Peel Region Scheme (**Attachment 1** - Location Plan).

More than 100 submissions were received during advertising, the majority of which relate to a site bound by Scholl and Tuckey Streets. Council modified the MCCPP in response, requiring preparation of a Development Guide Plan (DGP) to determine appropriate land use and built form outcomes for the site.

It is recommended that the MCCPP be approved, subject to modifications relating to:

- a) clarifying the DGP process; and
- b) updating development standards, land use definitions, and clarifying administrative processes.

#### **BACKGROUND:**

In April 2008, Council initiated Amendment 96 to Town Planning Scheme 3 (TPS3), which proposes to rezone some land within the MCCPP area to the 'City Centre Development' zone and update the scheme provisions relating to the 'City Centre Development' zone. Council adopted Amendment 96 for final approval in June 2009.

In September 2008, Council adopted and subsequently advertised a draft version of the MCCPP. In light of submissions received, the MCCPP was modified and re-advertised in mid 2010 (**Attachment 2** - Advertised MCCPP).

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In September 2009, the WAPC advised the Council that prior to endorsing any further precinct plans, including the MCCPP, traffic modelling and public transport investigations should be undertaken addressing the substantially increased development potential for the inner Mandurah area.

In November 2010, Council endorsed the MCCPP and forwarded the documents to the WAPC for approval. However, it did so without first completing traffic modelling for the inner Mandurah area. The absence of traffic modelling information delayed the Department of Planning (DoP)'s analysis and reporting on the MCCPP and Amendment 96.

The City of Mandurah engaged a consultant to undertake strategic transport modelling and to investigate future upgrade requirements for the existing Mandurah Traffic Bridge and Mandurah Estuary bridge. This work was completed in late 2012 and provided to the DoP. Key findings and implications of the traffic modelling are discussed in the Movement Network section of this report.

The WAPC's report in support of Amendment 96 is awaiting presentation to the Minister.

## **LEGISLATION / STRATEGIC PLAN / POLICY:**

### **Legislation**

*Planning and Development Act 2005*  
*City of Mandurah TPS No.3*  
Section: Clause 4.1 (modifications proposed via associated Amendment 96)

### **Strategic Plan**

Strategic Goal: Planning  
Outcomes: Planned Local Communities developing a sense of place  
Strategies: Encourage innovation in the design of our communities

### **Policy**

Number and / or Name: Directions 2031 and Beyond  
State Planning Policy 4.2 'Activity Centres for Perth and Peel'  
Development Control Policy 1.6 'Planning to support Transit Use and Transit Oriented Development'  
Liveable Neighbourhoods

## **DETAILS:**

The MCCPP endorsed by Council incorporates detailed design guidelines, land use and development standards for the City Centre, and identifies the following seven sub-precincts:

- a) a Retail/Main Street Precinct, focussed on Scholl and Tuckey Streets;
- b) a Waterfront Precinct focussed on Mandurah Terrace, to accommodate tourism, leisure and entertainment uses;

- 
- c) a Central Employment Precinct defined by Sutton Street and Pinjarra Road, with the core activity being office use supported by retail and limited upper level residential development;
  - d) a Mixed Use Precinct north of Cooper Street to accommodate high-density residential apartment style housing and mixed use development;
  - e) a Heritage Precinct adjacent to the Old Mandurah Traffic Bridge;
  - f) Ormsby Terrace Precinct, linking the City Centre and Ocean Marina, accommodating medium-high density mixed use development up to five storeys; and
  - g) the 'Mewburn Centre', a 1ha site bound by Scholl, Tuckey and Sutton Streets, identified for future redevelopment after further planning investigations including preparation of a DGP.

An Indicative Development Plan (**Attachment 3**) defines the extent of the sub-precincts, as well as identifying key road and pedestrian connections, access and parking nodes and other improvements necessary to address key priorities relating to employment generation, improving built form and the quality and activation of public spaces in the city centre.

The MCCPP also incorporates a height overlay plan, land-use permissibility table, setbacks and road cross-sections, and is intended to replace several existing Local Planning Policies and one approved Outline Development Plan, rationalising planning controls within the precinct.

#### **GOVERNMENT AND CORPORATE IMPLICATIONS:**

Nil.

#### **CONSULTATION:**

The MCCPP was initially advertised for public comment in late 2008, with sixty-six submissions received. Having regard to matters raised in the submissions, Council subsequently reformatted and updated the precinct plan, incorporating the following key changes:

- a) inclusion of additional land along Ormsby Terrace south of Peel Street, and along Mandurah Terrace north of Hackett Street;
- b) a review of building heights and removal of bonus height provisions, introduction of setbacks to the precinct boundary relative to building height and lot size based criteria for achieving maximum potential height; and
- c) refinement of parking requirements and general land use and development standards.

The revised MCCPP was advertised for public comment between May and July 2010 and 107 submissions were received, comprising seven from government and service agencies, nine from land owners and the remainder from the community. The submissions included two petitions and 71 pro-forma letters. These submissions are presented at **Attachment 4**, together with Council's and the Department of Planning's (DoP) comments and recommendations. The majority of submissions (81

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in total) raised concerns regarding redevelopment of the 'Mewburn' site, which is discussed in detail in the officer's comments section of report. A location map of the submissions is provided as **Attachment 5**.

## **OFFICER'S COMMENTS:**

### Peel Region Scheme (PRS)

The MCCPP falls within the 'Regional Centre' zone under the Peel Region Scheme (PRS), apart from the proposed Ormsby Terrace sub-precinct which is zoned 'Urban' under the PRS. The 'Regional Centre' zone under the PRS extends beyond the eastward boundary of the MCCPP to Forrest Street, and as far north as Peel Street. Although the MCCPP boundary is not identical to the 'Regional Centre' zone boundary, the MCCPP is consistent with the PRS as the nature of development intended within the precinct plan is consistent with the purpose and intent of the 'Regional Centre' and 'Urban' zones under the PRS.

### Town Planning Scheme 3 (TPS3)

Most of the MCCPP area is currently zoned or proposed to be rezoned (via Amendment 96) to 'City Centre Development'. The intent of the 'City Centre Development' zone is to provide for the development of the Mandurah City Centre as the Waterfront Capital of the Peel Region, offering vibrant and diverse commercial, retail, mixed use, entertainment and lifestyle opportunities.

The north-western portion of the MCCPP is proposed to be rezoned (via Amendment 96) from 'Tourist' to 'Precinct Development'. The intent of the 'Precinct Development' zone is to provide a mechanism for the control and guidance of development in Precinct Areas which have been identified as requiring, or being likely to benefit from, comprehensive planning.

Within the 'City Centre Development' zone, the permissibility of land uses and the relevant subdivision and development standards are specified in an Outline Development Plan (ODP) adopted by the Council and approved by the Western Australian Planning Commission (WAPC). Similarly, within the 'Precinct Development' zone, the permissibility of land uses and the relevant subdivision and development standards are specified in a Precinct Plan, prepared and approved as an ODP.

The MCCPP satisfies the requirement for an ODP to be approved in the 'City Centre Development' and 'Precinct Development' zones.

### Mandurah Inner Area Strategic Plan (WAPC 2002)

The MIASP was prepared to guide further detailed planning and decision-making regarding appropriate type and locations of future land uses, transport infrastructure and service improvements for the Mandurah Inner Area.

The MIASP identifies five planning precincts, including a city centre precinct generally bounded by Peel Street, Mandurah Ocean Marina, Mandurah Estuary, Pinjarra Road and Forrest Street. In addition, the MIASP identifies a range of

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appropriate land uses for the city centre precinct and lists various issues to be addressed in the preparation of a precinct plan for the city centre precinct.

The MCCPP covers a slightly smaller area than the city centre precinct identified in the MIASP, as portions of the city centre are either covered by the endorsed Inner Mandurah Precinct Plan or are areas that require further detailed planning. Otherwise, the MCCPP is consistent with the MIASP.

#### Mandurah Central Revitalisation Strategy - Mandurah Waterfront (2009)

In 2002, Cabinet established a taskforce to prepare the Mandurah Central Revitalisation Strategy (MCRS). The strategy was finalised in 2009 and provides a non-statutory vision and framework for redevelopment of the city centre.

The MCCPP is generally consistent with the key recommendations of the MCRS that relate to the public domain. In terms of the private domain, the MCCPP provides for substantially increased building heights throughout the precinct plan area compared to the MCRS. The appropriateness of the proposed building height limits in the MCCPP is discussed later in this report.

#### Directions 2031 and Beyond (D2031)

D2031 identifies Mandurah as a strategic activity centre. The vision, objectives and priorities of the MCCPP are consistent with the activity centre principles outlined in D2031 as the plan aims to facilitate improved land use and infrastructure efficiencies, greater housing diversity and employment opportunities focused around the City's waterfront identity.

#### State Planning Policy 4.2 (SPP4.2)

Under SPP4.2, Mandurah is classified as a Strategic Metropolitan Centre. SPP4.2 states that local planning strategies, schemes and district and local structure plans should identify the indicative boundaries of activity centres in both established and new urban areas.

The City of Mandurah is currently preparing a draft Local Planning Strategy (LPS) and the identification of activity centres is intended to be a component of the LPS. Accordingly, activity centres have not yet been incorporated into the statutory and strategic planning framework for the City of Mandurah. As a result, the requirement under SPP4.2 for an activity centre plan to be prepared for Mandurah has not yet been fulfilled.

In effect, the MCCPP will fulfil most of the functions of an activity centre plan, except that its scope will be limited to the core of the central business district (CBD) rather than encompassing all of the other key elements of the CBD.

The fact that the MCCPP precedes the preparation and approval of an activity centre plan is considered to be acceptable for the following reasons:

- 
- a) the MCCPP fulfils a statutory requirement under TPS3;
  - b) a strategic basis for the MCCPP has been established as a result of the MIASP, MCRS and D2031, as discussed earlier in this report;
  - c) approval of the MCCPP is unlikely to undermine the activity centre hierarchy or the objectives of SPP4.2; and
  - d) the MCCPP has history which pre-dates SPP4.2.

Clause 1.4.4 of the MCCPP should be updated as it refers to SPP4.2 as though it were still a draft policy and unnecessary wording about possible future modifications to the precinct plan should be removed.

### Commercial Considerations

The MCCPP allows for an additional 84,000m<sup>2</sup>(nla) of retail and 40,000m<sup>2</sup>(nla) of office space in the city centre from 33,200m<sup>2</sup>(nla) and 18,900m<sup>2</sup>(nla) respectively, based on a Commercial Centres Analysis commissioned by the City of Mandurah as part of its ongoing LPS project. The commercial analysis suggests that the additional floor space could generate in the order of 4500 - 5000 job opportunities in the long-term, if all sites were developed to capacity.

The proposed scale and composition of commercial activity envisaged by the MCCPP is consistent with the city's role as a strategic metropolitan centre, and is considered appropriate in the context of:

- a) the activity centre hierarchy and planning principles outlined in 'Directions 2031 and Beyond' (D2031), SPP4.2 and 'Liveable Neighbourhoods';
- b) servicing predicted sub-regional population growth;
- c) facilitating improved land use efficiency;
- d) increasing the range of employment opportunities in the city centre; and
- e) contributing to achievement of the sub-regional employment self-sufficiency targets outlined in D2031.

### Residential Density

The MCCPP provides scope for approximately 1000 additional residential dwellings. A higher ratio of residential floor space is proposed in the mixed-use sub-precincts at the northern and western extent of the precinct, with limited upper level residential development permitted in the retail, waterfront and employment sub-precincts.

Three submissions (1, 5 and 6) sought increased flexibility in the vertical location and floor space ratio of residential development in the employment and retail sub-precincts. The MCCPP limits the ratio to 25 and 50 per cent floor space respectively, to be located above the third level. Council dismissed the submissions on the basis of providing adequate opportunity for commercial development, consistent with the intended land use outcomes in the respective sub-precincts. Council's position is supported in order to encourage an appropriate mix of activity in the city centre.

### Building Height

The MCCPP proposes a graduated height model, having regard to key view corridors, foreshore amenity, intended land uses and surrounding development.

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Minimum and maximum overall building heights are specified as well as minimum and maximum street wall heights.

The revised MCCPP advertised in 2010 incorporated the following changes in respect of building height:

- a) height reduced from 8 to 5 and 6 stories along Mandurah Terrace, and from 12 to 8 stories on the eastern side of Sutton Street;
- b) height increased from 5 to 8 stories on the southern side of Pinjarra Road; and
- c) bonus height provisions of up to 8 additional stories were removed precinct wide.

The above-mentioned changes responded to potential impacts on surrounding development, a desire to spatially separate taller buildings from the waterfront and precinct boundaries, optimise commercial development opportunities and minimise uncertainty regarding built form outcomes.

Five submissions (no's. 2, 3, 5, 6 & 7) sought increased building height for specific sites and/or reinstatement of a potential 8-storey height bonus based on the draft MCCPP advertised in 2008. Council's recommendation to dismiss the submissions seeking increased building height is supported, having regard to the above-mentioned rationale.

Modifications to clause 2.2.3.2(b) are recommended, in order to clarify that the maximum building heights identified on Figure 6 are only available where the lot size criteria of clause 2.2.3.2(b) have been achieved. Otherwise, it could be construed that the amalgamation of land into larger parcels enables greater building height allowances than identified on Figure 6, which is not the intent of this clause.

### Setback Provisions

The MCCPP specifies a variety of street wall and podium level setbacks, based on the intended street function in order to promote an appropriate scale of development and activate the public realm.

One submission sought relaxation of a 20-metre boundary setback requirement for podium level development in the Ormsby Terrace mixed-use sub-precinct. To address unintended limitations imposed by lot dimensions and dual precinct boundaries in this location, and ensure setback requirements are consistent and equitable in the wider city centre precinct, the following modifications to clause 2.2.3.2(c) are recommended:

- a) the 20 metre setback requirement to all boundaries for development above 16 metres in height for the Ormsby Terrace Mixed Use Precinct should be deleted;
- b) the 20 metre precinct boundary setback requirement for development with a height ranging from 16 - 32 metres and the 35 metre setback requirement for development with a height above 32 metres should be deleted, as these exceed R-Code requirements and were not modified in response to earlier changes to building heights; and

- 
- c) a footnote should be added to state that all other setbacks not specified elsewhere in the Precinct Plan will be determined in accordance with the requirements of the Residential Design Codes.

These modifications will enable more efficient use to be made of urban zoned land and provide increased design flexibility at the development stage without reducing the amenity of adjoining land.

#### Movement Network

The traffic modelling work indicates that traffic generation in the inner Mandurah area is expected to increase by about 2.4 times current volumes (i.e. from 170,000 to 407,000 vpd) as a result of land use intensification, resulting in significant congestion in the city centre.

Key findings and recommendation arising from the traffic modelling include:

- future traffic projections indicate the need to upgrade the Mandurah Traffic Bridge to 4 lanes and upgrade the Mandurah Estuary Bridge to 6 lanes;
- providing 4 lanes on the Mandurah Traffic Bridge will create flexibility and opportunities for dedicated public transport lanes and/or better (segregated) pedestrian cyclist facilities on this bridge; and
- various road network improvements will reduce future congestion to an acceptable operational level, such as extending Sutton Street to Mandurah Terrace and enhancing the standard of some city centre roads such as Sutton Street, Anstruther Road, Cooper Street, Boundary Road and Anstruther Road to provide more capacity for the city centre road network.

To maximise land use efficiencies and encourage a shift in travel behaviour, the MCCPP proposes to reduce and consolidate existing car parking based on reciprocal use arrangements, consistent with a Council endorsed parking strategy and the principles outlined in SPP4.2. The potential decked parking locations identified in the MCCPP are appropriately located relative to key activities in the city centre, on land owned by or vested in the local government. The MCCPP also includes provision for bicycle parking and end of trip facilities.

Key public transport routes (rapid transit) are being examined as part of the South Metropolitan Peel Structure Plan, in consultation with the Department of Transport and the City of Mandurah.

In summary, no fatal flaws in the MCCPP have arisen as a result of DoP's review of the traffic modelling reports.

#### Development Contribution Plan (DCP)

The precinct plan text indicates that a DCP may be prepared in the future in order to fund various improvements such as underground power, streetscape upgrades, utilities, public transport and public art. TPS3 specifically enables a precinct plan to include provisions relating to servicing requirements, community infrastructure and facilities and developer contributions.

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The precinct plan text should be modified to include reference to *State Planning Policy 3.6 - Development Contributions for Infrastructure (SPP3.6)* in order to ensure that any such DCP satisfactorily addresses the requirements of SPP3.6.

### Mewburn Site

The Mewburn site is owned by the City of Mandurah and currently developed with a community centre, memorial garden and 170 public parking spaces. The MCRS identifies redevelopment of the site as a key priority project, to include provision for a civic space, decked parking area and upgrade of the memorial gardens.

The advertised MCCPP identifies the site within the 'Retail/Main Street' Precinct, indicating a potential building height of up to 75 metres (20 storeys), a parking node and associated notation requiring incorporation of a market square and improvements to the amenity of Scholl Street as part of any redevelopment.

The 81 objections regarding the site primarily relate to the potential impact of development on the heritage-listed church located directly south, loss of public parking and open space. In response to the submissions, Council modified the MCCPP, requiring preparation of a Development Guide Plan (DGP) to determine appropriate future land use, built form and community outcomes for the site. It is proposed that the DGP be treated as a modification to the precinct plan, requiring public consultation and WAPC approval in accordance with clause 7.11 of TPS3.

The requirement for preparation of a DGP for the site is supported. It is noted that Clause 2.2.1.3 of the MCCPP specifies that the DGP requires determination by Council and approval from the WAPC. Council officers have clarified that the requirement for WAPC to approve the DGP was due to a concern that the City may have a conflict of interest in being the approving authority for the DGP, given that the site is owned by the City of Mandurah. However, it is considered unnecessary for WAPC to be involved in approving the DGP and it is recommended that clause 2.2.1.3 of the MCCPP be modified to reflect clause 4.13 of TPS3. This would remove the need for separate WAPC approval but there would still be a requirement for public consultation to be undertaken prior to a DGP being determined by Council.

Given the limited opportunity for provision of 'green space' in the City Centre, and the proposed consolidation of existing parking arrangements, it is recommended that clause 2.2.1.3 be further modified to clarify that any redevelopment of the Mewburn site should aim to maintain a similar amount of open space and parking to that which currently exists.

### Other Modifications

Minor modifications to the Land Use Permissibility table are recommended, to ensure terminology is consistent with TPS3, or uses are otherwise defined in the MCCPP.

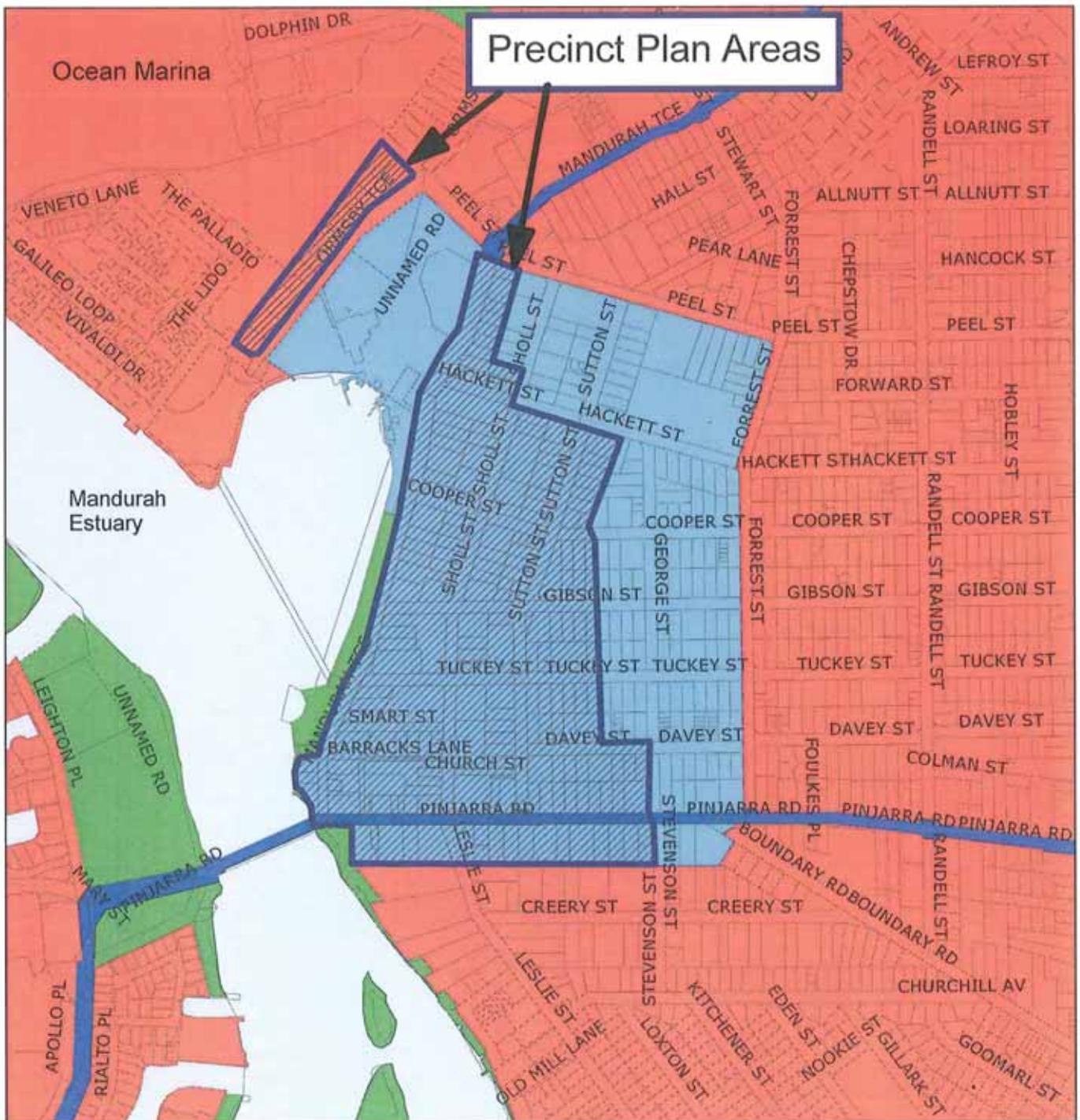
Recommended tracked changes to the text are provided as **Attachment 6**.

A notation should be being added to Figure 3 to state that details on the plan outside of the precinct plan boundary are indicative only.

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## **CONCLUSION**

It is recommended that the MCCPP be approved, subject to modifications. The recommended modifications have been discussed with officers at the City of Mandurah.



Precinct Plan Areas

	Cadastre with Lot Numbers		WATERWAYS
	Cadastre		URBAN
	REGIONAL CENTRE		OTHER REGIONAL ROADS
	REGIONAL OPEN SPACE		

Scale 1:10,000  
 0 250 m

Prepared by: shaine  
 Prepared for:  
 Date: Sunday, February 10, 2013 17:31  
 Plot identifier: P20130210\_1731

**DP INTERNAL USE ONLY**

Government of Western Australia  
 Department of Planning

**Project Plan Notes**

Old Mandurah Traffic Bridge replaced with one lane in each direction, dedicated pedestrian and cyclist path and bus/transit lane. Final design concepts to be subject to further review and discussion.

- 2. Mandurah Terrace being the primary tourist and visitor Activity area, with increased pedestrian amenity, and leisure-focused retail and restaurant activity.
- 3. Improvements to foreshore area as major public space in City Centre, providing a focal point for activity with a variety of recreation, leisure, commercial and civic features.
- 4. The Central Node being the primary retail area for the region, with streets lined with shopfronts, well defined street trees to create high level of pedestrian amenity, with Sholl Street and Tuckey Street being clearly identified main streets.
- 5. Existing parking areas being redesigned to incorporate Town/Market Square, new buildings around square and improvements to amenity of Sholl Street as the core of the City Centre.
- 6. Sutton Street and Pinjarra Road being a key employment and transport spine of the Precinct, with development built to the defined street edges with plaza and forecourt spaces being created at key nodes with streetscape character to reinforce the spines.
- 7. Existing heritage buildings retained and upgraded in townscape setting complemented by existing trees and vegetation as a key entrance to Precinct from the west.
- 8. Land uses and built form on Davey Street and Tuckey Street to complement Sutton Street, with supporting office and commercial development, and upgraded streetscape, onstreet parking and active frontages. Front setbacks to be used to provide for upgraded footpaths and on-street parking.
- 9. Upgrading of land uses and built form along Pinjarra Road (east of Sutton Street) into core multi-level office development and small scale showrooms, with buildings up to defined street edge, reciprocal parking at rear and side, on-street parking, and optimise on-street parking on side streets. Potential for residential development above commercial to create landmark sites.
- 10. Sutton Street extended to Mandurah Terrace as identified in Mandurah Central Revitalisation Strategy as key entrance to City Centre from the north.
- 11. Forrest Street upgraded to provide support role for Sutton Street, including improvements to intersections at northern and southern ends to improve legibility and permeability of City Centre and improved landscaping.
- 12. Pinjarra Road and Peel Street upgraded as key entry points into City Centre, providing for supporting mixed-use and commercial land uses and public transport spines.
- 13. Opportunities for mid-block rights-of-way with all parking and services being provided from new access, to reinforce active street edges through the built form.
- 14. Potential new 10m-wide street to facilitate new development to overlook open space (school site).



**Key Priorities**

- 1. Facilitating employment-generating land uses
- 2. Ensuring quality built form and architecture
- 3. Providing quality public spaces and streets with upgraded street furniture and activity
- 4. Providing activity throughout the day and night for tourists and residents in a safe environment

**Plan Legend**

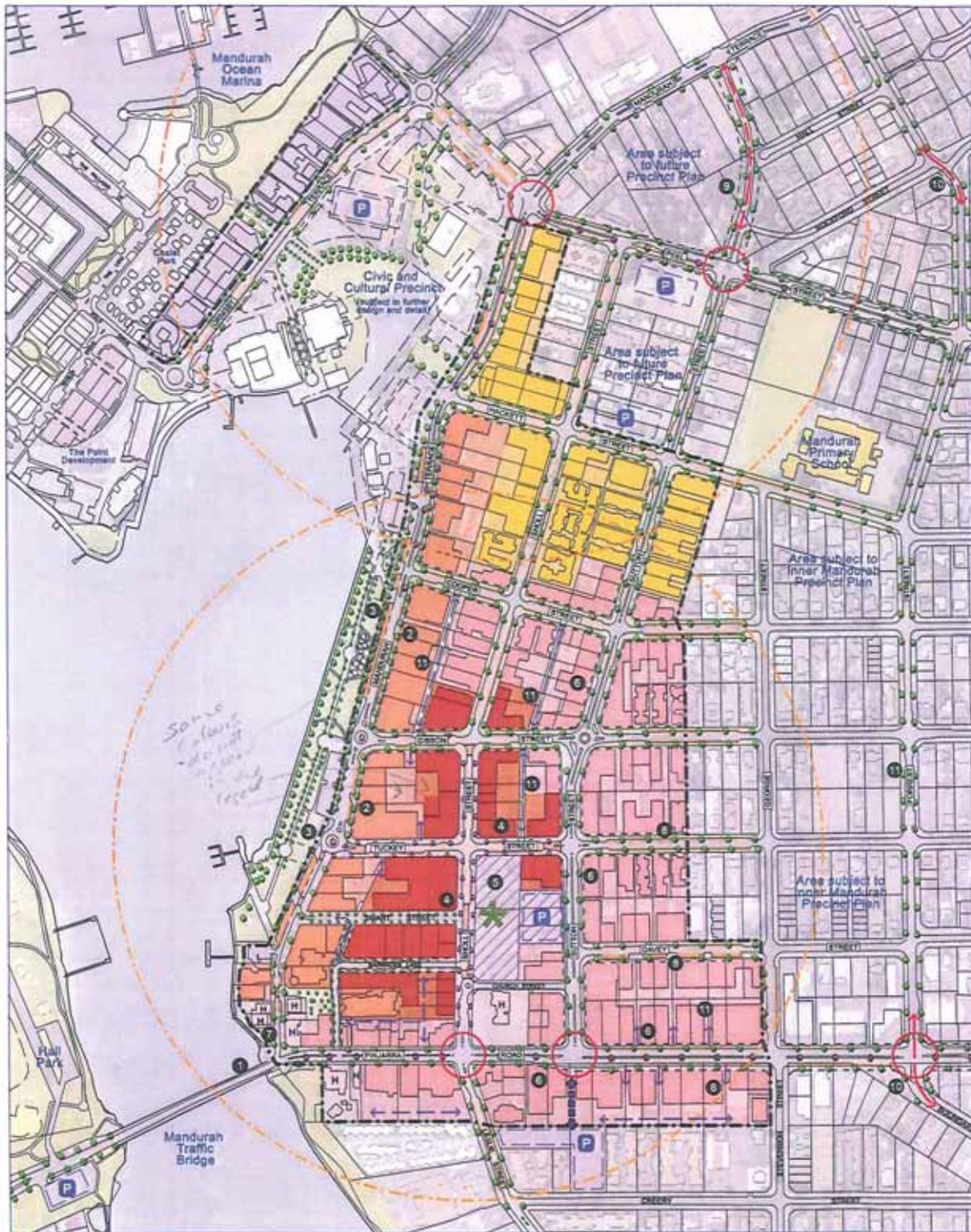
- Retail Main-Street Precinct
- Mandurah Waterfront Precinct
- Central Employment Precinct
- Northern Mixed Use Precinct
- Heritage Precinct
- Ormsby Terrace Mixed Use Precinct
- Open Space
- Mandurah Primary School
- Parking Node (at-grade)
- Parking Node (Potential Public Decked Station) (Subject to further design and review)
- Traffic Signals (existing and proposed)
- Proposed new and/or improved road connections
- Indicative shared access lanes (Right of Ways) (to reduce crossovers to key streets)
- Identified access points for new development (Reciprocal Access Easements where applicable)
- Key Pedestrian Connections (existing or to be provided)
- Defined City Centre Main Streets; designed with
  - Slow Speed Traffic Environment
  - Pedestrian Priority
  - Alfresco and Outdoor Dining
  - Street Trees and High Quality Landscaping
  - On Street Parking
- Green / Parkland Streets; designed with
  - Extensive Landscaping in widened streets
  - Significant Street Trees
  - Wide Shared Path
  - On Street Parking
- 400m Walkable Catchment (5 min walk)
- Precinct Boundary

**MANDURAH CITY CENTRE  
PRECINCT PLAN**

**FIGURE 6.1  
INDICATIVE DEVELOPMENT PLAN**

City of Mandurah logo and scale bar (0, 75, 150m). Date: 3 March 2010 | 07/2434/002F | 1:5000 © 3

DEPARTMENT OF PLANNING  
MANDURAH OFFICE  
18 MAY 2010



- Sub-Precinct Zones**
- Retail Main-Street Precinct
  - Mandurah Waterfront Precinct
  - Mewburn Site DGP Area (Refer to Section 2.2.1 of Precinct Text)
  - Central Employment Precinct
  - Northern Mixed Use Precinct
  - Heritage Precinct
  - Ormsby Terrace Mixed Use Precinct
- Open Space / Public Places**
- Public Open Space
  - Town Square / City Park (Location, Size and Design to be determined as part of DGP required over this site)
  - Mandurah Primary School
  - Parking Node (at-grade)
  - Parking Node (potential decked parking) (subject to further design and review under City Centre Car Parking Strategy)
- Streetscape and Movement**
- Traffic Signals (existing and proposed)
  - Proposed new road connections
  - Indicative Shared Access Lanes (to reduce crossovers to key streets)
  - Identified Shared Crossovers (Reciprocal Access Easements)
  - Key Pedestrian Connections (existing or to be provided)
  - Proposed Road Widening and/or 'Street Wall' Setback
  - Defined City Centre Main Streets; with
    - Slow Speed Traffic Environment
    - Pedestrian Priority
    - Alfresco and Outdoor Dining
    - Street Trees and Landscaping
    - On Street Parking
  - Green / Parkland Streets; designed with
    - Extensive Landscaping in verge
    - Significant Street Trees
    - Wide Footpaths
    - On Street Parking
  - 400m Walkable Catchment (5 min walk)
  - Precinct Plan Boundary

- Key Priorities**
1. Facilitating employment-generating land uses
  2. Ensuring quality built form and architecture
  3. Providing quality public spaces and streets with upgraded street furniture and activity
  4. Providing activity throughout the day and night for tourists and residents in a safe environment
- Precinct Plan Notes**
1. Old Mandurah Traffic Bridge replacement subject to design concepts, review and community consultation
  2. Mandurah Terrace being the primary tourist and visitor area, with increased pedestrian amenity, and restaurant activity.
  3. The eastern foreshore area being the major public space in the City Centre, with improvements to ensure this focus point for activity continues.
  4. Sholl and Tuckey Streets being the region's centre for retail activity, with the streets lined with shopfronts and pedestrian amenity.
  5. 'Mewburn Site' being subject to a separate Development Guide Plan, which includes an Enquiry by Design process to prepare the plan to explore development opportunities being integrated with a town square/city park and car-parking as the central point of the City Centre.
  6. Sutton Street and Pinjarra Road being the key employment and transport spines of the Precinct, with development built to newly defined street edges and podium setbacks.
  7. Existing heritage buildings retained as a key entrance to Precinct from the west.
  8. Davey and Tuckey Street complementing Sutton Street, with supporting office and commercial development, with upgraded streets, on-street parking & active frontages.
  9. Sutton Street extended to Mandurah Terrace as identified in Mandurah Central Revitalisation Strategy as key entrance to City Centre from the north.
  10. Forrest Street upgraded to provide support role for Sutton Street, including upgrades of intersections at northern and southern ends to improve legibility and permeability.
  11. Opportunities for mid-block rights-of-way with all parking and services being provided from new access.
  12. As further detailed and localised science becomes available on climate change, additional provisions may be added to the Precinct Plan requirements

Figure 3 - Indicative Development Plan

**City of Mandurah  
City Centre Precinct Plan  
Schedule of Submissions**

Owner/Address	Submission Summarised Comments	Council Comment and Recommendation	Department of Planning Comment and Recommendation
<p>1. <b>Greg Rowe and Assoc.</b></p> <p><b>(Representing:</b></p> <p><b>Mewburn Syndicate Lot 500 Sutton St)</b></p> <p><i>The site is located on the south-western side of the Tuckey/Sutton Street intersection, in the Retail/Main Street Precinct.</i></p>	<p>(a) There has been no extension of the 'Retail/Main Street' Sub Precinct to ensure adequate land is designated to achieve the vision of Mandurah city centre becoming the retail centre of the Region and as a result, will discourage a retail focus within the street block east of Sholl Street;</p> <p>(b) Comprehensive and integrated planning for the Tuckey/Sholl/Church/Sutton Street block requires a consistent precinct designation;</p> <p>(c) The overly restrictive plot ratio, building height, setback and separation requirements limit development potential of the Tuckey/Sholl /Church/Sutton Street block (a landmark block within the city centre);</p> <p>(d) There is a need to discourage car dependency within the city centre by stipulating a maximum number of car bays per development rather than prescribing minimum car parking requirements. A shift in these terms will send a clear message to the community that public and alternative transport use is encouraged within the city centre; and</p>	<p>(a) The Retail/Main Street Sub Precinct has been extended to include the lots on the western corners of the intersection of Sutton and Tuckey Streets.</p> <p>(b) Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p> <p>(c) As above.</p> <p>(d) This recommendation is supported, however the Mandurah City Centre requires a maturity in its urban form and function before being introduced, but has been considered as a subsequent stage.</p>	<p>(a) Dismiss. Agree with Council's comments.</p> <p>(b) Noted. In response to the submissions regarding the 'Mewburn' site, Council modified the MCCPP to require preparation of a Development Guide Plan (DGP) to determine appropriate future land use, built form and community outcomes for the site, including provision for a town square/park. Council's approach is supported, as this will allow more detailed planning to occur in consultation with the community. Minor procedural modifications regarding the DGP process have been recommended, as outlined in the officers report.</p> <p>(c) Dismiss. Refer comment above.</p> <p>(d) Dismiss. The MCCPP proposes reduced commercial car parking rates compared to that required by TPS3, based on reciprocal use arrangements, promoting alternative modes of travel and maximising land use efficiencies. The precinct plan is consistent with the principles of State Planning Policy 4.2 'Activity Centres for Perth and Peel' in this regard, noting that car parking is to be included in any redevelopment of the Mewburn site.</p>

	<p>(e) The lack of clarity in relation to the future of the George Robinson Reserve and the likely development of the site, which remains a fundamental flaw of the Precinct Plan.</p> <p>(f) We would make the following recommendations in regards to Plot Ratio in Table 7.1;</p> <ul style="list-style-type: none"> <li>the reference to plot ratio be deleted in order to maximise land use flexibility and built form configurations;</li> <li>should plot ratios be retained however, then there should be some explanation or justification for the percentage differences between the Sub Precinct areas.</li> </ul> <p>From a review of other Town Planning Schemes plot ratios are always referred to as a ratio, i.e., 2:1, 3:1 for example. If plot ratio is to be used then it should be expressed as a ratio and not as a percentage; and if the plot ratios are to remain then we would recommend that an additional Note be included to at least allow some flexibility to encourage a higher urban form built outcome and provide an opportunity for performance based assessment of development proposals.</p> <p>(g) Would like to acknowledge Council's consideration of the previous submission lodged in relation to the draft MCCPP, which has seen some positive changes in the revised document.</p>	<p>(e) Refer Recommendation regarding Mewburn Site and introduction of Development Guide Plan for the location.</p> <p>(f) The provisions have been clarified such that the "plot ratio" is a "residential floors pace ratio".</p> <p>The purpose of the ratio is to ensure that commercial floor space is provided within developments and that the location does not become solely a location for high-density residential apartments.</p> <p>(g) Noted.</p>	<p>(e) Upheld in part. It is recommended that the MCCPP be modified to clarify that redevelopment of the Mewburn site should maintain a similar amount of car parking and open space to that existing. The site will be subject of a separate planning process in consultation with the community prior to any redevelopment.</p> <p>(f) Upheld in part. As the precinct plan aims to express plot ratio as a percentage of residential floor space, the word 'ratio' in clause 2.2.4.2 is potentially confusing. For this reason, it is recommended that the word 'ratio' be changed to 'percentage' in this clause.</p> <p>The Precinct Plan is intended to facilitate design based, rather than standards based, outcomes and allows Council flexibility to consider approving development that does not strictly comply with the specified criteria where a good built form and land use outcome will be achieved, subject to public advertising of the proposal.</p> <p>(g) Noted.</p>
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<p>2. <b>Greg Rowe and Assoc.</b></p> <p><b>(Representing: Kellaway Pty Ltd Lots 211 and 212 Tuckey Street (corner Sutton Street))</b></p> <p><i>The site is located on the south-eastern side of the Tuckey/Sutton Street intersection, in the Central Employment Precinct.</i></p>	<p>(a) Concerns in relation to the reduction in building heights for the lots abutting the east side of Sutton Street, being:</p> <ul style="list-style-type: none"> <li>the height reduction will reduce the available office space in the 'Central Employment' Precinct;</li> <li>the height reduction will adversely affect the built form of the 'Central Employment' Precinct;</li> <li>the height reduction will not result in improved solar access; and</li> <li>the height reduction will not deliver any pedestrian or streetscape benefits.</li> </ul> <p>It is considered that taller but slender buildings, with reduced podium heights and setback tower elements, will produce a more desirable pedestrian scale and streetscape environment, whilst maintaining maximum opportunities to create additional office floor space and employment opportunities.</p> <p>Strong opposition to any reduction in the building height provisions relevant to the subject site and urge Council to reinstate the 47 metre height limit previously proposed by the draft Precinct Plan for those lots on the east side of Sutton Street, as it contributes to:</p> <ul style="list-style-type: none"> <li>accommodating a critical mass of inner city workers to revitalise the city and sustain retail development within the city centre;</li> <li>providing sufficient office space to create a competitive inner city corporate environment and an affordable location to attract new business and corporate companies; and</li> <li>a balanced skyline and urban form that will consolidate Sutton Street as the city centre's key employment and transport route.</li> </ul>	<p>(a) The revised draft (and final draft) Precinct Plan reduced the heights along the eastern edge of Sutton Street due to the significant impact that the previously identified 12 storey heights would have on the immediately adjoining sites to the east, which remain (and are likely to) single level residential for some time.</p> <p><i>(Note: Since the submission has been lodged, the landowners have been working on a design for the site that is consistent with the final draft Precinct Plan's design requirements with respect to height).</i></p>	<p>(a) Dismiss. Agree with Council's comments. The 47-metre (12 storey) height limit referenced in the submission relates to the draft MCCPP advertised in 2008.</p> <p>The MCCPP adopted by Council identifies the subject lots having potential for 8-storey development.</p> <p>The proposed height transition from 8 to 5 storeys east of Sutton Street is appropriate having regard to existing development, and the 5 storey maximum building height specified in the WAPC endorsed Inner Mandurah Precinct Plan, adjoining the eastern boundary of the MCCPP.</p> <p>Even though building height limits have been reduced in some areas, there will still be substantial opportunities within the precinct plan area to accommodate high rise buildings.</p>
<p>3. <b>Greg Rowe and Assoc.</b></p> <p><b>(Representing Landowners of 26, 26a and 28 (Lots 1, 2 and 3) Ormsby Terrace)</b></p>	<p>Recommend the following modifications to the City Centre Precinct Plan:</p> <p>(a) Change the Building Height Plan to reflect a height of 28 metres (7 Storeys) for the Ormsby Terrace Mixed Use Precinct on the understanding that land parcels are amalgamated and a minimum lot size of 3000m<sup>2</sup> is achieved;</p>	<p>(a) Disagree. The scale / height of this sub-precinct being at 21 metres / 5 storeys is consistent with its surrounds, particularly the Mandurah Ocean Marina. Taller buildings in this sub-precinct are not recommended.</p>	<p>(a) Dismiss. Agree with Council's comments. It is acknowledged that the southern portion of Ormsby Terrace is framed by existing landmark development exceeding 5 stories to the north and south. However, redevelopment in the sub-precinct is intended to be consistent with built form to the east (civic and cultural precinct) and west (Ocean Marina), which generally does</p>

<p><i>The site is within the Ormsby Terrace Mixed-Use Precinct.</i></p>	<p>(b) Delete the "Within Ormsby Terrace Mixed Use Precinct, 20.0 m setback to all boundaries"</p> <p>(c) Include a traditional interpretation of Plot Ratio and assign a Plot Ratio of 3.0 for the Ormsby Terrace Precinct in order to be consistent with the City Centre Zone under the Scheme.</p> <p>(d) That reference to Maximum Residential Plot Ratio for the Ormsby Terrace Precinct is deleted from Table 7.1 and is replaced by the following, (or similar):</p> <p><i>"Commercial uses only should be established on the ground floor with a direct frontage/facade to the street and no residential premises on the ground floor should have a frontage/facade to the street, although a ground floor single, street front common entrance to residential premises is acceptable. The common entrance to the residential premises should be designed so as to dominate the streetscape."</i></p>	<p>(b) The outcome remains the same, but the formatting has been modified such that any development above 16.0m in this sub-precinct is setback to ensure that the upper level(s) are designed like a loft-type feature and reduce impact on adjoining sites. This will also require sites to amalgamate prior to being able to develop above four storeys.</p> <p>(c) No plot ratio exists in Scheme 3 for the City Centre zone. The Precinct Plan is based on a design envelope rather than a 'traditional' plot ratio.</p> <p>(d) The provisions have been clarified such that the "plot ratio" is a "residential floor space ratio".</p> <p>The purpose of the ratio is to ensure that commercial floor space is provided within developments and that the location does not become solely a location for high-density residential apartments. The Precinct Plan seeks to retain the maximum 75 per cent residential for this sub-precinct, which would allow commercial uses at the front/ground level of the development and the</p>	<p>not exceed 5 stories. The MCCPP allows for additional building height at key intersections and 'landmark' locations in the core of the city centre, rather than in the transitional mixed-use sub-precincts.</p> <p>(b) Upheld. It is recommended that the 'above street wall' front setback provisions be reduced from 20 metres to 6 metres, consistent with that required for the wider precinct, and remaining setbacks be determined in accordance with the Residential Design Codes. This will allow additional design flexibility.</p> <p>(c) Dismiss. It is noted that a plot ratio of 3.0 does apply in the City Centre Development zone in some circumstances. Otherwise agree with Council's comments.</p> <p>(d) Dismiss. As discussed in DoP comment 1(f) above. The Ormsby Terrace sub-precinct is intended to provide for mixed-use development with active street frontage, linking the Mandurah Ocean Marina and City Centre. The land use table in the MCCPP allows consideration of residential development at ground level in the Ormsby Terrace sub-precinct.</p>
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		<p>remaining being residential development.</p> <p>There are provisions included in the Precinct Plan whereby if a development seeks a modification to a design requirement of the Precinct Plan, that the application is assessed on its merits (which includes advertising).</p>	
<p>4. <b>Greg Rowe and Assoc.</b></p> <p><b>(Representing: Christ's Church Anglican Parish 34 – 36 Pinjarra Road (corner Sholl Street))</b></p>	<p>A number of concerns have been raised by the Christ's Church community, each of which are summarised below;</p> <ul style="list-style-type: none"> <li>(a) the building heights and scale of development proposed for the Tuckey/Sutton/Church and Sholl Street block does not reflect an appropriate scale for Mandurah;</li> <li>(b) the building height and scale of development proposed along Sholl Street will significantly impact on the amenity of the adjacent Christ's Church, historic cemetery, landscape and surrounds; and</li> <li>(c) the building height and scale of development proposed diminishes the historic significance of the adjacent Christs Church.</li> </ul> <p>As a result of these concerns, a number of modifications and recommendations to the Precinct Plan have subsequently been proposed within the submission, each of which will potentially mitigate the issues outlined above;</p> <ul style="list-style-type: none"> <li>(d) define a clear city vision of an appropriate scale and urban form that MCCPP is seeking to achieve;</li> <li>(e) undertake a Heritage Impact Assessment in relation to the potential impact of future development of the Tuckey/Sutton/Church and Sholl Street block on the historic Christ's Church site, prior to finalisation of the Precinct Plan;</li> <li>(f) clarify the location and proposed built form outcome of the Town/Market Square within the Tuckey/Sutton/Church and Sholl Street block;</li> <li>(g) consideration of a town square from Church Street north to Tuckey Street which would provide a civic heart and human scale to the town centre and provide links between the city, its historical past</li> </ul>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above</p>	<ul style="list-style-type: none"> <li>(a) Refer comments at submission 1 regarding the Mewburn site.</li> <li>(b,c) Noted. Maximum building height along Scholl Street is 5 stories opposite the church site, with potential for taller buildings to the north around the intersection with Tuckey Street, reducing the direct impact of taller 'landmark' buildings on the church site. The precinct plan incorporates building setback criteria to establish an appropriate scale of development that will not dominate public spaces or surrounding land uses.</li> <li>(d-i) Dismiss. The suggestions included at points d – i can be further explored as part of the DGP process. Clause 2.4 of the Precinct Plan addresses heritage considerations, allowing Council to require preparation of a heritage Impact Statement for land adjacent to a heritage site where necessary.</li> </ul>

	and the waterfront;		
	<p>(h) significantly reduce the maximum building height provisions relating to the Tuckey/Sutton/Church and Sholl street block, to minimise loss of amenity of the historically significant 'Christ's Church' site; and</p> <p>(i) give greater consideration to protection and enhancement of the Heritage Precinct and the development of 'Heritage Tourism' and importantly, how the urban form can promote connectivity within the Heritage Precinct and contribute to the visitor experience of Mandurah.</p>		
<p>5. <b>Greg Rowe and Assoc.</b></p> <p><b>(Representing:</b></p> <p><b>Landowners of No. 8-10 (Lot 52) Smart St (Cnr Tuckey St))</b></p> <p><i>The site is located on the south-western side of the Tuckey/Sholl Street intersection, in the Retail/Main Street Precinct.</i></p>	<p>Propose the following modifications to the Precinct Plan:</p> <p>(a) the need for reconsideration of height limitations and setbacks, particularly in relation to 'bonus' height provisions. Strategic corner lots should be allowed to extend to within a reasonable setback of side/rear boundaries and potentially, along the entire street frontage;</p> <p>(b) an inclusion of building height bonuses for exceptional built form and sustainable design, similar to the provisions provided under the Mandurah Terrace Precinct Plan;</p> <p>(c) removal of the 3 storey minimum height provision or a reduction to 2 storeys;</p> <p>(d) clarification and/or justification as to the identification of the Tuckey/Sutton/Church and Sholl block for building height to 20 storeys;</p> <p>(e) consideration should be given to alternative sites which are capable of development to 20 storeys and do not impact on the Heritage Precinct, prior to finalisation of the MCCPP; and</p>	<p>(a) The provisions have been designed to ensure that the human scale is maintained at street level. The subject site, due to its scale may require closer examination based on design concepts.</p> <p>(b) Not supported. The level of discretion does not provide the landowner, designer, officers or Council with satisfactory detail.</p> <p>(c) Supported. The Precinct Plan has been modified accordingly.</p> <p>(d) Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p> <p>(e) As above.</p>	<p>(a) Dismiss. The site is identified to accommodate a maximum building height up to 47 metres (12 stories), increased from 32 metres (8 stories) in the 2008 plan. 'Landmark building criteria' apply at the corner of Tuckey and Scholl Streets, enabling street wall height to be increased by an additional storey in proximity to the street corner. The provisions of the MCCPP provide sufficient flexibility to facilitate quality built form outcomes in this regard.</p> <p>(b) Dismiss. Agree with Council's comments, noting that the MCCPP allows Council flexibility to consider approving development that does not strictly comply with the specified criteria where a good built form and land use outcome will be achieved, subject to public advertising of the proposal.</p> <p>(c) Agree with Council's comments.</p> <p>(d) Refer comments at submission 1 regarding the Mewburn site.</p> <p>(e) Dismiss. The proposed range and location of building heights proposed by the MCCPP are considered appropriate, having regard to</p>

		(f) remove the prohibitive maximum residential plot ratio and the restriction of residential development to storeys above the first three levels within the Retail/Main Street Precinct.	(f) The purpose of the ratio is to ensure that commercial floor space is provided within developments and that the location does not become solely a location for high-density residential apartments.	key view corridors, foreshore amenity, intended land uses and surrounding development.  (f) Dismiss. Agree with Council's comments. The residential floor space ratio and distribution is considered appropriate, having regard to the intended land use outcomes within the Retail/Main Street Precinct.
6.	<p><b>Dynamic Planning</b></p> <p><b>(Representing: Lots 30-31 Mandurah Terrace &amp; Lots 74-76 Sholl Street)</b></p> <p><i>The lots fronting Mandurah Terrace are within the Waterfront Precinct, and those fronting Sholl Street are within the Central Employment Precinct, with maximum building heights of 21 and 32 metres respectively.</i></p>	<p>Summary of Requested Amendments to the Mandurah City Centre Precinct Plan.</p> <p>(a) Amend the Land Use Table by removing the current 'X' classification for 'Residential' land uses on the first three levels of development within the 'Central Employment Precinct' and assigning an 'AA' classification;</p> <p>(b) Amend the Land Use Table by removing the current provision which stipulates a maximum residential plot ratio of 25% for development within the 'Central Employment Precinct'; and</p> <p>(c) Amend the maximum building height for Lots 30-31 Mandurah Terrace to 30.0 metres, in lieu of 21.0 metres.</p> <p>(d) Specifically, the proposed amendments of the revised draft MCCPP are warranted as they:</p> <ul style="list-style-type: none"> <li>Acknowledge and appropriately respond to the current and unforeseen economic environment;</li> </ul>	<p>(a) The purpose of the land use table is to ensure that commercial floor space is provided within developments and that the location does not become solely a location for high density residential apartments.</p> <p>(b) These provisions may be reviewed at the completion of the preparation of the Local Planning (Activity Centres) Strategy which will review floor space allocations and compare against the precinct plan(s) accordingly.</p> <p>(c) Not supported. The plan was modified to reduce the heights along Mandurah Terrace to ensure that the higher scale buildings are located back from the water's edge.</p> <p>(d) The plan provides suitable degrees of flexibility where warranted, whilst maintaining the design elements considered</p>	<p>(a,b) Dismiss. Agree with Council's comments. The proposed ratio and vertical distribution of residential floor space is considered appropriate, having regard to the intended land use outcomes within the 'Central Employment Precinct. Council may review these provisions in the future if necessary.</p> <p>(c) Dismiss. Agree with Council's comment. The MCCPP provides for additional height in select locations, such as prominent street corners and the retail core of the city, not in a mid-block location or overlooking the foreshore as suggested by the submission.</p> <p>(d) Dismiss. Agree with Council's comments.</p>

	<ul style="list-style-type: none"> <li>• Reflect the general ethos and overall desired vision the City of Mandurah intends for the Mandurah City Centre area;</li> <li>• Will create viable short to medium term development opportunities for the Mandurah City Centre area;</li> <li>• Will ensure that development of the area does not stagnate or become sterilized due to a lack of viable development opportunities; and</li> <li>• Will allow for the viable development of Lots 30-31 Mandurah Terrace and Lots 74-76 Sholl Street in the short to medium term future.</li> </ul>	necessary to enable the location to become a true city centre.	
<p>7. <b>Parry and Rosenthal Architects</b></p> <p><b>(Representing: No 24 (Lot 50) Sholl Street</b></p> <p><i>The site is located on the north-western corner of the intersection of Tuckey and Scholl Streets within the Retail-main Street Precinct, with a maximum building height of 47 metres.</i></p>	<p>(a) It is apparent that most of the planning and design guidelines contained in the first draft are little changed with respect to our Client's property.</p> <p>(b) It is of great concern to our Client to note that specific planning/design provisions are now proposed for Lot 400, which adjoins Lot 50.</p> <p>These provisions appear to exempt a re-development on Lot 400 from complying with the guidelines and design criteria set out in the Precinct Plan and we are unable to find any justification for this anomaly. We conveyed our Client's deep concern regarding both the probity of 'fast tracking' a development application during the current finalisation of the Precinct Plan and the inconsistencies between the proposed redevelopment on Lot 400 and the objectives and detail of the Precinct Plan and the Local Planning Policy 2.</p> <p>Two objectives of the Local Planning Policy 2 are to "encourage integrated development in the City Centre" and "to avoid the excessive future overshadowing of neighbours properties". Having examined the development proposed for Lot 400 it is strikingly obvious that a 12-storey building occupying almost the entire site is completely contrary to these objectives.</p> <p>Diagrams indicate how the predominant size of the proposed development on Lot 400 will overshadow adjoining lots and will block 67% of the South West view corridor and 32% of the West view corridor from any development on Lot 50.</p> <p>(c) Furthermore, the lack of integration of car parking proposed in the Lot 400 development is completely at odds with the central shared car parking facilities suggested for this block in the Precinct Plan.</p>	<p>(a) The major modification would have been the removal of the height bonuses thereby reducing the potential overall height for the subject site.</p> <p>(b) The final draft Precinct Plan reflects Council's decision with regard to updating the Local Planning Policy and the development application for the site approved in May 2010.</p> <p>(c) Refer above.</p>	<p>(a) Noted.</p> <p>(b) Noted. The site specific provisions in section 2.2.3.2 of the MCCPP reflect a Council approved development application, and are designed to limit the impact of development on Mandurah Terrace.</p> <p>The MCCPP replaces Local Planning Policy 2 'City Centre Development and Design' with respect to building height in the City Centre, and proposes specific controls that Lot 400 Mandurah Terrace (west of Lot 50) must satisfy in order to achieve the maximum height of 47 metres. Both Lot 50 and Lot 400 have the same potential height under the precinct plan, noting that westerly views from Lot 50 will be maintained as a result of lower building heights (21 metres) on the adjoining lots fronting Mandurah Terrace.</p> <p>(c) Noted. The details of a development application over Lot 400 are beyond the scope of this report.</p>

<p>8. <b>Cy Cumming</b> <b>43, 45 and 47b Sutton</b></p> <p><i>The subject lots are located on the eastern side of Sutton Street, in the northern Mixed Use Precinct.</i></p>	<p>(a) I would like to express my preference for the original draft advertised which showed a height of 32m, which has subsequently been scaled back to 21m.</p> <p>A 32m height allows some scope for land owners/developers to amalgamate holdings and construct to an appropriate height based on the eventual size of the footprint (land holding).</p>	<p>(a) The revised draft (and final draft) Precinct Plan reduced the heights along the eastern edge of Sutton Street due to the significant impact that the previously identified 12 storey heights would have on the immediately adjoining sites to the east, which remain (and likely to) single level residential for some time.</p>	<p>(a) Dismiss. Agree with Council's comments, noting that the submission refers to building heights in the earlier version of the MCCPP advertised in 2008. The 5 storey building height is consistent with building height in the WAPC endorsed Inner Mandurah Precinct Plan, adjoining the eastern boundary of the MCCPP, and is appropriate in a mixed use 'transition zone' towards the edge of the City centre.</p>
<p>9. <b>J Jacobs</b> <b>39 Sholl Street</b></p>	<p>(a) Wish to confirm that block is within Central Employment zone and don't wish to lose a portion of the site.</p>	<p>(a) The site is located in the Central Employment zone. The Precinct Plan specifies a setback for the Cooper Street elevation and the need for the truncation to be ceded as road reserve as part of any redevelopment.</p>	<p>(a) Noted. The truncation is required to ensure adequate visibility at the intersection.</p>
<p>10. <b>Department of Education</b></p>	<p>(a) Wish to comment on the proposed new road to connect Hackett Street and Peel Street on land owned by the Department.</p> <p>The proposal indicates that the City will excise a 10 metre wide road reserve through the western side of the school reserve which is currently used as the school's oval. This proposal would drastically limit any further expansion of the school's buildings should it be required in the future.</p> <p>(b) The Department also notes that it appears that 'Hackett Street' will be widened to include landscaping and street parking, impinging into the school boundary.</p>	<p>(a) This proposal is reflected in the Mandurah Central Revitalisation Strategy. As this area is located outside the defined Precinct Plan Boundary, the detail and note has been removed (however a dotted indicative layout has been retained). Any decision to act of this recommendation of the Revitalisation Strategy would be subject to direct communication with the Department of Education.</p> <p>(b) Hackett Street is not proposed to be widened, however for sites within the Precinct Plan Boundary, a front setback is re-introduced to allow for improved landscaping and footpaths. This does</p>	<p>(a) Noted. Agree with Council's comments. This matter will need to be examined in detail through preparation of a future Precinct Plan for the land north of Hackett Street.</p> <p>(b) Agree with Council's comment. This matter will need to be examined in detail through preparation of a future Precinct Plan for the land north of Hackett Street.</p>

		not extend to the school site in this plan.	
11. Peel Development Commission	<p>(a) Peel Development Commission (Peel DC) welcomes the opportunity to comment on the revised Precinct Plan.</p> <p>(b) Peel DC supports the promotion of mixed-use development within the precinct area as a means of facilitating economic investment and growth whilst also achieving a vibrant and diverse community centre.</p> <p>The City Centre precinct is one of several activity centres. Is important the functional relationship between these centres is established. The Western Foreshore offers a potential activity centre in the future, and the role of the Mandurah Bridge in providing a functional and physical link could be very important.</p> <p>(c) The City Centre Precinct Plan has flagged the need for a waterfront activity area to be included within the final plan. Peel DC would like to highlight the inherent opportunity that the redevelopment plan presents to establish a world-class conference venue location for Mandurah and the Peel region. The creation of such a facility would position Mandurah as an attractive alternative to Perth with regard to events in line with the Southern City Strategy. It could provide added value by being incorporated within a shared community model facility.</p> <p>(d) A key component of the Southern City Strategy is the attraction of a Tertiary institution to Mandurah. Under part 2.5 of the precinct plan, the city centre has been identified as "presenting the main opportunity to identify and secure land for such a purpose". In view of this, Peel DC would like to highlight the absence of any such allocation of land within the precinct plan. The positioning of such an institution within close proximity to, or within, the Mandurah City Centre redevelopment area would not only allow for access to amenities but also provide economic stimulus to the city centre. The plan details a range of mixed use areas with regard to commercial outlets and housing.</p> <p>(e) There is a lack of detail pertaining to the provision of affordable housing within the city centre. As has been seen in the experience of the City of Perth, availability of affordable housing is vital towards achieving a truly vibrant community and social centre, and would also serve the needs of any future university. With regard to commercial outlets, is there opportunity for the City's to encourage and control those outlets that attract and complement each and fit with the aims of movement and vibrancy?</p>	<p>(a) Noted.</p> <p>(b) Noted.</p> <p>(c) Noted. This Precinct Plan seeks to be a 'development control' plan, but if there are opportunities for development of such facilities, then the Precinct Plan allows for it.</p> <p>(d) Noted and agree. Again, as a 'development control' plan, the Precinct Plan makes provision for such development opportunities.</p> <p>(e) Noted. This is specific piece of work seeking to identify potential outcomes. The Precinct Plan, by not specifying an R-Code density allows greater flexibility in residential design, which may allow for more affordable housing than</p>	<p>(a,b) Noted.</p> <p>(c) Noted..</p> <p>(d) Noted. Land assembly and the size of the site required to accommodate a tertiary education facility would be major factors to be addressed for this type of development in the city centre.</p> <p>(e) Noted. The MCCPP facilitates significant increase in housing density and diversity in the city centre, and does not prevent provision for affordable housing being negotiated with individual developers at subsequent stages in the planning process.</p>

			using traditional zoning provisions.	
		(f) The City of Mandurah is to be commended on the promotion of a pedestrian oriented public domain, and the allocation of Civic and Cultural Precinct should contribute towards achieving a strong sense of place for the City Centre. Movement through the area will require enticements and public art will be a crucial consideration for future budgets.	(f) Noted.	(f) Noted.
12.	Western Power	No objection.		Noted. The MCCPP states that if intensification of development in the City Centre exceeds Western Powers planned capital works program, developers may be required to pre-fund certain infrastructure improvements.  The MCCPP also makes provision for the City of Mandurah to introduce a Developer Contribution Plan in the future to fund provision of, or upgrades to, various public service and infrastructure items.
13.	Telstra	No objection.		Noted.
14.	Depart of Environment and Conservation	No objection.		Noted.
15.	Main Roads WA (MRWA)	No Comment.		MRWA reviewed the traffic modelling prepared for the inner Mandurah area, and did not raise any significant concerns. It was noted that traffic volumes will be high in the city centre, however a variety of engineering solutions, as well as parking and public transport strategies can be employed to reduce car dependency and manage volumes.  The City of Mandurah are undertaking further analysis of the range of local road network improvements recommended in the modelling.
16. W	Water Corporation	No Additional Comment from draft Precinct Plan.  Some comments provided regarding additional site for Waste Water Pumping Station which needs to be dealt with separately.		Noted.
17.	David Templeman MLA Member for Mandurah	(a) I am broadly supportive of the strategy to encourage diverse development of the City Centre in order to ensure that we have a vibrant and efficient Central City. This area should be an appealing place to work, visit, recreate and shop and be promoted as one of the jewels in Mandurah's crown.  I am concerned though about four key areas.	(a) Noted and Acknowledged.	(a) Noted.

	<p>(b) Potential 20 storey footprint on the site bounded by Sholl Street, Tuckey Street, Sutton Street and Church Street. The proposal to allow up to 20 storey's (75m height) is excessive for this strategic site and have a negative impact on the existing historic Christ's Church Precinct adjacent to the site.</p> <p>As there are other higher density areas nearby the church, there is risk that the church be completely overshadowed and dominated by the scale proposed and cause problems with parking for parishioners and church related events .</p> <p>Christ's Church is our premier heritage building so to propose anything that could potentially dominate this heritage precinct is of great concern.</p> <p>(c) Protection of the existing Public Open Space incorporating the George Robinson Gardens.</p> <p>Although there may be park or landscaped areas that could be incorporated into a proposed building on this site, to not protect the current open gardens that are really Mandurah's only "Central Park" would be a major retrograde step. Modern cities around the world now cherish the open spaces and park lands that were established (some many hundreds of years ago) when these cities were planned and these open spaces are welcome passive areas amongst high rise and high density buildings. The existing gardens and lawn area are very important and should be retained as a key open space feature.</p> <p>Cannot rely on eastern foreshore as the only public open space in the City Centre due to its popularity and with an increasing population will experience even greater usage.</p> <p>Public open space at the same location must stay. It is important we an open, central Park which provide the vibrant centre with a green, open space for workers and visitors in the City.</p> <p>(d) Proposed shared access lane along the western boundary of Mandurah Primary School.</p> <p>Understand that there are concerns by the Mandurah Primary School that the shared access lane now proposed in the Draft Plan is a change from the original proposal. There has been concern raised that proposing a shared lane would create traffic problems for this new road and for the adjacent school.</p>	<p>(b) Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p> <p>(c) This proposal is reflected in the Mandurah Central Revitalisation Strategy. As this area is located outside the defined Precinct Plan Boundary, the detail and note has been removed (however a dotted indicative layout has been retained). Any decision to act of this recommendation of the Revitalisation Strategy would be subject to direct communication with the Depart of Education.</p> <p>(d) Preliminary investigations regarding traffic numbers found that there was adequate provision for the recommendation of the first draft Precinct Plan in the current network. Since this time the scale of development opportunities has been reduced.</p>	<p>(b) Noted. refer comments at submission 1 regarding the Mewburn site.</p> <p>(c) Upheld. It is recommended that the MCCPP be modified to clarify that redevelopment of the Mewburn site should maintain a similar amount of open space and parking to that existing. The site will be subject of a separate planning process in consultation with the community prior to any redevelopment.</p> <p>(d) Refer comments at submission 10 regarding this matter.</p>
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	<p>(e) Traffic and parking. Parking also remains a key concern for the City Centre in Mandurah. I note that in the plan there are proposals for paid parking areas throughout most of the city precinct and acknowledge that this is part of a current consultation process and will submit my comments to the City Centre Car Parking Strategy.</p> <p>The issue of traffic of course will always be an issue for development of the City Centre. Given the densities proposed in the Draft Plan, effective traffic management within the whole of the Central City area becomes paramount. One can only ponder how even more vehicles are to be accommodated in an already congested City Centre. Clearly encouragement and priority for public transport must be a serious consideration as part of this proposal.</p>	<p>(e) The City, is committed however to updating and revised its traffic and road network recommendations for the wider inner Mandurah area with work to be completed early in 2011.</p>	<p>(e) The traffic modelling undertaken to support the MCCPP identifies that traffic volumes will be high in the city centre due to intensification of development.</p> <p>As part of an overall strategy to reduce traffic volumes and encourage a shift in travel behaviour, the MCCPP proposes to reduce and consolidate existing car parking based on reciprocal use arrangements, consistent with a Council endorsed parking strategy and the principles outlined in SPP4.2.</p> <p>Key public transport routes have been identified in consultation with relevant government agencies, consistent with the road hierarchy recommended in the traffic modelling. The MCCPP identifies the potential for a future development contribution plan to fund, inter alia, improvements to public transport.</p>
<p>18. <b>Mandurah Historical Society</b></p>	<p>(a) We have closely studied this draft planning policy. It at least lists all of the sites for proposed high-rise.</p> <p>(b) The policy objectives as stated, are important, especially (b). If this is seen through, it would be an improvement, because designs approved for high-rise buildings already erected, are neither attractive nor iconic.</p> <p>(c) We understand that the present government prefers Bunbury as the Southern City, which is more sensible, being further away from Perth.</p> <p>(d) The entire Draft Policy is clearly intended for the Council to treat every application separately, with disregard for the ambience of Mandurah as a whole. Planning permission has already been granted for one 12 storey building on Mandurah Terrace. This has set a precedent.</p>	<p>(a) Noted.</p> <p>(b) Noted.</p> <p>(c) Noted.</p> <p>(d) Disagree. The Precinct Plan provides an overall understanding of the locations of height rather than based on a proposal being lodged in isolation, which may improve this aspect of the planning for the City Centre.</p>	<p>(a) Noted.</p> <p>(b) Noted. The comments relate to the objective of ensuring quality built form and architecture in the city centre.</p> <p>(c,d) Noted.</p>
<p>19. <b>Peter Wood 8 Leisure Way Halls Head</b></p>	<p>(a) Was amazed that intend removing the roundabouts at the intersections of Sholl St and Sutton St with Tuckey St. Roundabouts are the very best method of ensuring smooth and continuous traffic flow and avoiding driver frustration. They also force drivers to slow down and respect other drivers. I certainly hope you do not intend installing stop signs at these intersections or the dreaded traffic</p>	<p>(a) Disagree. Roundabouts prioritise movement for vehicles only. As a pedestrian orientated destination, they are not appropriate.</p>	<p>(a) Dismiss. Agree with Council's comments. Road improvements at these intersections have now been constructed.</p>

	<p>lights?</p> <p>(b) We have previously expressed our concern at the proposed installation of traffic lights at the intersection of Peel St and Mandurah Terrace. The roundabout that currently exists is a classic example of how a roundabout should work and there is no good reason for its removal. Additional traffic lights will merely "cage in" motor vehicles trying to exit Mandurah Central, as has already happened between the old bridge and the bypass travelling east along Pinjarra Road.</p> <p>(c) Should be focusing on removing all traffic lights in and around Mandurah.</p> <p>(d) Desire to make Mandurah City "pedestrian friendly" but where is the evidence? Widening roads such as Leslie St are encouraging fast traffic flow but completely overlooking the means by which pedestrians and cyclists can safely cross these roads. Potential locations include:</p> <ul style="list-style-type: none"> <li>• between the Brighton Hotel and Gloria Jeans in Mandurah Terrace</li> <li>• across Pinjarra Road to the museum. (At present we have to either walk/bike up to Sholl St or backtrack around the coffee shops on the foreshore in order to reach the other side)</li> <li>• across Mandurah Terrace near the Tuckey St. entrance.</li> <li>• across Sholl St from the Church to the car park.</li> <li>• across Mandurah Terrace to the Tourist Information Centre.</li> </ul> <p>(e) Note that the area between Sholl, Sutton, Tuckey and Church is to be designated as suitable for 20 storey buildings. This is madness, already the 12 storey building behind the Brighton is completely dominating the skyline, and overwhelming the entire central precinct.</p> <p>(f) The traffic reversal on Mandurah Terrace has impacted our ability to move freely in and out of town. Over the very long term (25 years plus?) there will have to be a bridge or tunnel that allows us to exit Mandurah without having to travel through town. It may have to be somewhere like Carter St across to Ormsby Terrace.</p>	<p>(b) As above.</p> <p>(c) This is a City Centre not a location for vehicles to move through uninhibited. The City Centre is not a thoroughfare but a destination.</p> <p>(d) All the current street design are significantly improving conditions for pedestrians, including the removal of roundabouts and widening of all footpaths. The Precinct Plan seeks to re-introduce setbacks at the ground level to provide additional pedestrian-quality space.</p> <p>(e) Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p> <p>(f) Refer comment about regarding the 'pedestrianisation' of the precinct.</p>	<p>(b) Dismiss. Agree with Council's comments. Signalisation is preferable on major roads, to improve both pedestrian crossing opportunities, and vehicular access into local streets. The timing of any future improvement at this intersection will be determined by the City of Mandurah.</p> <p>(c) Agree with Council's comments. Refer comments above.</p> <p>(d) Agree with Council's comments. Key objectives of the MCCPP include providing pedestrian friendly public spaces. Potential locations for crossing points can be further investigated by the City of Mandurah as traffic volumes and pedestrian numbers necessitate.</p> <p>(e) refer comments at submission 1 regarding the Mewburn site.</p> <p>(f) The traffic modelling recommends a range of road network improvements for the inner Mandurah area, which are subject to further investigation by the City of Mandurah, however, the need for a tunnel to bypass the</p>
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	<p>As a cyclist I find it difficult to safely cross from the pedestrian pathway along the Old Coast Road, heading north into Mary St, and then onto the Mandurah Bridge. The crossovers to the park should have zebra markings so that the continuous chain of drivers show some respect for cyclists and pedestrians.</p> <p>(g) Cyclists have been ignored when modifications were made to the area in Mandurah Terrace adjacent Pinjarra Road and the bridge.</p> <p>(h) We hope that at least some of these suggestions can be incorporated into your plans, to ensure that all interests are recognized, not just cars but also bikes, elderly pedestrians, ladies with prams etc. At present only cars are being catered for.</p>		<p>city centre is not identified. The MCCPP identifies Sutton Street and Pinjarra Road as the key routes through the city centre, with Mandurah Terrace intended to be the primary tourist area with increased pedestrian focus.</p> <p>The future upgrading of the old bridge is subject to further investigation by government agencies in consultation with the community. Provision for cyclists and pedestrians will be addressed through this process.</p> <p>(g) refer comment above.</p> <p>(h) Noted, and addressed in above comments.</p>
<p>20. <b>B Ross</b> <b>18 Dotterel Drive</b> <b>Dudley Park</b></p>	<p>(a) Concerned at the change of the centre of Mandurah. The new multistorey building near the Brighton Hotel would have been acceptable if it had have been kept to 4 or 6 storeys.</p> <p>(b) The core of Mandurah main shopping heart has had a friendly, local, intimate, historical look and feel about it however, now the plans for the future seem to be overshadowing this heart. I am especially concerned about the proposed 20 storey building that is suggested for central Mandurah</p> <p>(c) My main concerns would be the following:</p> <ul style="list-style-type: none"> <li>• The increase in population and cars in an area that is already chaotic for parking and driving access to foreshore and local shops.</li> <li>• The loss of the George Robinson Gardens which are the only gardens in the Mandurah.</li> <li>• The loss of Public Open space.</li> <li>• The loss of Free Public Parking space.</li> </ul>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>(a) Noted. The Brighton apartment complex was approved and constructed prior to Council's final adoption of the MCCPP. The MCCPP seeks to guide future built form in central Mandurah commensurate with its role and function as a city centre.</p> <p>(b &amp; c) Noted. Refer comments at submission 1 regarding the Mewburn site.</p> <p>In terms of noise emissions, churches are a commonly accepted part of the urban environment, co-existing with residential dwellings as demonstrated in many locations around Perth.</p> <p>Any potential impacts on the significant tree in the church grounds will be addressed through preparation of the DGP for the Mewburn site.</p>

	<ul style="list-style-type: none"> <li>• The shadow that will be cast over Christ's Church Building and the grounds.</li> <li>• The Belltower and the effect this will have on the ringing of the bells (Noise in a built up area).</li> <li>• The impact of no sun on the Carob tree, which is registered on the Mandurah Significant Tree Register.</li> <li>• The impact on the sacred site of the founding families of Mandurah, both Winjan representing the Aboriginal Community and Peel, representing the Settlers in Mandurah.</li> <li>• The size of the building in comparison to Christ's Church.</li> <li>• The impact on Church access with the increased Traffic flow.</li> <li>• The loss of Tranquillity and of Amenities.</li> <li>• The loss of lawn and gardens around the Church due to being forced to provide parking for people attending services.</li> <li>• The acetic [sic] appeal to the Church for Weddings</li> </ul>		
<p>21. <b>L &amp; S Willsher 37 Santavea Mews Halls Head</b></p>	<p>(a) The 20-storey building planned for the car park adjacent to the church will severely impact upon the life of the church. The building will dwarf and cast a shadow over the entire church and grounds. There is also the matter of the Carob tree in the grounds that is listed on the Mandurah Significant Tree Register that will also be affected by the lack of natural sunlight.</p> <p>The church will lose its lawn and gardens in order to provide the parking spaces that will be lost due to this development. These gardens are sacred sites for the founding families of Mandurah, both Winjan, representing the Aboriginal Community, and Peel representing the original settlers in Mandurah.</p> <p>(b) The bell tower of the church will be adjacent to this planned development and the noise of the church bells, not only on Sunday mornings but at practice time and weddings etc will be incredibly loud for anyone living that close by.</p> <p>(c) The church holds a significant place in the history of Mandurah and provides a focal point for the centre of town. It creates a very pleasing aesthetic effect on the town of Mandurah which will be completely lost if this development goes ahead. There are a substantial number of baptisms, weddings and funerals held in the church at present in a very pleasant environment.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>(a-d) Refer comments at submission 1 and 20 regarding the Mewburn site.</p>

	(d) The George Robinson Gardens will be lost, which are the only public gardens in Mandurah that combined with the church offer a place of tranquillity to sit and quietly reflect.		
22. S Keelty (via e-mail)	<p>(a) Objection to the precinct plan concerning the car park next to Christ Church and the George Robinson Gardens. In the original document, the plans showed buildings for 6 – 12 storey high rise, I now note that it has been increased to 75m (20 storey). Will affect the church considerably as per the following:</p> <ul style="list-style-type: none"> <li>• The size of the Building in comparison to Christ's Church.</li> <li>• The shadow that will be cast over our Church Building and the grounds</li> <li>• The Belltower and the effect this will have on the ringing of the bells (noise to some in a built up area) loved by the people and historical reasons</li> <li>• The impact of no sun re the Carob tree, which is registered on the Mandurah Significant Tree Register</li> <li>• The impact on the sacred site of the founding families of Mandurah, both Winjan representing the Aboriginal Community and Peel, representing the Settlers in Mandurah</li> <li>• The impact on Church access with the increased Traffic flow</li> <li>• The loss of Tranquillity and of Amenities of significant community value</li> <li>• The loss of lawn and gardens around the Church due to being forced to provide parking for people attending services.</li> <li>• The acetic [sic] appeal to the Church for Weddings</li> <li>• The loss of the George Robinson Gardens which are the only gardens in the Mandurah.</li> <li>• The loss of Public Open space</li> <li>• The loss of Free Public Parking space</li> <li>• Traffic flow</li> </ul>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submissions 1 and 20 regarding the Mewburn site.

		(b) Please reconsider this valuable asset to the community and environmental effect it will have on the community especially to the elderly and also to the new people who just love to stroll around the gardens and fetes, which are very popular.		
23.	<b>L &amp; M McCarney (via e-mail)</b>	<p>(a) Objection to the Precinct Plan. Twenty storeys for a building near our church is too high and out of place with the surrounding area.</p> <p>(b) It will cast shadows over our church and gardens. No sun for our wonderful Carob Tree which is on the Mandurah Significant Tree Register. The impact it will have on our sacred sites of Mandurah's founding families, including Winjan, representing the Aborigines of Mandurah.</p> <p>(c) The increased traffic will affect our access to the church. If we have to provide more parking near our church we will lose lawns and gardens and this will affect our wedding parties.</p> <p>(d) We ring our Bells each Sunday to call people to church and this will have an affect re noise in a built up area. There will be a lot more traffic noise.</p> <p>(e) Also, we will lose the lovely green area that is George Robinson Gardens. A bit of nature among buildings.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 and 20 regarding the Mewburn site.
24.	<b>P &amp; D Brindley (via e-mail)</b>	<p>(a) Oppose any building development on the car park that is bordered by Church lane and Sholl St. We believe that it is important that this central car park be retained for the benefit of downtown business, and for the people who do business or shop in this area.</p> <p>(b) We also strongly oppose any plans to sell the George Robinson Gardens. This central park belongs to the people of Mandurah. It is part of the character and heritage of this community.</p>	<p>(a) Car parking is just one component that should be considered for this site.</p> <p>(b) Whilst there is no proposal to sell the gardens site at this time, the City of Mandurah owns the land in freehold.</p>	Refer comments at submission 1 regarding the Mewburn site.
25.	<b>R Gibb 10 Dyer Lane Lakelands</b>	<p>(a) Objection to the precinct plan concerning the car park next to Christ Church and the George Robinson Gardens. In the original document, the plans showed buildings for 6 – 12 storey high rise, I now note that it has been increased to 75m (20 storey). Will affect the church considerably as per the following:</p> <ul style="list-style-type: none"> <li>• The size of the Building in comparison to Christ's Church.</li> <li>• The shadow that will be cast over our Church Building and the grounds</li> <li>• The Belltower and the effect this will have on the ringing of the bells (noise to some in a built up area) loved by the people and historical reasons</li> </ul>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submissions 1 and 20 regarding the Mewburn site.

	<ul style="list-style-type: none"> <li>• The impact of no sun re the Carob tree, which is registered on the Mandurah Significant Tree Register</li> <li>• The impact on the sacred site of the founding families of Mandurah, both Winjan representing the Aboriginal Community and Peel, representing the Settlers in Mandurah</li> <li>• The impact on Church access with the increased Traffic flow</li> <li>• The loss of Tranquillity and of Amenities of significant community value</li> <li>• The loss of lawn and gardens around the Church due to being forced to provide parking for people attending services.</li> <li>• The acetic [sic] appeal to the Church for Weddings</li> <li>• The loss of the George Robinson Gardens which are the only gardens in the Mandurah.</li> <li>• The loss of Public Open space</li> <li>• The loss of Free Public Parking space</li> <li>• Traffic flow</li> </ul> <p>(b) Please reconsider this valuable asset to the community and environmental effect it will have on the community especially to the elderly and also to the new people who just love to stroll around the gardens and fetes, which are very popular.</p>		
<p>26. <b>J R Gregory</b> (via e-mail)</p>	<p>(a) Object to the rezoning of the Church Lane parking area and the George Robinson Gardens, to allow for the building of a 20 storey building.</p> <p>(b) This destroy the only open space and gardens n this area, will overpower the area and make it a dull and dismal section that people will to avoid.</p> <p>(c) Most centres are traditionally centred around their Church and with its associated events, so why are you trying to bury it in a mound of concrete? It is supposed to be a place of peace and tranquillity.</p> <p>(d) The present traffic situation is bad enough, so how can justify the additional traffic that will be associated with such a development.</p> <p>(e) Feel that you have lost the most important thing that makes Mandurah special - it's traditional, pleasant and iconic location - you just seem to want to make it like the other high-rise monstrosities</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p>

<p>27. <b>L Cruttenden and A Still</b></p> <p><b>43 Rochester Way Meadow Springs.</b></p>	<p>(a) Oppose the proposed re-development of the George Robinson Gardens (Mewburn Gardens) and the adjoining car park. Acknowledge Council's wishes for re-development but the current proposal is not the answer.</p> <p>(b) Council has the opportunity to re-develop the site by extending the present Gardens to and inclusive of that part of Church Street that adjoins the Anglican Church. This would provide an expansive "Green" garden area from Tuckey Street through to Pinjarra Road (if one includes the Church grounds) bounded by Sholl Street and Sutton Street. This proposal would encompass the historical significance of Christ's Church, with its surrounding graves of past pioneers as well as that of Aboriginal Leader Winjar and the Heritage listed Carob Tree.</p> <p>(c) The existing properties in Sutton Street could be encouraged to re-develop their sites to accommodate the need for increased office and commercial and retail space. The increased rates from re-developments would compensate revenues anticipated from the current proposal.</p> <p>(d) If Council adopted this suggestion would have a garden area within its CBD to cater for needs of inner population and work force, as well as an attractive foreshore, which is reaching point of excessive use which will be detrimental. Not everyone partakes of waterfront and its offers, but need peaceful garden areas where can sit.</p> <p>(e) To compensate for loss of parking would propose that the footpaths, on all sides of Tuckey, Sholl and Sutton be narrowed to allow for angled parking front on front in the middle of each of these roads. Such parking bays could be metered say on a two-hour basis. This would still allow for two way traffic on all of these roads.</p> <p>In Church Street, at the end near Sholl St, could be incorporated into the garden area, that remaining at the Sutton St. end could be made into a Cul de Sac with a small round about at the end to allow cars which could be parked there to vacate the area.</p> <p>The existing public toilet facilities could be re-located to the eastern side of the proposed park, and the existing Car Park in Sutton street should be retained with pathways through the gardens that would allow public access to the shopping precincts, mall and foreshore.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p>
<p>28. <b>G Sydney-Smith</b></p> <p><b>(via e-mail)</b></p>	<p>Object to this plan on the following grounds :</p> <p>(a) It will destroy the present pleasant open ambience of the city centre, creating excess shaded areas and a wind tunnel effect. Had experience in Bunbury's Victoria Street and is unpleasant, not conducive to tourists or residents.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submissions 1 and 20 regarding the Mewburn site.</p>

		<p>(b) George Robinson gardens are a delightful oasis of green lawns and flower beds, always beautifully maintained, which are a definite attraction in the shopping area of the city centre. It would be a great pity to lose these to a huge concrete monstrosity.</p> <p>(c) Parking areas are hardly sufficient for current demand. We cannot afford to lose the parking area between the gardens and the church. In particular this will make parking extremely difficult for churchgoers on Sundays and when weddings and funerals are being conducted at the church. The appearance of the church would be totally spoiled if it became necessary to turn the lawns and gardens into parking areas, not to mention the adverse effect on the carob tree which is unique in the area.</p> <p>(d) If the new building has residential apartments, it would not be surprising to find the occupiers objecting to the noise of the bells on Sundays and at practice times. These bells are very ancient and are of considerable interest to visitors.</p> <p>(e) Note the information board erected only showed the improved streetscape and no mention of the proposed building. In my opinion this is somewhat deceptive to those who read it.</p>		
29.	<b>M Pickering 1/17 Day Road Mandurah</b>	<p>(a) I am shocked to see that our council could be even considering any buildings as high as 75 metres in our old town area. The loss of Mewburn Gardens is not to be tolerated. This land does not belong to developers but to the people of Mandurah. It is the only Garden of its kind in Mandurah and despite what I was told by your representative on the front desk of your office, I dispute the fact that it is not well used. It is a place of tranquillity for many people who shop and live nearby.</p> <p>(b) I would like to register my disapproval of anything that will change the gardens and the selling of what belongs to the ratepayers by our elected council. Also my disapproval of any buildings of the suggested height anywhere in the old precinct.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.
30.	<b>Fr G Tan Parish Priest  Our Lady's Assumption Catholic Parish 8 Stevenson St Mandurah</b>	<p>(a) Proposal 1: We do NOT support a 75 Metre building being built next to the Anglican Church in Mandurah. Such a building would have such a detrimental effect on the church and its parishioners. The residents/business owners of the building would most certainly complain about the bells being rung. We feel that such a tall building would cast a very large shadow over the church, and the church would be in darkness. The tranquillity of the church, for Mass, Weddings and Funerals is the utmost importance for the Church and all its faithful parishioners. Please also remember that there are graves at the church of faithfully departed and they deserve to be respected.</p>	(a) Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	(a & b) Refer comments at submission 1 regarding the Mewburn site.

	<p>(b) Proposal 2: The removal of the car parks on the corner of Sholl St &amp; Church Lane and next to the Post Office is not a good idea. The CBD has minimal parking as it is, and one can hardly ever find a car park, without walking hundreds of metres to ones destination. We feel also for occasions such as Mass, Weddings and Funerals in the Anglican Church, the lack of parking would be very detrimental. We recognise that this is not the church's land, (Sholl St &amp; Church Lane) but it has been used on weekends for such things for over 50 years! The removal of such a satisfactory car park next to the post office would be terrible, when we just received it only 6 months ago. Where are people to park to go the Post Office or Banks if there is no car park next to it, or next to the Anglican church? Also if there are disabled or elderly parishioners who need close access to their church, are they expected to park in the car park near Bowra and O'dea on Leslie St? I think not.</p> <p>(c) Also the proposal of Paid parking is ridiculous, surely the City of Mandurah doesn't need the revenue from paid parking? Think about the elderly parishioners and pensioners who only come on a Sunday morning to Mass.</p>	<p>(b) This car parking is temporary only. This site is privately owned, but leased by the City. The Car Parking Strategy identifies suitable locations and management of parking facilities for the City Centre.</p> <p>(c) As above.</p>	<p>(c) Parking fees are a matter for the City of Mandurah to determine.</p>
<p>31. <b>S and G Bone 2 De Grey Close Mandurah</b></p>	<p>(a) We, the undersigned strongly object to many aspects of this plan, particularly the 20 storey building planned for the Mewburn Car park and the loss of the George Robinson Gardens and free car parking as we now enjoy today.</p> <p>(b) To expect the many elderly Parishioners as well as Funeral Mourmers to walk from the already to capacity Leslie Street car park is ridiculous. Some further parking could be made available within the Church grounds but only at the expense of even more gardens and the historical graveyard.</p> <p>(c) Apart from the Foreshore, the George Robinson Gardens are the only gardens in Mandurah. Increased traffic flow in this central area will impact greatly on Church access and we suspect if all other parking is paid parking, the church car park will be inundated with non-parishioners chasing a free park.</p> <p>(d) Our Belltower which was built some 15 years ago will no doubt come under fire by the "new" residents being disturbed from their Sunday morning sleep in.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>(a – d) Refer comments at submissions 1 and 20 regarding the Mewburn site.</p>
<p>32. <b>A Mitchell PO Box 225 Mandurah</b></p>	<p>(a) Object to City Centre Precinct Plan. Why now changing the height policy of buildings? Why do we not take a long-term view of the planning and plan something that will last for decades rather than trying to appease the owners who may develop now. Look at some of the older cities like Rome and Paris; they have a height policy in their old city centre. Where is the open space for people to exercise themselves and their pets etc? Why are we taking out roundabouts</p>	<p>(a) Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>(a) The MCCPP seeks to guide future built form in central Mandurah commensurate with its role and function as a city centre, encouraging diversity of land use and quality public spaces.</p>

	<p>to put in traffic lights? Why have we not more town squares for markets etc. A lot of information on different cities planning is available without having to travel to Europe. Another city that is well planned is San Sebastian in Spain for public open space and cycle ways. These places are a lot more populated than Mandurah and were planned many, many years ago. Can we not take a leaf out of the older cities book. They have a lot of culture and charm and a sense of community which is really missing in Mandurah. I do hope you will take this into consideration. Until we have a longer term look we will never achieve a sense of belonging or pride in our city.</p> <p>(b) There are a few issues with this plan that I find difficult to get my head around: the first one is the plan some time back was to widen Pinjarra rd yet with this plan it shows both (Defined City Centre Main St. &amp; Green/Parkland St) how are you going to manage this?</p> <p>(c) Some time back it was muted that Davey St was going to be used as an alternative East/West movement has this been shelved?</p> <p>(d) I see there are 3 new sets of lights designed to be put in. Do we have a deal with the manufacturers of these things? One set is going in on Boundary &amp; Pinj. Rds (point 11) what is the reasoning for this? If you are doing Sutton St why do Forrest why would you not concentrate on Anstruther?</p> <p>(e) I would prefer to see the speed limit in Mand. City to be a max. of 50km/hr (not 60).</p> <p>(f) The decked parking over the old bridge opp. Hall Pk. what height would this be?</p>	<p>(b) The proposed Pinjarra Road widening (as recommended by the Peel Region Scheme amendment) is reflected on the Precinct Plan.</p> <p>(c) As a supporting connector road, this remains part of the plan for the area.</p> <p>(d) The Boundary/Forrest signals are derived from the Pinjarra Road widening concept plans. Sutton / Forrest and Anstruther as the three main north-south streets provide important roles in the wider area.</p> <p>(e) Agree.</p> <p>(f) This design is not confirmed. The location / concept of providing parking on the western side of the bridge is from the Car Parking Strategy.</p>	<p>(b) Agree with Council's comments. The Peel Region Scheme Amendment for Pinjarra Road is not yet finalised, however the MCCPP allows for widening of Pinjarra Road east of Sutton Street, with landscaping, footpaths and on-street parking identified on the cross sections at Figure 4.</p> <p>(c) Agree with Council's comment, noting that the Davey-Lanyon Street east-west link is outside of the MCCPP boundary however is detailed in the WAPC endorsed Inner Mandurah Precinct Plan.</p> <p>(d) Agree with Council's comments. The need for future signalisation of this intersection will be reviewed by the City of Mandurah in the context of the recommendations of traffic modelling for the inner Mandurah area.</p> <p>(e) Noted. This is a matter for the City to address as necessary.</p> <p>(f) The City of Mandurah's car parking strategy identifies that parking in this location will be dependent on the outcome of a future master plan for the Western Foreshore.</p>
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	<p>(g) Would prefer to see all the unsightly high rise in one area?</p> <p>(h) There doesn't seem to be any alterations to accommodate the new Mandurah traffic bridge?</p> <p>(i) I have heard recently that you are planning to change the traffic flow on Mandurah. Terrace back South to North is this correct? If you are what is the reason for this?</p>	<p>(g) Noted.</p> <p>(h) This is separate project. Should its outcome require modification to the Precinct Plan, they can be accommodated at that time.</p> <p>(i) This has since been acted upon.</p>	<p>(g) The MCCPP provides for taller buildings to be located away from the waterfront and concentrated around the Scholl and Tuckey Street 'retail core'.</p> <p>(h) The MCCPP highlights that future replacement of the Old Traffic Bridge will be subject to design concepts, review and community consultation. The need for future upgrading of the bridges is acknowledged by relevant government agencies, and is currently being investigated in consultation with the community.</p> <p>(i) Agree with Council's comments.</p>
<p>33. <b>L Pushong 10 Abrolhos Quays Wannanup</b></p>	<p>(a) Proposed high rise will dwarf and render insignificant the historical centre of Mandurah which the adjoining Anglican Church which is a Heritage Building and especially the cemetery represents.</p> <p>(b) The cemetery contains the remains of Thomas Peel who gave the district its name, Winjan, the prominent indigenous elder at the time of the Pinjarra massacre, many of the pioneers who are remembered in the street names in central Mandurah and not least crew and passengers of the vessel James Service which foundered off the coast in 1878. Robert Mewburn, the first schoolmaster, after whom the Mewburn Centre was named, is also buried in the church yard.</p> <p>(c) This area needs to be recognised for its pioneer history and if development proceeds in this part of the City, should be surrounded by open space to protect its identity and raise its profile.</p> <p>(d) As regards the church building, the limestone will be affected by the constant shade thrown by the high rise and preservation of the building, the original section, constructed in 1870, will be severely threatened.</p> <p>(e) The church bells which ring out for 30 minutes from 9.25 to 9.55 every Sunday morning and at practice on a Tuesday evening which add to the attraction of this part of Mandurah would eventually succumb to the same muffled fate of the Swan Bells with high density residential living in close proximity.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>(a-e) Refer comments at submissions 1 and 20 regarding the Mewburn site.</p>

	<p>(f) Much was made of the Bridge Quarter as a tourist focus. There is ample development of residential high rise at the other end of the foreshore, to allow this area to be dedicated to present and future enjoyment of commercial, recreational and cultural facilities for tourists and residents alike.</p> <p>(g) Car parking is another issue with the proposed relocating of car parking facilities further afield.</p>		<p>(f) The MCCPP identifies the Waterfront Precinct, focussed on Mandurah Terrace, as having a primarily tourist focus, with taller buildings setback from the water. This is an appropriate response, maintaining the amenity of the eastern foreshore as a major public space within the city.</p> <p>(g) The MCCPP proposes reduced commercial car parking rates compared to that required by TPS3, based on reciprocal use arrangements, promoting alternative modes of travel and maximising land use efficiencies. The Precinct plan is consistent with the principles of State Planning Policy 4.2 'Activity Centres for Perth and Peel' in this regard.</p> <p>The potential decked parking locations identified in the MCCPP are appropriately located relative to key activities in the city centre, with some peripheral parking nodes eg. the western foreshore to be subject of further investigation by the City of Mandurah as identified in Council's Parking Strategy.</p>	
34.	<b>C Lythgoe</b> (via e-mail)	<p>(a) I object strongly to the proposed Mandurah city centre Precinct plan. This is one of the only places left for people who do not wish to frequent the big shopping centres.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Dismiss. The MCCPP seeks to guide future built form in central Mandurah commensurate with its role and function as a city centre.</p>
35.	<b>B &amp; G Nicholls</b> (via e-mail)	<p>(a) Please consider our concern and objection for the establishment of the multi storied buildings proposed for the Sholl/Sutton Street and Church Lane areas.</p> <p>(b) We are troubled by the proposed loss of so much of the area around Christ's Church...the parking access (which is already at a premium) which we feel will reflect on the businesses established in this area and the visual pollution of this type of building.</p> <p>(c) We understand alternative planning is in place for multi decked pay parking and all inner city parking converted to pay parking.</p> <p>(d) We fail to see how this will enhance the uniqueness of our lovely city. We will lose Mewburn Park, the parking which gives access to both shoppers in this area and for church goers to Christ Church.</p> <p>(e) This historical little Church will be so overshadowed by the sheer size of the proposed building!</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above</p>	<p>(a-e) refer comments at submission 1 regarding the Mewburn site.</p> <p>Parking charges are a matter for the City to determine and administer as appropriate.</p>

36. B and M Fidler 20 Forward Street Mandurah	(a) We the undersigned do not want to see Mandurah City looking like your present City Development Plan.	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Dismiss. The MCCPP seeks to guide future built form in central Mandurah commensurate with its role and function as a city centre.
37. C and A Headley 20 Malone Loop Meadow Springs	(a) We wish to submit our strong objection to the Second Draft Inner City Development Plan, which will have a negative aspect on Christ's Church.	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.
38. M Martin (via e-mail)	<p>(a) I would like to know why you are going to spoil Mandurah with a concrete jungle, what on earth are you lot thinking of, all those five story AND HIGH RISE buildings.</p> <p>(b) Mandurah is known as a lovely area, beautiful foreshore, peaceful and natural place and you are trying to wreck this. Apart from Developers and maybe a few businesses, no-one wants this. It's about time you listened to the general population (not only the ones with money??) because you are going to change our whole lifestyle. People are coming here because of the way Mandurah is, the beauty of it, if you have your way, people will move further South.</p> <p>(c) From what I have seen, no nice areas (apart from Foreshore) where people can just sit and relax, Mewburn Gardens is a lovely little spot, which you are doing away with, what's going on with your thinking Mandurah will then be no different from any other city.</p> <p>(d) Apart from the Mosquitoes which you are slowly rectifying, I love living here, because of its beauty, it's not too far from Perth but we are NOT Perth, it's still got a holiday feel to it and that's what people want, not what your contemplating.</p> <p>(e) Do you work for the Developers and Big Money or do you work for us, remember without us your out of a job!!! People have got to enjoy living here, we already have a traffic problem, what your proposing is going to make if a hell of a lot worse.</p> <p>(f) So start putting your thinking caps on and think about what we have...WHY you would want to change it to look like every other City. Put your big idea's back in the box where they belong and try to compliment the beauty of Mandurah and not change it because with your plans you will destroy what is here now.</p> <p>(g) Your obviously thinking about all the coffers you're going to make, but the bigger the City the more expensive it will be and most people are struggling now to pay their bills and it won't be getting any cheaper for us.will it???</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	<p>(a &amp; b) The MCCPP responds to a number of key priorities relating to employment generation, improving built form and the quality and activation of public spaces in central Mandurah, and aims to facilitate development commensurate with its role and function as a city centre.</p> <p>(c) refer comments at submission 1 regarding the Mewburn site.</p> <p>(d) Noted.</p> <p>(e) Refer comments at submission 17 (e) relating to traffic issues.</p> <p>(f-i) Noted.</p>

	<p>(h) So what do we do, move further down South and leave Mandurah to the Wealthy??? Maybe that's the idea?????</p> <p>(i) So start thinking of fixing what we have, not changing the whole outlook.</p>		
<p>39. <b>B &amp; A Keeley 4 Tuart Road Greenfields</b></p>	<p>(a) We wish to lodge our objection to the proposed planning scheme for central Mandurah. We believe it will have a very negative impact on Mandurah if implemented.</p> <p>(b) Many of our concerns centre around the impact on the Anglican Church.</p> <p>There does not seem to be provision of adequate parking for those attending the church. Whilst the church has the requisite amount of parking for many everyday uses it has always been understood that for services the Mewburn car park could be used. What is to happen under this new plan? Are you suggesting people start parking in the grave yard?</p> <p>The Anglican Church is considered to be of historical significance to the Noongyar people as Winjan is buried there. It is also the last resting place of Thomas Peel and many members of Mandurah's pioneer families. Do you seriously think that it is a good idea to have such a negative impact on a very significant site?</p> <p>When the Bell Tower was planned, careful consideration and planning was given to not directing the sound into residential areas. Under your proposed plan what is to happen with regard to noise? Are potential occupants of the proposed building going to accept the present noise level or are you going to try and stifle the bells?</p> <p>W.A. has little of real historical significance. The Anglican Church is one of the oldest in the state and the bells are nearly 500years old. This plan would literally overshadow the church, put the carob tree (a significant tree in your register) in real danger and change the whole appearance an ambience of one of the state's treasures.</p> <p>(c) Another area of real concern is the loss of the George Robinson Gardens. Surely planning experts know that garden areas within business precincts are to be preserved at all costs. Other areas throughout the world are endeavouring to find room for gardens and you are planning to remove this one.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>(a-e) Refer comments at submissions 1 and 20 regarding the Mewburn site.</p>

	<p>Even the really big cities throughout the world have kept their gardens. Haven't any of your planning committee gone to Singapore or London or New York? Please do not take the gardens away from us.</p> <p>(d) We are not against change. We are well aware that we have to keep up with the increasing population but not to the very real detriment of what we already have. People who come to Mandurah do so because they like Mandurah as it is. People who have lived in Mandurah for 50 to 60 years (as I have) do so because they like Mandurah as it is. We accept that there must be changes but why must we do away with so much that is good about the town to cater to people who only want to make money out of the area.</p> <p>(e) Mandurah does not need 'wall to wall' multi storey buildings. It definitely does not need a 20 storey building at the corner of Sholl Street and Church Street.</p>		
<p>40. <b>K Stockins</b>  <b>1/27 Churchill Ave, Mandurah</b></p>	<p>Please find the following comments on the Mandurah City Precinct Plan:</p> <p><b>Precinct Plan</b></p> <p>(a) A dedicated bus / transit lane on the Old Mandurah Traffic Bridge would not appear feasible. I would not anticipate enough buses using the lane to justify it and would suggest it better to have an additional lane for cars to use either way to cater for peak traffic times.</p> <p>(b) The area of Mandurah Terrace between Pinjarra Rd and Tuckey St. I would suggest that consideration should be given to having a pedestrian mall along this strip and also to extend the existing mall in Smart St to meet in with this. This would allow the implementation of outdoor dining and a more relaxed environment for pedestrians to merge from the shopping area down to the foreshore. It can be seen when this area is closed off for such events as Crab Fest and it allows a more relaxed and casual focus for the town centre. As a minimum I would support the retention of the existing direction of traffic flow as it has lead to a slower more casual movement of traffic and pedestrian access. If the direction was reversed to what it was before then the people will use it as a 'rat race' and short cut that would place an unacceptable additional load on traffic onto Mandurah Terrace. If the Council takes a decision to reverse the traffic then it needs a speed limit of 20 Kph with a number of speed humps along the strip from Pinjarra Rd to Tuckey St to enforce this restriction.</p>	<p>(a) The Old Mandurah Traffic Bridge will be dealt with separately.</p> <p>(b) Removing traffic from roads is not supported by this plan. Whilst pedestrian movement is important, the removal of the 'movement' and activity passing by may have the opposite effect.</p>	<p>(a) Noted. The MCCPP highlights that future replacement of the Old Traffic Bridge will be subject to design concepts, review and community consultation. The need for future upgrading of the bridges is acknowledged by relevant government agencies, and is currently being investigated in consultation with the community.</p> <p>(b) Dismiss. The MCCPP identifies the Waterfront Precinct, focussed on Mandurah Terrace, as having a primarily tourist focus. Sutton Street is identified as the primary north – south through route, to assist with reducing traffic volumes and improving pedestrian amenity along Mandurah Terrace.</p>

	<p>(c) Forrest St / Pinjarra Rd intersection. Consideration should be given to incorporating a roundabout in lieu of a traffic light system. This would facilitate the smooth flow of traffic in lieu of the stop / start traffic that a traffic light imposes.</p> <p>(d) I am concerned at the proposed closure of the parking in Sholl St between Church St and Tuckey St. There is not a lot of parking available for shoppers in the Town Centre and the proposed closure of this would impact on shoppers finding parking close to the Town Centre. Remember that Mandurah largely has an aged population who cannot walk a long distance to the shops and foreshore areas.</p> <p>(e) Mewburn gardens. I am very concerned about the proposal to close Mewburn gardens, it is the one set of gardens that the Council has in the town and the proposal to close it is beyond comprehension. I am distressed that the Town centre in Mandurah only has one set of cross walks and only has one post box – and now you want to take away the only garden area that we have. This is shameful.</p> <p>(f) One item of concern is the proposed closure of the new parking area alongside the post office, this has been a real boon to people wanting to utilise the shopping areas close to that area and in particular the Post Office. If this parking area is closed and also the one in Sholl St alongside Church St then people parking early in the morning (between 8.00am and 9.00am) to collect mail from Post boxes will face an impossible task of finding where to park while they dash in to collect the mail. The Creery St car park is seen as too small to take the additional parking that would be imposed on it with the closure of the car parks in Sholl St.</p> <p>(g) I can see no reason for the suggested implementation of parking meters in Mandurah. However if you do then you need to consider having them in a car park that allows the free parking for shoppers to park and shop for 2 hours (as Bunbury has done) and the charge to start after that time for the people / workers who wish to stay longer. This would ensure that the parking area could be used by the maximum for the people seeking short term parking in lieu of those selfish few that want to park there all day.</p>	<p>(c) This is outside the Precinct Area, however there is unlikely to be adequate space or management issues with a roundabout here.</p> <p>(d) Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p> <p>(e) Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p> <p>(f) This parking is temporary only. Council leases this land.</p> <p>(g) Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>(c) Dismiss. Agree with Council's comments The need for future signalisation of this intersection will be reviewed by the City of Mandurah in the context of the recommendations of traffic modelling for the inner Mandurah area.</p> <p>(d-f) Refer comments at submission 1 regarding the Mewburn site. Alternative future parking nodes are identified in the MCCPP and City's Parking Strategy.</p> <p>(g) Charges for public parking is a matter for local government to determine.</p>
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	<p><b>Building height</b></p> <p>(h) The building heights in Sholl St. The building height of 32 metres (8 stories) is proposed for the eastern side from Hackett St to Tuckey St. For some reason the adjacent block from Tuckey St to Church St has been set at 75 meters (20 stories) which is the highest allowance for the whole of the precinct plan. At the most it should be the same 32 metres so that you have the same visual line for the whole of the east side of Sholl St. It almost appears that the City of Mandurah has set its own property to this height to ensure the maximum commercial return it can expect to receive for its own property.</p> <p>(i) I see no need for a 32 metre high building anywhere in the Town Centre precinct. If however there is some desire to have this height somewhere I would suggest it be located on the east side of Sutton St between Davey and Tuckey St.</p>	<p>(h) Eight storeys (in selected locations) is a suitable height for a City Centre of Mandurah's scale. The ensuring design guidelines are important however.</p>	<p>(h &amp; i) Agree with Council's comments. The MCCPP generally proposes a graduated height model appropriate for a city centre, with taller buildings generally clustered around the 'retail core' of Tuckey and Sholl Streets. Heights are reduced towards the periphery of the city centre, having regard to foreshore amenity and development surrounding the MCCPP boundaries.</p> <p>Refer comments at submission 1 regarding the Mewburn site.</p>
<p>41. <b>D Pickering</b> <b>(Via e-mail)</b></p>	<p>I wish to lodge my objection to the proposed high rise building of possibly 20mt in the George Robinson garden and council parking area, bordered by Sholl St, Sutton St, Church St and Tuckey St. on the following reasons:</p> <p>(a) The size of the building in comparison to the Church</p> <p>(b) The loss of George Robinson gardens, the only gardens in Mandurah</p> <p>(c) The loss of Public open space</p> <p>(d) The loss of FREE public parking</p> <p>(e) The Huge shadow that will be cast over the Church building and grounds</p> <p>(f) The impact of no sun on the carob tree which is on the Mandurah Significant tree list</p> <p>(g) The Bell tower and ringing which could lead to complaints from people living in the high rise</p> <p>(h) The impact on the sacred site of Winjan for the Aboriginal community</p> <p>(i) The impact of Church access due to increased traffic</p> <p>(j) The loss of tranquillity and acetic [sic] appeal for Church weddings and ceremonies</p> <p>(k) The loss of garden area and re interment of historic grave sites around Church to provide parking</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>(a-l) Refer comments at submissions 1 and 20 regarding the Mewburn site.</p>

		(l) The complete lack of thought for Mandurah's beautiful historic old Church  Mandurah is a lovely place and there has been some great improvements, but not this one.		
42.	<b>B Warren &amp; V Wools 4/95 Mandurah Terrace Mandurah</b>	(a) We have reviewed the updated precinct plan and as per the original plan we are still unhappy with one particular item. We are concerned about the proposal to change the roundabout at the corner of Mandurah Terrace and Peel Street into Traffic Lights. We wrote a letter regarding this in the first draft and did not receive a reply. Currently the roundabout at the corner of Mandurah Terrace and Peel Street keeps the traffic flowing quite well, even during busy periods.  As a permanent resident living right next to the roundabout on Mandurah Terrace we deal with this area of traffic on a day to day basis, and we feel that installing traffic lights will cause many problems :- stop/start, constant delays, bank up of traffic, and especially – difficulty getting in and out of our driveway. We foresee many issues with the installation of traffic lights.	(a) Whilst shown on the plan, any substantial changes to intersections still require detailed planning. However, roundabouts are not generally suitable for City Centres, particularly for pedestrian movement. They are deigned to keep vehicles moving.	(a) Agree with Council's comments. Refer specific comments at submission 19.
43.	<b>I Bradbury (via e-mail)</b>	(a) I would just like to say how concerned I feel about the loss of a beautiful little park for a multi-story building in Mandurah. What a terrible shame, let's have these high buildings elsewhere please. I guess this is a waste of my time sending this but I would just love to keep the little park.	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.
44.	<b>M Skidmore  2/ 5 Hackett Street Mandurah</b>	(a) As a relatively recent resident of Mandurah, and a long term property owner in Mandurah, I am highly concerned that the quality of Mandurah as a place to live as well as a place to visit, is about to be diminished! The Inner City Precinct Plan for the future development of Mandurah which allows for the rezoning of the Church Lane, parking area and the George Robinson Gardens (Mewburn Gardens) to allow for the building of a 20 Storey Building will accomplish that in one stroke.  (b) It is not only the parishioners of Christ Church who will lose should this proposed development go ahead. The City of Mandurah itself will lose. In a land where such little history is encapsulated in buildings and significant areas surrounding them and enhancing them, is it possible that the Council is blind to the value of that beautiful church building right there in the heart of the city – not only to the citizens of Mandurah, but as part of an attraction to tourists. How many cities of the nature of Mandurah have lost such gems – if they ever had them! Is Mandurah to become an empty clone to such areas as the Gold Coast? And does the Council really believe that to follow the path of areas like that is the way to healthy development for a growing city.	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.

		<p>(c) For heaven's sake preserve some character and colour in the heart of the city precinct. The church alone without the area surrounding it will be a pathetic token. Just look at some of the losses to the city of Perth brought about by similar decisions.</p> <p>(d) The church life of the parishioners of Christ Church contributes not insignificantly to the quality of social and material life in the city of Mandurah. The proposed developments will certainly impact on the parishioners and on the contribution of the church and of those parishioners to the creative, intellectual, communal and spiritual life of Mandurah City.</p>		
45.	<b>J &amp; G Wilson (via e-mail)</b>	<p>(a) We are shocked to learn of the proposal to allow for the construction of a 20 storey building adjacent to the heritage listed Christ's Church building in Sholl Street. We have no objection to having some higher, modern buildings around town, but not to such height and in such a significant area.</p> <p>(b) Our other main objection is to the loss of vital public open space, namely George Robinson Gardens, also public parking space for the convenience of parishioners and the public using the Church for worship, weddings, funerals and other special occasions.</p> <p>(c) It is hard to believe Council can be considering such radical plans without deeper consideration of, and more time given to consultation on, the obvious long term social and environmental impacts.</p> <p>(d) We trust Councillors will be sensitive to the needs of future generations and respect people's wishes for preservation of sacred areas and the vital amenity of space, tranquillity and aesthetics.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.
46.	<b>K Reeves  23 Darwin Terrace Mandurah</b>	<p>(a) I am writing to express my deep concerns over the proposed Mandurah City Centre Precinct Plan. I fail to see how having the whole town centre with multi-storey buildings can possible achieve the Council's stated vision: "Mandurah: vibrant, prosperous, connected and sustainable... excited about our future!"</p> <p>(b) Built upon opportunity, wellbeing, diversity of choice, sense of community, our history and magnificent waterways." My initial concern centred on the proposed 20 storey building overshadowing Christ's Church, of which I am a member. On the first plan that was released for public comment, this was a 12 storey building. On further review I note that the majority of sites are shown as having a building height of 5 storeys, with 8 storeys on the opposite side of Pinjarra Road. These buildings will totally dwarf Christ's Church and overshadow this historical building and associated gardens. The shadow will limit the amount of natural heating in the church from the sun which means an increase in artificial heating – hardly a</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	<p>(a-d) The MCCPP seeks to guide future built form in central Mandurah commensurate with its role and function as a city centre, encouraging diversity of landuse and quality public spaces.</p> <p>Refer comments at submission 1 regarding the Mewburn site.</p>

	<p>sustainable outcome.</p> <p>(c) Further, the shadow created by the tall buildings will have a detrimental effect on the gardens and in particular the carob tree which is on the Mandurah Significant Tree Register.</p> <p>This large female Carob Tree has been a significant feature of Christ's Church in Central Mandurah for many years. The low, dense canopy of this tree creates a cool, shady environment in which visitors to the Church can sit and relax. The carob tree is widely cultivated in Mediterranean climates for its fruit which is used as a substitute for cocoa in confectionary making. It takes up to 15 years for carob trees to start producing fruit with plants being either male or female.</p> <p>The loss of public parking in Sholl Street will mean that Christ's Church will need to consider increasing the amount of parking on site to cater for people attending services. This would mean the loss of lawn and gardens. Christ's Church has a magnificent bell tower with historic bells. Any building that is erected in the current Sholl Street car park is likely to be affected by the sound of the bells.</p> <p>(d) The George Robinson gardens disappear in the plan. Apart from the church grounds, these are the only gardens in the city centre which is not foreshore. We should be encouraging public gardens, not removing them. Gardens have a wonderfully calming effect on people.</p> <p>(e) There are currently traffic problems in the city centre and I struggle to see how Mandurah can cope with the additional traffic that would be created by such a large increase in people trying to access the city centre (estimated at over 5 times current population accessing the city centre based on average 5 storey buildings).</p> <p>(f) My experience is that cities which have a lot of high rise buildings are quite lonely cities this does not support the vision of vibrancy and connection.</p> <p>(g) I support revitalisation of the city centre and understand that there needs to be provision for some high rise. I believe that 2 to 3 storey for most of the city centre is more than adequate and maintain open space. Any high rise should be well spaced to ensure that the open feeling of Mandurah is maintained. We do not want to lose the things that make Mandurah attractive. I do not want to see a Gold Coast replica in Mandurah. I enjoy the open sky which will be lost with such extensive height increases.</p>		<p>(e) Noted. Strategic transport modelling undertaken by a traffic consultant engaged by the City of Mandurah indicates that future traffic congestion in the city centre will need to be carefully managed, as discussed in the report to Committee.</p> <p>(f) Refer comments at submission 17 (e) regarding traffic issues.</p> <p>(g) Noted. The MCCPP incorporates precinct specific built form and landuse controls, in order to provide for active street frontage encouraging continued activity throughout the day and night.</p>
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		(h) I don't believe that the current plan supports the vision that the City Council espouses, particularly with regards to heritage and sustainability. I am happy to be contacted to provide further background on my concerns and discuss my ideas.		(h) The MCCPP proposes a graduated height model appropriate for a city centre, with taller buildings generally clustered around the 'retail core' of Tuckey and Sholl Streets. Heights are reduced towards the periphery of the city centre, having regard to having regard to foreshore amenity and development surrounding the MCCPP boundaries.
47.	<b>A Read 4 John Dory Cove, Wannanup</b>	(a) The revised draft appears to have taken into consideration several concerns regarding building heights and form.  My concern remains that, as per Section 7.6.1 - Architectural Form, buildings will be encouraged to be of a "Contemporary Nature" in their design.  I would like to see an emphasis on an architectural style that is more sensitive to the existing ambience of the Mandurah City Centre, taking into account its heritage and coastal qualities. I believe Contemporary Nature is too broad a description and would allow designs from ultra-modern to plain ugly to impose themselves on our lovely city.	(a) The additional criteria in the Precinct Plan have been designed to ensure quality design outcomes.  The plan also highlights the potential for an Architecture Review Panel to be set up to review the design of buildings.	(a) Noted. Agree with Council's comments.
48.	<b>R, A, L, T &amp; H de Hoog (via e-mail)</b>	(a) We are writing to object to the second draft inner city development plan. The plan takes away the 'essence of Mandurah' and turns it into just another generic city. As Mandurah residents (of 19 years) we have seen a lot of changes to the city, but so far we have still held onto the things that make Mandurah different. The fact that the city centre has retained some of the 'small town' characteristics such as the Smart Street Mall, shops and boutiques that stand alone and being able to walk through parks and gardens as thoroughfares.  (b) The draft development plan would take away the differences that make Mandurah unique and leave us with a soulless city centre.	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	The MCCPP seeks to guide future land use and built form in central Mandurah commensurate with its role and function as a city centre.  The development objectives and guiding principles of the MCCPP emphasise development of quality open spaces and built form, focussed around the city's historical waterfront identity.
49.	<b>S Joiner  40 Gillark St Mandurah</b>	(a) I do not agree with some of the planned rezoning and future proposals. I strongly oppose any building development on the car park that is bordered by Church Lane and Sholl St. I believe that it is important that this central car park be retained for the benefit of downtown businesses and for the people who do business or shop in this area. Once the temporary parking adjacent the new Brighton is removed, this car park will be important to access the Post Office.  (b) We also strongly oppose any plans to remove the George Robinson Gardens. This central park belongs to the people of Mandurah. It is part of the character and heritage of this community. There is a need to keep some "Green space" in our city centre.	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	(a-b) Refer comments at submission 1 regarding the Mewburn site.

<p>50. <b>R Meredith</b> <b>16 Ivanhoe Crescent</b> <b>Falcon 6210</b></p>	<p>(a) I have reviewed the above, and commend the fact that a plan is being developed for the city centre, and acknowledge the work done to get it to this stage. The one aspect of the draft plan that I have major objections to is the removal of the public open space on the corner of Tuckey and Sholl streets (I think it may be referred to as George Robinson Gardens). The City Centre Precinct Plan provides for a more intensively developed city centre, which I think is a good thing; however, I think it is terribly important to break-up the built environment with strategically placed open spaces. I believe it is a real mistake to say "well we have the foreshore area, what more do you want!" (Have you ever been on the foreshore mid-winter when there is a howling south westerly?).</p> <p>(b) When the Central Park building in Perth was built, the then City of Perth was able to have set aside open space in return I believe for some plot ratio concessions to the developer. Today that open space (the corner of William and Hay streets) is a highly functional, highly aesthetics, park that is used by hundreds of shoppers and workers every day. I believe that if the centre of Mandurah is developed consistent with the draft Precinct Plan we desperately need to retain the public amenity that George Robinson Gardens provides.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>(a-b) Refer comments at submission 1 regarding the Mewburn site.</p>
<p>51. <b>Bishop A Ewing</b> <b>Bishop of Bunbury</b>  <b>Trustees of the Anglican Diocese of Bunbury</b>  <b>(the legal owners and administrators of Christ's Church Parish in Mandurah)</b></p>	<p>I write as representative of the Trustees of the Anglican Diocese of Bunbury, the legal owners and administrators of Christ's Church Parish in Mandurah.</p> <p>(a) We have significant reservations regarding the plan, in particular the way in which the area around Christ's Church is to be developed. Later in this letter I shall set out some detailed concerns, however I wish to first address a fundamental issue of the lack of living space in and around the largest building of the proposed plan, a building which will be immediately adjacent to Christ's Church.</p> <p>(b) The provision of adequate and appropriate living space within developments is an essential component of any development. For those who live and work in large buildings the provision of open space for rest and recreation is most important. The largest buildings of the plan do not have any provision for such space in their immediate vicinity. We believe that this is a serious shortcoming of the plan.</p> <p>(c) It is interesting to note that the concept of a building's curtilage, the open space attached or relating to a dwelling has become a very important aspect in heritage considerations. We believe that the proposed plan significantly impinges upon Christ's Church curtilage and will adversely affect the community benefit of Christ's Church's own precinct.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>(a-l) Refer comments at submissions 1 and 20 regarding the Mewburn site.</p>

	<p>(d) Christ's Church has been the soul of the city of Mandurah for almost 140 years. During all these years it has been a place where life is celebrated, whether in weekly worship, baptism, wedding or funeral. The present plan makes no allowance for this continuing contribution to the life of the City. Immediate access to parking is to be replaced with distant parking, which will be a great problem to older residents and people with disability.</p> <p>(e) We believe that the proposed revision of the city plan, with a high density, high rise, and centre represents a privatisation of public space, with only Christ's Church offering a place where people may rest and reflect in the heart of the city. This is a serious diminution in the provision of community space, and thus a reduction in social good.</p> <p>(f) It is to the advantage of those who will work and live in the proposed developments that there is good living space. We believe that a reduction in the scale and scope of the proposed major building adjacent to Christ's Church will give good living space to the people of the city and to Christ's Church, and will also serve to retain the quality of the community contribution of the church.</p> <p>We urge the City to reconsider the revisions of the Mandurah City Precinct Plan.</p> <p>(g) In more specific areas, I would offer the following comments:</p> <p>The proposed amendment to the MCCPP as described in your Building Heights Plan figure 7.3 incorporates a proposal for a building with an overall height of 75 metres on the area of land bounded by Church lane, Sutton, Tuckey and Sholl Streets which is located on the northern boundary of Christ's Church Anglican Church in turn bounded by Church Lane, Sholl Street and Pinjarra Road.</p> <p>(h) A structure of the type and configuration shown will have the affect of overshadowing the entire Church site and therefore raises a number of immediate concerns for the future welfare of this significant site.</p> <p>(i) The adverse affect of a continual shadow over the entire Church site which will be accentuated in the months April through September each year.</p> <p>(j) As you are aware the existing building incorporates the original Church which was constructed in 1871 using limestone rubble in the walls, these were recently restored at a cost of \$70k to provide</p>		
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		<p>a partial remedy to deterioration from weathering and rising damp.</p> <p>(k) A potential to lose the sound projection from the Peel of Bells housed in our belltower as a result of the tower and Church site being surrounded by buildings of varying heights as proposed in the plan. Should accommodation units be incorporated in these adjacent buildings there will be the potential for conflict from perceived noise pollution despite the prior approvals of ringing times having been approved by the City Council.</p> <p>(l) As the potential exists for a building to be built over both the existing car park to the north and the George Robinson Gardens there will be a loss of public amenities in the CBD leaving the only green space in your plan as that which surrounds Christ's Church. This will obviously deteriorate due to the potentially poor growing conditions resulting from lack of sunlight and probable increased pedestrian traffic when the public make use of the open space as respite from shopping and employment activities.</p> <p>In conclusion the value of our Church site together with the surrounding Graveyard where many past Community Leaders and Pioneers of both Indigenous and European descent are at rest seems to have been overlooked by your proposed Mandurah City Centre Precinct Plan.</p> <p>We appreciate the opportunity to express our concerns in this matter and trust that they will be strongly considered in your final evaluation.</p>		
52.	<p><b>R Lazenby</b></p> <p><b>3 Balfour Court Halls Head</b></p>	<p>I am opposed to the current inner city development plan</p> <p>(a) In particular, the multistorey building combining parking and office/living space locate between Sholl and Sutton Streets and adjacent to the Christ church Anglican Church.</p> <p>(b) This building will not only remove the free parking available but create a wind tunnel and shadows. The charm that is Mandurah is being eroded by developers replacing the charm with multi story monstrosities better located East of George Street.</p> <p>(c) Mewburn Gardens, one of the green lungs is planned for 32 meter (max) buildings.</p> <p>I trust that this submission will receive due consideration and not just meet the Mandurah City Council consulting process where the result is already a "fait accompli".</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	(a-c) Refer comments at submission 1 regarding the Mewburn site.
53.	<p><b>D Cotton</b></p> <p><b>63 Leslie Street Dudley Park</b></p>	<p>I write in my personal capacity regarding the Revised City Centre Precinct Plan as a resident of the City of Mandurah, and not as Parish Priest of the Anglican Parish of Mandurah. I have only lived in the city for slightly more than two years now, and so value being asked to comment on the City's plan for the Inner city Precinct.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	(a-c) Refer comments at submission 1 regarding the Mewburn site, and submission 17 (e) regarding traffic issues.

	<p>(a) One of the immediate concerns I have with the plan is the over reliance on the foreshore to provide open public space in the plan. I feel the strip of park making up the foreshore is too narrow and would value a wider green open public space away from the foreshore in the inner city area. For me personally, what makes a city great to live in is not tall concrete buildings housing businesses but rather a sense of community. For community to flourish one needs a space for community to meet, relax and just be. I am aware, from my meeting with the City Planning Department that it is intended to have a green space in the area roughly where the George Robinson Gardens are but that desire is not obvious from looking at the plan. I think that it should be clearly designated and agreed upon before the plan is finalised.</p> <p>(b) A further concern I have is that the general height of the buildings (of which one is 75 meters) is too high. The higher the buildings the higher the population density. As population density increases so does other problems such as traffic congestion, crime, etc. Would it not be better to spread the buildings out further rather than try cramming them all into one compact area? My whole life has been spent in cities with such problems. The one thing that makes living in a city unbearable is sitting in traffic. I question whether the narrow roads of the area under question can accommodate all the extra cars required by workers, tourists, residents etc. Increased traffic means noise and traffic noise is very undesirable.</p> <p>(c) The church house we live in is situated on Leslie Street. My wife and I are not able to sleep in the master bedroom because of traffic noise but are forced to sleep in one of the smaller children's rooms at the back of the house. If the city's plan is approved we would seriously consider relocating to a quieter part of Mandurah.</p> <p>If you are asking for public opinion then it is my opinion that the plan needs further revision allowing for lower heights and more open green areas.</p>		
<p>54. R Barton  59 Hudson Dr Dudley Park</p>	<p>(a) There is a lack of public open space in the City Centre. Protecting and expanding POS in the City Centre for future generations should be a priority is closely aligned with the strategic goals as documented in the City's Strategic Plan.</p> <p>(b) The precinct plan proposal does not recognise the significant community benefits open green space provides. It is not just aesthetic but much more importantly economic, environmental and social benefits –access to quality POS underpins the health and wellbeing of a community. Public Open Space should not be seen as 'free' for other purposes. The recent re-zoning of George Robinson Gardens land parcel from 'public recreation' to 'regional</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>(a-c) Refer comments at submission 1 regarding the Mewburn site.</p>

	<p>centre' demonstrates a lack of understanding of the value of green spaces. Developing areas into public open space (green space) is not a loss; it is a gain when you consider the benefits. Just a few of the environmental and climatic benefits include; shade, shelter, thermal insulation, temperature reduction – counter-act heat effect, interception of rainfall, reduced water run-off, production of oxygen, fixing carbon, removal of air pollutants, biodiversity etc etc etc I could go on. Then there is the psychological and physical health benefits which there are plenty. When you start to define the value of POS in functional terms you can begin you can start to consider the economic value of these functions. Instead of looking at what the value of public open space would be in the City Centre perhaps we should quantify the economic, social and environmental loss of not having an adequate green space in the heart of the City Centre. How much will it ultimately cost?</p> <p>(c) There is a great opportunity to set aside and protect the area of George Robinson Gardens and adjacent property as public open space, a green space in heart of the City for public recreation. Can we really afford to give this up?</p>		
<p>55. R Holmes PO Box 322 Mandurah</p>	<p>Generally my thoughts are that the City of Mandurah should be a tourist centre with attractions which encourage tourists, rather than industry, which creates the opposite effect (Pinjarra can have the industry).</p> <p>A relaxed easy going, non stressful lifestyle suits all generations especially the “older ones”. There are many ways that the MANDURAH “lifestyle” can be implemented however the following 3 scenarios are my contribution.</p> <p>(a) City Centre Precinct Plan, Fig’s 7.3 and 6.1</p> <p>The beautification of the city is important but not necessarily the “be all and end all” as tourists enjoy the natural surrounds and tend to overlook the more modern aspects. There are many tourist centres around the world with poor infrastructure, e.g. Bali, Malaysia, Vietnam, Thailand and of course the “Great Wall”(s) of China and so on. Tourists require shops and trade/tourist centres. I agree with upgrading as per the plans above but disagree most vehemently of any buildings (office, residential, or business) over the 12m or 3 storeys within the Precinct plan Fig 7.3.</p> <p>(b) Overspending</p> <p>Another aspect of my concern is the “apparent” expenditure with little value to ratepayers. In other words “wastage”. I believe that a 1-5% reduction in expenditure would not be detrimental to the city....in fact it might decrease the financial costs of borrowing at a time (all times)</p>	<p>Comments Noted.</p>	<p>(a-d) Noted.</p>

	<p>we should be mindful of value for money. (We have a great little park on Oakmont Avenue but it is of little benefit to tourists and other ratepayers.)</p> <p>(c) Gyro Tower</p> <p>This structure located in Malacca, Malaysia and is attracting many visitors, school children and others into this world heritage area. It has a scenic "lounge" where patrons sit and admire the uprising platform which travels in a revolving upwards motion with wonderful views of the city and ocean. This could be located in the Gibson/Cooper St area or even outside the Precinct area.</p> <p>(d) I would like to suggest that a Central Hub comprising of ;</p> <p>Central Bus Station - all bus services incl. taxis</p> <p>Tourist Central - all tours booking office Heritage museum</p> <p>Aquatic Museum</p> <p>Gyro Tower - View Website: <a href="http://www.youtube.com/watch?v=1DDHaAjca2k">http://www.youtube.com/watch?v=1DDHaAjca2k</a></p>		
<p>56. <b>J Astbury</b> (via e-mail)</p>	<p>(a) Would like to query the proposed new CBD trading precinct in Mandurah which I think is a step in the right direction. I would assume the area would have Sunday trading restrictions lifted and would have set trading hours in place for Sundays.</p> <p>(b) I believe that Sutton Street will be the boundary and therefore would like to know if Supre the company that I have been involved with for the last 20 years will be outside the precinct, Supre is at number 1 Gibson Street the corner of Gibson and Sutton Street with entrances on both streets.</p> <p>The other 4 stores that we operate in the Perth area are open 7 days three of which are owned by myself I have a small shop exemption from trading hours regulation the other is the Supre store in Murray St Perth City. It would be brilliant if we could open our Mandurah store every Sunday, trying to explain the reasons why we can open one Sunday and not the next or why all the other Supre stores are open and the Mandurah store is closed does nothing but harm our business and the areas image, our customers are now driving down to Bunbury on Sunday afternoon as all shops not only Supre are open down there.</p>	<p>Retail trading hours are dealt with separately to the planning through the Precinct Plan.</p>	<p>Agree with Council's comments.</p>

	(c) In my ideal world shopping hours would be totally deregulated and surely market forces would dictate who the winners and losers are, a company such as Supre that aggressively markets and promotes its image and product should not be hampered by regulations that only seem to exist in this part of Australia.		
57. J & M Geoghegan (via e-mail)	<p>(a) My wife and I have been travelling around Australia for over 6 years and have now decided that Mandurah is the place for us to settle. One of the reasons my wife and I were attracted to Mandurah was the friendly and open aspects of this city especially for travellers and tourists. Parking is always an issue in towns and cities and Mandurah has some of the best parking to encourage visitors especially around the city centre.</p> <p>(b) My wife and I are greatly surprised to hear that Council is now preparing to remove two major car parks from Sholl Street which service this vibrant and busy area as well as Church Lane.</p> <p>(c) I wish to voice my objection to this proposal as the loss of these car parks and road will only make the area more congested than it already is. The loss of car parks usually means high-rise developments that increases traffic and adds even more congestion. We have firsthand experience of this on the Sunshine Coast in Qld as high-rise buildings were added without improvements to services such as water, sewerage, electricity, ROADS and CAR PARKING.</p> <p>(d) They now have a majority of irate ratepayers and major problems that will not be easy to fix. I urge you not to proceed with this proposal as new developments can be spread out into other areas with planned infrastructure to support it.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site, and submission 17 (e) regarding traffic issues.
58. B Souter (via e-mail)	<p>(a) I am emailing to protest against the proposal of council to redevelop the car parking area in Sholl Street into a multi storey building. It is imperative to keep this car park as is, if no other reason than to allow people to park their cars in the CBD, also to allow those churchgoers somewhere to park when attending services at Christchurch Anglican. What good is developing the foreshore area unless there is sufficient room for cars to park and if this area is developed into buildings, and I understand the area set aside beside the PO is only envisaged for parking for 3 years, then the only car park is Creery Street which cannot possibly cope with the amount of cars needing parking.</p> <p>(b) Re: George Robinson Gardens – what possible reason could the Council have to sell this ground to allow for more buildings? This is a public park, beautifully maintained by the Council for the pleasure of those who like to sit and admire the flower beds, a little haven in a busy area.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.

		(c) I protest most strongly to the proposals as above and demand the council leave Sholl Street as it is at present, serving as a car park for the residents of Mandurah and the garden as a quiet reflective place.		
59.	<b>M &amp; L Doherty</b>  <b>13 Blackwood Parade Dudley Park</b>	(a) My wife and I wish to voice our strongest objections to the spate of high-rise concepts and approvals in the city of Mandurah. We most strongly oppose the proposal for a giant high rise that will take up the area of parking and beautiful gardens near the church in Sutton Street. Before this headlong pursuit of a Gold Coast type city goes any further, we suggest this concept be put to the vote so the people can have a say on the future of Mandurah.	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.
60.	<b>K &amp; M Henning</b>  <b>54 Blackwood Parade Dudley Park</b>	(a) We are communicating our very strong protest against the outrageous proposal to erect a 20 storey building on our beloved George Robinson Gardens. It would be entirely inappropriate and would ruin the village atmosphere of our CBD and church surrounds and historical graveyard precinct.  (b) We would like to register our protest against the Surfers Paradise proposal on our much loved and used foreshore. Goodness knows what the Council is trying to achieve with this proliferation of ugly high-rise buildings in the heart of our city. These proposals are alienating a great number of hitherto loyal ratepayers. If this goes ahead you will not receive our votes again.	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.  The MCCPP generally proposes a graduated height model appropriate for a city centre, with taller buildings generally clustered around the 'retail core' of Tuckey and Sholl Streets. Heights are reduced towards the periphery of the city centre, having regard to foreshore amenity and development surrounding the MCCPP boundaries.
61.	<b>M Forrest</b>  <b>161 Ormsby Terrace</b>	(a) I wish to suggest a more people friendly future for our beloved city. The so called revitalisation of central Mandurah is in effect a stake in the heart of our heritage. The heights of the proposed buildings and their locality in original Mandurah central will overcrowd and remove the friendly nature of the old centre of original Mandurah. The most successfully in filled cities are Subiaco and Fremantle where relatively low buildings with green spaces, interesting cafes and boutiques make shopping a pleasure. Your proposed plan has the car park and Mewburn gardens designated 20 storeys (previously 12) and 8 storeys on the other side of Sholl Street.  (b) Even 5 storeys along Pinjarra Road and 5 and 8 storeys facing the foreshore in Mandurah Terrace. This will create a cold uninviting wind tunnel. No sun will shine on the Church and most of Sholl Street. The only open space left is a tiny foreshore strip, a bit near the council buildings and the primary school oval. Our Mewburn gardens are to be taken and no parking left for older Church goers. The Church is Heritage and if we have to pave over the church gardens and graves to allow for parking for funerals and weddings it would be dreadful. Not even Perth has these heights except in St Georges Terrace which is the cold, unfriendly big business quarter.	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	(a) Refer comments at submission 1 regarding the Mewburn site.  (b) The MCCPP proposes a graduated height model appropriate for a city centre, with taller buildings generally clustered around the 'retail core' of Tuckey and Sholl Streets. Heights are reduced towards the periphery of the city centre, having regard to foreshore amenity and development surrounding the MCCPP boundaries.  The MCCPP encourages energy and resource conservation, listing a number of sustainable elements for consideration in the design of buildings within the precinct area.

	<p>(c) My suggestion is if we must have these buildings put them further back in the area between Forrest Road and Anstruther. The residents in these buildings could see over the Central town to the water and walk the short distance to the Forum, Train Station and entertainment area. All high rise buildings over three storeys should be made to include solar electricity panels to be self sufficient and compensate for the energy shadow they put on other lesser buildings. (We are now urged to get power from the sun). A further consideration in forward planning should be the possible rise in the water table. In the early 1970's much of Ormsby Terrace in the Silversands area was washed in to the ocean. The only remedy was the creation of more groins with the ever present cost of restoring sand to these areas. Consider the terrible cost of underpinning multi storey buildings when and if the water table should rise. If these developments were further inland it would also lessen the scouring wind pattern when high velocity wind hits a solid object. The natural profile of most land masses is lower at the coast with increasing height as you progress inland. This, nature's pattern, needs to be imitated as much as possible.</p>		<p>(c) It would be appropriate for the potential Implications of Sea Level Rise to be taken into consideration prior to the determination of development applications.</p>
<p>62. <b>N Oakey</b> <b>6 Burrill Rest Lakelands</b></p>	<p>(a) I am well aware of the need to plan to accommodate the burgeoning traffic problem in and around Old Mandurah and the need to "reinvent" the town with the development. I do however need to raise some questions, which you may already have considered. Firstly, is the proposed 20 storey building alongside the church, where parking is located at present off Church Lane, the beginning of further high rise building almost doubling the height of the present high rise in town? And if so, can Mandurah accommodate environmentally and resource wise (water, sewerage etc) such development as per Surfers Paradise? Is a replica SP what the people of Mandurah now and in the future really want?</p> <p>(b) If the parking in and around the Church grounds is removed or becomes "user pays" or free parking is remote from the direct access to the church by disabled or elderly, is that not ill founded and perhaps discriminatory?</p> <p>(c) Has the Council considered preserving the Church site by purchasing the site from the church, establishing the Museum and Tourist Information Centre in around this heritage site using the building as a showpiece of early architecture and using its interior for displays and coffee house etc. The grave yard would also be protected and would be the centre piece of the historic precinct of the town. The church would then relocate on a suitable site near the CBD where it could centrally locate Anglicare/the Op Shop and Worship Centre on one site. While I am unsure of the costing, my third point is creative and could be a win/win for all concerned.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>(a) Refer comments at submission 1 regarding the Mewburn site.</p> <p>(b) Parking charges are a matter for the City to determine and administer as appropriate.</p> <p>(c) It is understood that the City of Mandurah does not intend to acquire the church site.</p>

<p>63. <b>D Nixon</b>  <b>40 Riverland Drive, Stake Hill</b></p>	<p>(a) I am writing to protest the plan for Sholl Street and in particular the George Robinson Gardens and adjacent car park. Car parking is often at a premium in the town centre, particular when special events are in progress. Retail outlets need customers and they will only come if convenient parking is available.</p> <p>(b) To remove grass and trees from the park and replace it with glass and concrete will not improve the ambience of the area. With the current amount of traffic in town you need more parkland to soak up the greenhouse gasses not less.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p>
<p>64. <b>J &amp; G Wise</b>  <b>40 Evergreen Loop Stake Hill</b></p>	<p>(a) We wish to object to the elements in the plan which relate to the loss of car parking at present available to parishioners adjacent to the Christ's Church and to the effect of the tall building proposed for the space at present occupied by said car park.</p> <p>(b) Our parishioners are representative of a wide range of ages and capabilities from babies through to the very aged and in some cases, disabled. In addition, the Church is the location for many funerals, weddings, and baptisms which attract many other casual attenders from all parts of the community. It is essential that a safe environment for car parking and movement to and from the Church is provided by the Council, as it has for many years in the area bounding Church Lane.</p> <p>(c) The building of a 20 storey structure in this space will have the effect of overshadowing the Church on its sunny side; presenting problems in the playing of the historic church bells, potentially masking sunlight from the historic carob tree and other vegetation in the prize-winning church gardens, physically dwarfing the Church and the historic grave sites and aesthetically damaging the peace and beauty of a much loved area.</p> <p>(d) Although we are not yet residents in Mandurah City, we soon will be, and this is the Church we attend each Sunday, and are Parish Council Members of, and we therefore urgently ask you to reconsider the effect the proposed plan has on the Church, its environs and the people who use it as the centre for their spiritual needs.</p> <p>(e)</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p>
<p>65. <b>B Curtis</b>  <b>21 Elderberry Crescent Halls Head</b></p>	<p>(a) I view with great dismay the proposal to dispose of much valuable land in the centre of our delightful town, in one stroke annihilating the George Robinsons Gardens and a considerable amount of parking space for the ever-increasing number of cars entering the area. Then there is the proposal to give permission to developers to erect a multi-storey building on the car park land. Its massive size (up to 20 storeys) would completely dwarf and overshadow the beautiful historical Church, and no doubt have a deleterious effect on the carob tree, listed on the Mandurah Significant Tree Register. In addition, there would be a negative impact on the sacred site of</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submissions 1 and 20 regarding the Mewburn site.</p>

	<p>the founding families of Mandurah, both Winjan representing the Aboriginal Community, and Peel representing the settlers in Mandurah.</p> <p>(b) Apart from the visual impact of this proposal, which would be totally out of keeping with the unique ambience of the area, I believe that the result would be the exact opposite of the outcome envisaged by the Planning Committee. Far from encouraging more people into the City Centre, it would make it difficult if not impossible for many prospective visitors to enter and park within a reasonable distance of their destination.</p> <p>(c) By all means encourage the erection of a skyscraper somewhere anywhere outside the heart of the City, but not on the site proposed.</p>			
66.	<p><b>G Hogarth</b></p> <p><b>17 John Street Coodanup</b></p>	<p>(a) I would like to express my objection to the plan. Mandurah town is already overcrowded and congested with traffic. We do not want to lose any more open space.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p>
67.	<p><b>K Barrett</b></p> <p><b>PO Box 818 Mandurah</b></p>	<p>(a) I am very concerned with the plan which proposes high rise, several stories, buildings on the present Robinson Gardens and adjacent Car Park. If the buildings are constructed as proposed, the City will lose a very valuable and respected open space. The Robinson Gardens, in particular, are appreciated by many people as a well preserved Open Space at the centre of our city. I believe that to retain this Open Space will prove a wonderful balance for the buildings that currently exist and other buildings proposed.</p> <p>(b) In addition to this general comment, I am also concerned that the proposed buildings will be of such a height that they will overshadow Christ's Church and its grounds. It is essential that the church building is exposed to plenty of sunlight as it will otherwise be subject to dampness will severely affect the church structure.</p> <p>(c) Further to this, the trees and plants in the church grounds, including one historic tree, are dependent on their growth and maintenance with open space and sunlight.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p>
68.	<p><b>B Moore</b></p> <p><b>67 Admiralty Crescent, Halls Head</b></p>	<p>The latest Mandurah City Centre Precinct plan 2010 has some marked changes. Those have not been highlighted in any way. Is this by design so maybe we will not notice?</p> <p>(a) Summary Brochure on Study Directions April 2001 <i>Item 2:</i> "A new town square focus has been proposed at the eastern end of the Smart Street Mall. This would include the reintroduction of community facilities.</p> <p>(b) Mandurah Central Revitalisation Strategy for public consultation December 2004 <i>Item 5:</i> Central parking area between Sholl Street and Sutton Street</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p>

	<p>to be redesigned to incorporate a “market square” a decked parking station, new buildings around market square, and upgrading a George Robinson Gardens.</p> <p>(c) Revitalising Mandurah’s heart-Mandurah City Centre Precinct Plan January 2009  <i>Item 5:</i> Existing parking areas being redesigned to incorporate Town/Market Square, new buildings around square and improvements to amenity of Sholl Street as the centre of the precinct area. Building heights and scale right – legend quotes area bounded by Sholl St Church St Sutton St and Tuckey St maximum 47.0m or 12 storeys (whichever is the lesser)</p> <p>(d) None of the proposals put forward at these previous “consultation process” mentioned residential – certainly not accommodations to a height of 75.0m (20 Storeys) in the area bounded by Sholl, Church and Tuckey Streets. All previous proposals mention a “Town Market Square” and an upgrading of George Robinson Gardens.</p> <p>(e) The proposed removal of the central parking area between Sholl and Church Street I consider to be a backward step. As has been pointed out the car park adjacent to the Post Office is only a temporary one. How can you expect the commercial areas to become vibrant without people? NO PARKING – NO PEOPLE. The original concept of a town/market square would give an alternative area for visitors and residents alike to enjoy in conjunction with the waterfront.</p>		
69.	<p><b>J Gent</b></p> <p><b>19 Rochester Way Mandurah</b></p> <p>(a) I wish to protest against the loss of parking in the Mandurah Inner City Precinct with the planned high rise buildings going ahead particularly the existing Church Lane/Sholl Street area which will cause difficulty for City users and Christ's Church congregations alike.</p> <p>(b) I also strongly urge adequate free parking areas be included in the overall plan as many Mandurah residents are pensioners and pay parking will cause further distress. With more buildings being planned for Mandurah Train precinct and retail centres increasing on City fringes parking will be at a premium and adequate free parking must be provided.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.  Parking charges are a matter for the City to determine and administer as appropriate.
70.	<p><b>M Rogers</b></p> <p><b>2A Allan Place Halls Head</b></p> <p>(a) I was greatly concerned to see that the George Robinson Garden is not included in the redevelopment of the City Centre. Even more concerning is the proposed 75m height plan for the existing car park bounded by Church and Sholl Sts.</p> <p>(b) I love the foreshore precinct. I find it spacious and welcoming. I shop and socialise here where possible. I enjoy the market atmosphere of the mall and the people it attracts.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.

		(c) Allowing high rise of this magnitude and the razing of the George Robinson Garden will change this country atmosphere to just another strip of apartment and coffee shops.		
71.	<b>F &amp; P Broun</b> <b>29 Mippi Road</b> <b>Halls Head</b>	(a) The concept plan for the CBD appears to be seriously lacking in parking space. If the level of high rise development were to proceed it would be an economic disaster unless adequate provision is made for customer parking.  (b) What modelling has been done to show the need for the level of development proposed? Will it end up a white elephant like the Marina development? Where will the tenants come from for a 20 storey office tower? Even if the population of Mandurah were to double, it is unlikely that professional services such as medical, legal etc will be concentrated in the CBD. Especially if there is inadequate parking. We are opposed to the removal of George Robinson Gardens and Mewburn parking because there seems to be a serious lack of open space. The parking in town is inadequate at present without removing the large section bounded by Sutton, Sholl and Church Sts (Mewburn Parking). We need more easy to park in areas.	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	(a) Refer comments at submission 1 regarding the Mewburn site.  (b) The intensification of development envisaged by the MCCPP is consistent with the state government's identification of Mandurah as a strategic centre, and is supported by a retail analysis.
72.	<b>D &amp; M Pickering</b> <b>1/17 Day Road</b> <b>Mandurah</b>	(a) As people who always take the trouble to vote in our Council Elections because we have a love of our City and the way of life we would ask of you, a "no" vote when a decision is to be made on the high rise proposal for the city of Mandurah. The suggested loss of George Robinson Gardens would be a huge loss. Please ensure that it is retained, for it is a place of beauty and peaceful tranquillity. Heights suggested for the whole area are more indicative of the Gold Coast than our beautiful city.	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above	Refer comments at submission 1 regarding the Mewburn site.  The MCCPP proposes a graduated height model, appropriate for a city centre, with taller buildings generally clustered around the 'retail core' of Tuckey and Sholl Streets.  Heights are reduced towards the periphery of the city centre, having regard to foreshore amenity and development surrounding the MCCPP boundaries.
73.	<b>S Hamilton</b> <b>6B Cygni Street</b> <b>Mandurah</b>	As a long time resident and rate payer of the City of Mandurah I strongly object to the proposal of the redevelopment of Mewburn Centre.  (a) The George Robinsons Gardens have long been a beautiful park for the public, and is a credit to the Gardner who has worked there for many years. It also compliments Christs Church and its grounds. It is a pleasure to just sit awhile and enjoy the colourful display.  Please leave this last remaining park of old Mandurah as it is.	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.
74.	<b>Z Sutton</b> <b>(via e-mail)</b>	(a) I am 16 and I live in Mandurah. I spend a lot of my time around the foreshore. I was totally shocked upon hearing that the Council plans to remove the George Robinsons Gardens and replace them with a 20 storey building. The gardens are an important part of Mandurah. People use those gardens to sit, think, relax and enjoy the sun.	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.

		The Council would be crazy to remove such a vital park in Mandurah. I would greatly appreciate the Council reconsidering the plan to remove the gardens.		
75.	<b>J Burmaz</b>  <b>81 Tuckey Street Mandurah</b>	<p>(a) I live in Mandurah central and am extremely concerned about the plans to sell the George Robinson gardens and replace them with a multi storey building.</p> <p>(b) These gardens are a beautiful and tranquil place to sit and enjoy the sun and have a break from the business of life. I think it is a shame on the Council's behalf that they feel the need to take away such a beautiful and well used park. In the Centre of Mandurah.</p> <p>This park is not only picturesque but also is used by many people and organisations in the community.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.
76.	<b>H Priestley</b>  <b>41 Portrush Parade Meadow Springs</b>	<p>(a) I am horrified you are considering buildings on the last open space of historic Central Mandurah. Please don't. Peel will jump out of his grave and haunt you forever.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.
77.	<b>D Snow</b>  <b>41 Portrush Parade Meadow Springs</b>	<p>(a) I wish to register my concern about the proposed changes to our delightful city garden area in Sholl St. As a Mandurah resident since 1966 I have witnessed the horror of multi-storey buildings and the total disregard of open space planning. We have a beautiful city natural assets – please help us to retain this.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.
78.	<b>R &amp; S Mcapline</b>  <b>103/2 Hungerford Ave Halls Head</b>	<p>We wish to voice our deep concern re: the future development plans to rezone Church Land parking area and Mewburn gardens.</p> <p>(a) After seeing the completion of the 8 storey building near the Brighton Hotel, it seems excessive and unnecessary to consider this huge 20 storey building, so close by. The effect of the newly completed block on traffic flow and parking is already all too obvious, i.e. Mandurah Terrace, Sholl St, Leslie Street, not to mention traffic using the Old Mandurah Bridge into town.</p> <p>(b) However, the most appalling part of this new plan is the demise of the Mewburn Gardens and the public facilities. This means we will lose the only piece of lovely, restful open space. The overcrowding will be disastrous. Certainly we have the foreshore which is also very special, but these gardens, sitting amongst the shops, malls and business places, are rare around our city and need to be preserved, and even enlarged.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.

<p>79. Shirley Browning</p> <p>41 Portrush Parade Meadow Springs</p>	<p>(a) As a long standing resident of Mandurah and a regular attendant of Christ Church for over 20yrs we find your present planning of our Church car park to be very disturbing and alarming. This we find very inconsiderate to us as older residents and also to so many young families with small children-will be very dangerous in crossing busy streets. This building is part of Mandurah's history with earlier settlers such as the Sutton and Peel families and many others in this area. The Church will become inaccessible to most therefore will become a white elephant. So is this what your committee is about? Where is our choice? We are and have always been a democratic country. Yes we realise this city is growing but please give some consideration to the safety of us all. Please also show some respect to a place of worship. I trust some further consideration to these changes of our growing city can be made.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p>
<p>80. L Sutherland</p> <p>144/19 Oakleigh Drive Erskine</p>	<p>I would like to object to the city's plan to rezone the George Robinson Gardens (Mewburn Gardens) and the parking area off Church Lane to allow for the erection of a multi storey building for the following reasons:</p> <p>(a) The size of the building would detract from the visual appeal of Christ's Church</p> <p>(b) The George Robinson Gardens is the only garden in central Mandurah and its loss would detract from the enjoyment of many people who use it for various reasons</p> <p>(c) The movement of traffic in central Mandurah is already congested and additional tenants would increase this situation</p> <p>(d) Parking is already at a premium in the centre of Mandurah and losing the parking lot off Church Lane would make the problem worse</p> <p>(e) The shadow that would be cast by the building would impact negatively on Christ's Church and the Carob tree in the front of the church which is registered on Mandurah Significant Tree Register</p> <p>(f) Tenants of such a building would not appreciate the ringing of the Church Bells</p> <p>(g) The loss of public open space and the tranquillity and amenities now in place would detract from the enjoyment of people now living in Mandurah</p> <p>(h) The building would impact on the Winjan people and the descendants of the early settlers in Mandurah.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submissions 1 and 20 regarding the Mewburn site, and submission 17 (e) regarding traffic issues.</p>

<p>81. <b>K Blyth</b> <b>101/19</b> <b>Oakleigh Drive</b> <b>Erskine</b></p>	<p>I would like to lodge my objections to the proposed rezoning of the Church Lane, parking area and the George Robinson Gardens (Mewburn Gardens) to allow for a 20 storey building. I would like to see Christ's Church and the beautiful bell tower and the 'Peel of Bells' Heritage Listed; it is unique in our area of WA and should be preserved for future generations to enjoy.</p> <p>Should a tall rise development be built so close to the Church, I am sure THAT THE BELLS WOULD NOT BE ALLOWED TO RING – under the Noise Abatement Act; in a newly built up area. I list the following objections:</p> <p>(a) The loss of George Robinson Gardens which are the only gardens in Mandurah area</p> <p>(b) The loss of Public Open Space</p> <p>The shadow that will be cast over the Church building and grounds</p> <p>(c) The impact of no sun on the Carob Tree in the Church grounds would kill this ancient tree which is registered on the Mandurah Significant Tree Register.</p> <p>(d) The impact on the sacred site of founding families of Mandurah, both Winjan representing the Aboriginal Community and Peel, representing the settlers in Mandurah</p> <p>(e) The impact on the Church access with the increased traffic flow would be hazardous</p> <p>(f) The loss of tranquillity and of amenities.</p> <p>(g) The loss of lawn and gardens around the Church due to being forced to provide parking for people attending services.</p> <p>(h) The acetic [sic] [sic] appeal of the Church for weddings.</p> <p>Please consider these objections and stop the proposed building of a 20 storey building and preserve this part of old Mandurah and the open space gardens for the future generation to enjoy.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submissions 1 and 20 regarding the Mewburn site.</p>
<p>82. <b>C Hawksbee</b> <b>130/19</b> <b>Oakleigh Drive</b> <b>Erskine</b></p>	<p>(a) I would like to strongly object to your plan to rezone George Robinson Gardens and adjoining parking area in order to erect another multi storey building.</p> <p>(b) The majority of Mandurah residents would agree that the Gardens are the heart of central Mandurah. The Gardens epitomise the history and tranquillity of the city and people would expect the Council to protect rather than destroy them.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p>

		<p>(c) The adjoining parking area is an obvious essential for the public and surrounding businesses, any reduction in its size would have a serious adverse effect.</p> <p>(d) If more multi storeys are required then please find space for them elsewhere.</p>		
83.	<b>S Worthy</b>  <b>Meadow Springs</b>	<p>I believe there has been a suggestion that our lovely town centre could be designated for high rise commercial use.</p> <p>(a) We presently enjoy a peaceful George Robinson garden, toilets, car parks, serving post office, banks, chemists, Smart Street Mall and cafes. Who, as a lover of Mandurah, could entertain the destruction of all this?</p> <p>(b) Please let us preserve our heritage and honour our predecessors. Alternative car parking in Leslie St already overflows at times.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.
84.	<b>E Young</b>  <b>5/59 Sholl Street Mandurah</b>	<p>(a) I strongly object to any 20 storey buildings within the city centre of Mandurah or the loss of the George Robinson Garden.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.
85.	<b>G Johnson</b>  <b>1/61 Sholl Street Mandurah</b>	<p>(a) No more high rise buildings and leave all parks alone.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.
86.	<b>Mr &amp; Mrs Ots</b>  <b>80 Prospector Parade Ravenswood</b>	<p>(a) We want to retain George Robinsons Gardens – don't want 20 storey building, especially in that area.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.
87.	<b>Jo Gregory</b>  <b>71 Morfitt Street Mandurah</b>	<p>(a) It is with complete dismay I read of future plans that would destroy the area of George Robinson Gardens and the peaceful corner of Christ Church, resting place of pioneers, the beautiful carob tree. I have lived in Mandurah for almost 20 years, many changes have taken place, progress, I am not against.</p> <p>(b) However, I wish to say instead of high rise, car parks etc, a better idea, would be to make the area bigger as a town square for all to enjoy and join up with our beautiful foreshore. Many more changes will be made to our city in future plans, I pray the Precinct ones never eventuate. The almighty dollar is not everything.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.
88.	<b>M Smith</b>  <b>3 Blythwood Street Dudley Park</b>	<p>(a) I strongly object to the destruction of George Robinson Gardens and the proposed 20 storey high rise buildings.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site.

<p>89. <b>M Casey</b> <b>31 Watersun Drive Silver Sands</b></p>	<p>(a) I don't want big concrete buildings in central Mandurah – would like to keep it low-height as it is now, don't want it to become like a Gold Coast.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p> <p>The MCCPP proposes a graduated height model, appropriate for a city centre, with taller buildings generally clustered around the 'retail core' of Tuckey and Sholl Streets.</p> <p>Heights are reduced towards the periphery of the city centre, having regard to foreshore amenity and development surrounding the MCCPP boundaries.</p>
<p>90. <b>J Tuckey</b> <b>7 Kolan Place Dudley Park</b></p>	<p>(a) Want to retain the gardens (George Robinson) disagree with height – too much shading and too much impact on the church, need the sunshine.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p>
<p>91. <b>M V Luff</b> <b>8 Kingdon Street Mandurah</b></p>	<p>(a) I am most concerned about the loss of a lovely green area in the town centre developed years ago by a very keen gardener Mr George Robinson. This aesthetic piece replaced a little used area where once stood an infant health building. These gardens never fail to make a pleasurable aspect to all, whether local or visitors and many sit to rest, converse with friends or taking wedding photos. The floral displays are a constant reminder of how wonderful our maker has perfected nature and due to hard work we are able to see this picture daily.</p> <p>(b) Too much cement jungle is arising around our beautiful waterways with less becoming available to the ordinary person to walk and meditate on the calmness that this can give to us in our busy, and becoming busier lifestyle. A multistorey monstrosity no matter how well architected cannot give us peace or serenity we need to calm us.</p> <p>(c) In regard to the proposed buildings on the Mewburn car park I am not in favour of this as it will cast a continual shadow on the heritage listed historic Christ's Church Anglican Church in Sholl Street. As this has had a large sum expended on it to preserve the early limestone, shadow will not help moisture to escape in fine weather.</p> <p>(d) With regard to the bells rung on Sundays, practice sessions and some weddings, businesses and occupants of the proposed multistorey will probably not enjoy being regaled by peals of bells early on a Sunday.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submissions 1 and 20 regarding the Mewburn site.</p>

	<p>(e) These proposals are doing away with a car park which is well used and at busy times a parking bay is difficult to find. It does not allow the elderly, disabled and their carers to park close to business houses thus causing more distress.</p> <p>(f) Not everyone wishes to shop Centro Mandurah Forum as it is noisy, crowded and again parking can be a problem.</p>		
<p>92. <b>J &amp; G Bennett</b></p> <p><b>40 Ormsby Terrace Mandurah</b></p>	<p>(a) Whilst we have raised, in previous submissions, we are still concerned with some height and parking issues. The proposed multi storey site of some 20 storeys on the George Robinson Gardens and Mewburn Centre should not be tolerated, but rather the garden extended to the Church, with parking, (multi storey) facilities fronting Sutton St to the rear.</p> <p>The above area will be sorely needed in the City Centre to address the increases in employees of commercial companies, and the increase in residents from the building infills taking place in this precinct.</p> <p>This proposal to denude the only central gardens is to force people to the eastern foreshore throughout the seasons (one can only imagine the wind effects through the April-October period).</p> <p>(b) Our comments in the past favoured high rise buildings to be facing Sutton St in a spine like feature, diminishing in height outwards to the eastern foreshore and Anstruther Rd, with Mandurah Terrace being 4 to 5 storeys maximum, with some 2 plus metres set back from the street boundary as council has proposed previously for residential developments in this same precinct.</p> <p>(c) One has only to visit the Rockingham city foreshore to note the unfriendly overbearing properties which are not conducive tourist flow, even though they have a far larger foreshore than Mandurah.</p> <p>(d) The proposed heights to the western side of Ormsby Tce bordering the Civic and cultural precinct, between Peel Street and Marco Polo Drive, contained within the Civic and Cultural precinct should revert to a maximum 3 to 4 storey development, rather than creating a wall of buildings between Mandurah Ocean marina and the civic and cultural precinct.</p>	<p>(a) Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p> <p>(b) This is included in the Plan.</p> <p>(c) The Precinct Plan suggests taller buildings back from Mandurah Tce.</p> <p>(d) Heights are generally four storeys, based on lot size criteria together with the setback requirements. Any fifth level here will need to be a loft type development.</p>	<p>(a) Refer comments at submission 1 regarding the Mewburn site.</p> <p>(b) Agree with Council's comments.</p> <p>(c) Agree with Council's comments. Heights are reduced towards the periphery of the city centre, having regard to foreshore amenity and development surrounding the MCCPP boundaries.</p> <p>(d) Refer comments at submission 3 regarding the Ormsby Terrace mixed-use precinct.</p>

	<p>(e) In due course, within the Civic and Cultural Centre boundaries of Peel St, Mandurah Tce, Ormsby Tce, and up to the Boardwalk buildings, on Mandjar Bay, to have removed all residential, parking and commercial development (subject to further design and detail). Developments in this area to include public use buildings.</p> <p>(f) Added to these comments, the City would have the once in a lifetime opportunity to beautify our city and promote tourism and central use, if the above was to be implemented, rather than the present proposals to include these very, as we see them, negative/non removable structures, to an otherwise central attraction for Mandurah, which would cater for the often growth in population, to the Peel region.</p>	<p>(e) This location is subject to further detailed and design.</p> <p>(f) Noted.</p>	<p>(e) Agree with Council's comments. Further planning for the 'Civic and Cultural Precinct' is yet to be undertaken.</p> <p>(f) Noted.</p>
<p>93. H Du Guesclin U1/2 Churchill Ave Dudley Park</p>	<p>(a) <b>Parking</b> Removing existing free parking north of Church Lane opposite the church will negatively impact on both people using the church and surrounding businesses. This applies not only to church attendees, but to visitors for baptisms, weddings and funerals, and to community events like the Stretch Festival and concerts by choirs such as the Mandurah Choral Society and Voices in harmony. It is unrealistic to make people such as the frail elderly or mothers with toddlers and prams use the car park in Leslie St on the other side of Pinjarra Rd. I use the crossing on the church side of Pinjarra Rd as little as possible, because several time, I have been crossing with the pedestrian walk and have been almost run down by motorists illegally turning left against the red arrow, then abusing me!</p> <p>(b) <b>Traffic</b> Traffic snarls are bad enough now in 'peak' times. The proposed extra development will make this a lot worse, with far more people crammed into the same small area, and further restrict entry to the church and surrounding businesses.</p> <p>(c) <b>Negative Impact on Historic Site</b> The proposed development, of 12 to 20 storeys, all around the church, will box in the historic church and likely also harm the carob tree registered as a significant tree in the City. The shadow cast is another negative impact, particularly on its aesthetic appeal for weddings and other community events. The church authorities would be likely to be forced to take away the lawn, garden and most if not all of the historic graves to provide for parking if no alternative is provided by the City, further reducing the aesthetic appeal of this site of historic significance to both Aboriginal community and pioneer families. This disregard of heritage values may not have been intentional but appears to me to be an inevitable consequence of this proposal.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submissions 1 and 20 regarding the Mewburn site, and submission 17 (e) regarding traffic issues.</p>

	<p>(d) <b>Loss of Amenity</b> The proposal will diminish the existing tranquillity of the site. Another concern is loss of the George Robinson gardens, the only such public open space in Mandurah. Why not redevelop where Council offices are now, and save this public open space?</p> <p>(e) <b>Noise &amp; Bell Tower</b> The church will be negatively impacted by extra noise, not only during construction but also on completion if this goes ahead. Ironically, there may be complaints of noise by the ringing of the historic peal of bells in the bell tower. Consideration should be given to a covenant on any surrounding land that states the bells can be rung without complaint by surrounding residents or businesses. The bells were there first. Also, I am surprised that the City does not make more publicity about these bells, particularly as I have seen people in Perth incorrectly stating that Perth has the only such peal of bells in WA when we have these in Mandurah.</p> <p>(f) <b>General Comments</b> As a resident, I do not want any more 12 to 20 storey buildings whenever I go to the main area of Mandurah. All these high rises are making the City a less and less pleasant place to live.</p>		
<p>94. <b>A Thornton 13 Corfu Street Falcon</b></p>	<p>As a pastoral assistant of Christs Church Anglican Church, Mandurah and, having seen an architect draft of the projected Precinct Plan for Mandurah CBD, I hereby register my displeasure at such a proposal. I don't know if any employees of MCC are from the congregation of our church but, if any, I hope and expect they have expressed their opposition.</p> <p>(a) The fact that Christs Church will be in shadow from noon each day because of proposed multi storey buildings surrounding it and placing it almost out of sight of public and tourists, the worst aspect surely must be the lack of close vicinity parking for Christs Church congregation!</p> <p>(b) I guess I speak on behalf of the many elderly parishioners who attend all three of the Sunday services when I say that many are incapacitated to the point of needing walking sticks, walkers and wheelchairs etc and who are kindly picked up from homes and nursing homes by volunteers who would certainly find it most difficult to either push wheelchairs or walk members from the car park adjacent to Bowra and O'Dea's funeral office and chapel which appears to be the closest to Christs Church under the proposed plan. Most would not manage to walk the distance without stress of some kind which I consider to be grossly unfair and very much uncaring.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p>

	<p>(c) The only alternative envisaged re parking close to the church, as stated by a church member, is the historic graveyard to be cleared for congregation parking! Can you imagine the pitfalls with that suggestion? Your statutes and WA Laws would, no doubt, disallow such sacrilege and historical societies and heritage movements would passionately oppose such a suggestion.</p> <p>(d) Christs Church is a vital cog in the rapidly growing wheel of Mandurah as are all the churches in the district but it will be Christs Church Anglican Church in Mandurah which will suffer from the precinct plan so please City of Mandurah, show some compassion to and for the people who really matter and despite being elderly and incapacitated, still contribute to financial upkeep for Mandurah by paying rates, taxes, fees etc. Surely alternatives can be found to bring life to that area without depriving the public of vital facilities.</p>		
<p>95. <b>S Lazenby</b>  <b>3 Balfour Court Halls Head</b></p>	<p>(a) I would like to register my objection to the proposed development of the city centre of Mandurah. Firstly, the removal of the George Robinson Gardens (Mewburn Gardens) is of great concern. I know that we have the foreshore as a green area; however these gardens are very much a part of the fabric of the community. They are used for many stalls and fetes, a place to stop and enjoy the ambience of Mandurah, as well as providing that aesthetic that every city needs.</p> <p>(b) My next concern is the proposed 20 storey building next to Christ Church in Sholl St. Initially, the proposal was for a 12 storey building to which we objected. Now the building is to be another 8 stories. One shudders at what this objection my produce as an alternative if history is anything to go by! Already the eyesore of the new Brighton building casts an unwanted shadow over the down town area; the proposed 20 storey building will blot out even more sunlight casting a deep shadow over Christs Church and surrounds. In addition, the listed Carob Tree will be under threat due to reduced natural light.</p> <p>(c) The precinct plan has also far too many high rise buildings that will create unwanted alleys, closed areas lacking open vistas, long shadows and wind tunnels. If you need any evidence of this, you only have to travel to other cities where this occurs. Having travelled on various continents and experienced life in different countries, I had a choice of settling anywhere in the world. Like many others, I chose Mandurah for its many beautiful open spaces, low rise buildings; easy access to its many attractions, wide vistas and what I believed was a freedom of choice. Sadly, this appears to be vanishing along with the very things that attracted my family to this wonderful piece of paradise.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p> <p>The MCCPP proposes a graduated height model, appropriate for a city centre, with taller buildings generally clustered around the 'retail core' of Tuckey and Sholl Streets.</p> <p>Heights are reduced towards the periphery of the city centre, having regard to foreshore amenity and development surrounding the MCCPP boundaries.</p>

		<p>(d) As a tourist I have been among the many that have thronged to places which do not have high rise buildings where we can see green spaces and blue water, where we have not been chased home by lengthening shadows and unwelcoming buildings instead of natural beauty.</p> <p>(e) Please reconsider your motives for this proposal; if taller buildings are required (and I doubt that they are) then set them well back from the city centre. Save our special place and its character, for once it is lost, it may never be reclaimed.</p>		
96.	<b>E Riley</b>  <b>St Ives Retirement Village</b>	<p>(a) I implore you to look again before you commit to building this monstrosity – no thought to the aesthetics or outcome of future of the place.</p> <p>(b) This design will suffocate all that Mandurah has stood for. It will bring future problems akin to Melbourne’s slums, medical and psychological and those involved in the design, construction and implementation will be long remembered for this area of “Mandurah’s Madness”.</p> <p>(c) What about our present homeless? How will they benefit? I must say it will certainly be of great advantage to all our satellite suburbs as those who have loved Mewburn Gardens, Smart St Mall and the openness of the area will soon go elsewhere.</p> <p>(d) This has to be the only city I have visited or lived in that has dared to “squash out” such a lovely building as the Anglican Christs Church. May all who inhabit the new precinct enjoy the melody of the bells and the outpouring of God’s love to those around in this and future generations.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 and 20 regarding the Mewburn site.
97.	<b>M Mezger</b>  <b>39A Allnutt Street Mandurah</b>	<p>(a) I am informed via the Christs Church Anglican Parish Priest Revd Darryl Cotton, that the City of Mandurah has released the second version of an inner city development plan. This is to allow for the rezoning of the inner city area with a revised proposal for the car park to be a 20 storey building formerly 8 to 12 storey.</p> <p>(b) My concerns were expressed initially with regard to the open public area adjacent to Tuckey and Sholl St which at present is an open garden/park area, and I would like to re-emphasise those concerns which are stated in that submission.</p> <p>(c) As there has been a revised proposal I would respectfully add the following submission that the proposed height of a 20 storey building on the present car park would; Dominate the historical presence of the Church area; Impact on the movement of traffic within the city centre; and Create further high rise features which detract from the tourist attraction of the historical significance of the area.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submission 1 regarding the Mewburn site, and submission 17 (e) regarding traffic issues.

<p>98. <b>W Hunter</b> <b>51/19 Oakleigh Drive, Erskine</b></p>	<p>(a) I would like to lodge my objections to the proposed rezoning of the Church Lane, parking area and the George Robinson Gardens (Mewburn Gardens) to allow for a 20 storey building. I would like to see Christ's Church and the beautiful bell tower and the 'Peel of Bells' Heritage Listed; it is unique in our area of WA and should be preserved for future generations to enjoy.</p> <p>Should a tall rise development be built so close to the Church, I am sure THAT THE BELLS WOULD NOT BE ALLOWED TO RING – under the Noise Abatement Act; in a newly built up area. I list the following objections:</p> <p>(b) The loss of George Robinson Gardens which are the only gardens in Mandurah area</p> <p>(c) The loss of Public Open Space</p> <p>(d) The shadow that will be cast over the Church building and grounds</p> <p>(e) The impact of no sun on the Carob Tree in the Church grounds would kill this ancient tree which is registered on the Mandurah Significant Tree Register</p> <p>(f) The impact on the sacred site of founding families of Mandurah, both Winjan representing the Aboriginal Community and Peel, representing the settlers in Mandurah</p> <p>(g) The impact on the Church access with the increased traffic flow would be hazardous</p> <p>(h) The loss of tranquillity and of amenities</p> <p>(i) The loss of lawn and gardens around the Church due to being forced to provide parking for people attending services</p> <p>(j) The acetic [sic] appeal of the Church for weddings</p> <p>(k) Please consider these objections and stop the proposed building of a 20 storey building and preserve this part of old Mandurah and the open space gardens for the future generation to enjoy.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submissions 1 and 20 regarding the Mewburn site.</p>
<p>99. <b>EW &amp; MP Hatton</b>  <b>16 Fairfield Way Mandurah</b></p>	<p>(a) We wish to lodge our comments on the proposal to permit development to 20 stories on the area of the City Precinct bounded by Church Lane, Sutton Street, Tuckey Street and Sholl Street.</p> <p>As ratepayers and members of Christs Church Anglican Parish, we strongly object to the proposal to permit 20 storey development on that area for the following reasons:</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submissions 1 and 20 regarding the Mewburn site.</p>

	<p>(b) There is in our opinion no justification to depart from the maximum height of 9 stories applicable to the other areas within the precinct. The fact this land is owned by, or under the control of the City of Mandurah does Council no credit as it appears that Council is providing increased development potential to its own land.</p> <p>(c) The proposal to place high rise development over George Robinson Gardens, the only publically accessible landscaped garden area east of the foreshore area, shows a lack of regard for the need for public open space in a city precinct.</p> <p>(d) A 20 story building will be totally out of scale to the 9 storey limit within the remainder of the precinct and particularly the Anglican Church.</p> <p>(e) The Church site currently provides a very tranquil area within the Town Centre and a 20 story development will destroy that environment.</p> <p>(f) The height of the proposed development would place the Anglican Church in a shadow for a considerable part of the year. This would have a deleterious effect on the Carob tree in the Church grounds. The Carob tree is listed on the Mandurah Significant Tree Register.</p> <p>(g) The Church site is significant to both the aboriginal community with Winjan's resting place within the grounds and white community of Mandurah, with the grave of Thomas Peel within the graveyard at the Church.</p> <p>(h) The size of any development on the site would cause noise problems from the ringing of the bells and totally change the current sound effects from the bell tower.</p> <p>(i) Traffic flows created from the volume of users in a 20 story building would considerably aggravate a currently overloaded traffic system within the precinct.</p> <p>(j) The development would cause the loss of the parking currently within the Mewburn Parking Area and further aggravate the existing problem of parking availability within the Mewburn Town Centre.</p> <p>(k) We therefore request that Council reconsider the development scale for this area of the precinct and limit it to 9 stories. It is proposed that part of that development should provide public car parking to replace the Mewburn car park and accommodate future parking needs within the precinct.</p>		
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		(l) It is considered essential that the aesthetics and public amenity of the area be maintained with the retention of a landscaped area in the area of George Robinson Gardens.		
100.	<b>G Pember 15 Ashburton Court Dudley Park</b>	<p>I congratulate the City of Mandurah for asking for comments from the public and I hope the comments are acted on to maintain our faith in this process.</p> <p>I have already commented on this original plan but would like to reiterate my hope that the round-a-bout at the junction of Mandurah Tce and Peel St is not replaced by traffic lights. That round-a-bout has been very effective over the years and we just don't need any more lights to slow down the inward and outward traffic flow. Also, I am very disappointed about the 20 storey building planned for the park and Mewburn Centre area. We just don't have enough parking now, without encouraging more cars to this area.</p> <p>Mandurah Terrace and parallel streets within our beautiful tourist attraction and old town centre should not be high rise – as you can now see the Brighton Hotel extension 'Bouvard Building' is so out of place and over bearing, why do anymore damage.</p>	Whilst shown on the plan, any substantial changes to intersections still require detailed planning. However, roundabouts are not generally suitable for City Centres, particularly for pedestrian movement. They are designed to keep vehicles moving.	Refer comments at submission 1 regarding the Mewburn site, and submission 19 regarding traffic management.
101.	<b>P &amp; J Norton 10 Lemongrass Way Falcon</b>	<p>(a) We read with dismay your plans for rezoning the car park adjacent to Church Lane and the George Robinson Gardens, known as Mewburn Gardens, to allow for a 20 storey building. What are you trying to do? Destroy the beautiful ambience of Mandurah City Centre?</p> <p>(b) When we, the electorate, elect you, the councillors, into office it was with the understanding that you had Mandurah's unique lifestyle at heart and would endeavour to nurture and protect its beauty.</p> <p>(c) A building 20 storeys high is not desirable in Mandurah and certainly not to replace a beautiful tranquil area that Mewburn Gardens is, where many people meet and enjoy sitting in lovely gardens enjoying the serenity, briefly 'letting the world go by'. Shame on you for even contemplating replacing a place of beauty by an ugly high rise building. Are Council and developers so greedy you have to resort to destroying our lovely city? Are you trying to compete with Queensland?</p> <p>(d) Car parking in the town will be drastically reduced and the adjacent Church and its surrounding grounds will be sadly disadvantaged. The ancient Carob Tree will suffer through lack of sunshine.</p> <p>Please rethink your proposal and such a monstrosity of a building somewhere where it will not interfere with Mandurah's City Centre unique lifestyle.</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above	Refer comments at submission 1 regarding the Mewburn site.

<p>102. <b>D &amp; J Gollschewski</b></p> <p><b>3 Monang Place Mandurah</b></p>	<p>We wish to register our opposition to the proposed MCC Inner City Development plan which if implemented will result in the following disappointing and destructive features of our CBD as we currently know and enjoy this reasonably open and sunlit area.</p> <ul style="list-style-type: none"> <li>(a) The removal of 2 major open off street parking's in Sholl St</li> <li>(b) The removal of George Robinson Gardens opposite Woolworths</li> <li>(c) The total dwarfing of the Anglican Church and surrounding lawns and greenery which will undoubtedly be deprived of natural light</li> <li>(d) The foreseeable extra pressure on our foreshore which at this time is already showing signs of overcrowding on most fine weather weekends</li> <li>(e) We acknowledge that in reality there is always going to be some sensible and carefully planned development however we firmly believe that what is being presented to the community under this current set of parking and proposed building plans is unacceptable to most of the fair minded citizens of Mandurah.</li> <li>(f) We respectfully ask your consideration of our comments prior to voting on the endorsement of the most unfortunate plan which will be a legacy for those in the future to live with. Our city right now has created major traffic and environmental challenges and we plead for very careful and professional consultation before creating more.</li> </ul>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p>
<p>103. <b>H &amp; L Nauendorf</b></p> <p><b>8 Sandra Street Falcon</b></p>	<ul style="list-style-type: none"> <li>(a) Size of the buildings in comparison to Christ Church. Relative size allowance for the 75m building (20 storeys) next to a relatively small building like Christs Church. I object to such a significant disparity and feel, aesthetically, this would undermine the look and appeal of the old church.</li> <li>(b) George Robinson Gardens – lack of clarity Your plans states – “inclusion of Lot 9 and portion and Lot 14 Sholl Street ('George Robinson Gardens'/'Mewburn Centre' site) into the City Centre Development zone (from the Local Recreation reserve), ensuring the whole area is integrated into the Precinct Plan. Similarly Lot 16 Sholl Street (Christs Church site) is recommended to be included in the City Centre Development zone (from the 'Community Purpose') reserve;” – I do not understand what this means; if you intend to remove the George Robinson Gardens then I strongly object and point out the current lack of gardens/recreational areas in the city centre; can you please clarify. My belief was these gardens were gifted/donated and therefore wonder how they could be removed.</li> </ul>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submissions 1 and 20 regarding the Mewburn site.</p>

	<p>(c) Loss of Public Open Space You note that "Open space will primarily be provided through a town square, the Smart Street Mall and beautified and updated streetscapes". At first sight this seems totally inadequate. Can the Council please explain the exact extent and location of inner city open space?</p> <p>(d) Loss of free public parking space The plan does not address the displaced current 'free' parking that Christs Church parishioners now use. The Council MUST address this and explain where our parishioners and visitors will have free parking. The Council must also address and explain how parking will be handled during the development periods of a potentially large building on the adjacent site. I object to the loss of free parking as I would not be in a position to pay for parking every time I need to attend my Church.</p> <p>(e) A shadow that will be cast over the Church building and the grounds As noted earlier, the relative size allowance for the 75m building (20 storeys) next to a relatively small building like Christs Church is a concern. I object to such a significant disparity and feel this could pose a significant shadow issue for the church. I would like the Council to prepare and distribute for comment a complete shadow plan that covers all yearly seasons. I feel that if a significant amount of daily shadow is estimated for the site then additional consultation must be entered into to ensure all effected groups and building owners are aware and agree to the potential loss of sunlight.</p> <p>(f) The impact of lack of sun on the Carob tree registered with the Mandurah Significant Trees Register</p> <p>(g) Church bell tower and the effect this will have on the ringing of the bells (noise in built up area)</p> <p>(h) The impact on the scared site of founding families of Mandurah, both Winjan representing Aboriginal Community and Peel, representing settlers in Mandurah.</p> <p>(i) There is no mention of any consultation with the local Aboriginal community on the use of the site adjacent to Christs Church. Can the Council please advise of any consultation and investigation of potential scared sites.</p> <p>(j) Impact on Church access with the increased traffic flow</p> <p>(k) Loss of tranquillity</p>		
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		The aesthetic appeal of the Church for weddings and other church functions held in the church grounds. Often families gather on memorable dated to spend time visiting the niche wall where the cremated remains of family members are place, and enjoy sunny afternoon reunions.		
104.	Rev P & H Kan  3 Canopus Court Dawesville	<p>(a) We have been involved parishioners of Christs Church Anglican Church, Sholl St Mandurah for over the past 15 years, and have appreciated its setting within the city centre, with sufficient open space, both for parks and gardens as well as the provision for ample off-street parking. We believe that the proposed development is in complete contradiction to developing an attractive city centre, not simply for the people of Mandurah, but also for tourists who come in increasing number by rail and the provided bus connection to the foreshore.</p> <p>(b) In the development of the high rise buildings with offices and residential space, we have each time lost, and will, with this plan, continue to lose public open space. Not only will there be a direct loss of tranquillity and amenities, including the lawns and gardens around the Church due to the continual shading of the area. The registered Carob tree will suffer greatly because of lack of sunlight, and we will also lose the George Robinson gardens, weekly used for fetes, stalls and other fund raising activities. Many people working in the city centre use the gardens around the church for leisure, particularly at lunch time, enjoying the Carob tree and the rose gardens around the church. The size of the proposed development will have a detrimental impact upon the church and bell tower, fitted with 6 historic bells and 2 newly cast ones.</p> <p>As Christs Church is becoming more and more a public building used for e.g. the Stretch Festival and choral presentations, wedding and funerals, the proposed development will have a negative impact, due to shading, aesthetics and detract from the beauty of the historic church. Additionally, such a high rise development will have the following impact on the church, and its amenities:</p> <p>(c) The church building will be completely shaded and there will be a direct impact upon damp in the limestone</p> <p>(d) Access to the church will be even more limited though the increased traffic flow</p> <p>(e) Parishioners will lose access to the present public car park on Church Street. The only parking available will be the car park next to Bowra and O'Dea off Creery Street (200m from the church) and the new multi decked car park planned in Sutton St (150m from the church). The new Sutton St parking will be paid parking. Additionally, the church will be forced to provide more parking on</p>	Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.	Refer comments at submissions 1 and 20 regarding the Mewburn site.  Parking charges are a matter for the City of Mandurah to determine and administer as appropriate.

	<p>the church property for those unable to walk such distances, and thus lose some of its precious lawns. Any extension of parking distance from the church will affect elderly or incapacitated parishioners.</p> <p>(f) Sound from the ringing of the historic bells for weddings, funerals and Sunday morning services, will become an issue with new residents who may not appreciate the beauty of the bells.</p> <p>(g) There will be a direct impact upon the European and Aboriginal sacred sites which link the city to its historical beginning and subsequent development.</p> <p>(h) It would be a great pity if the Council continues with the planned development. With the high rise development opposite the church and the high rise development near the Concert Hall and Cinema Centre, it has become abundantly clear that the City Council is preoccupied with the financial return through rates and other charges. The uniqueness of Mandurah will be thoroughly spoiled and once implemented there will be no possibility of reversal. The city centre, with the foreshore, the old bridge, the Smart St Mall and the loss of opportunity by many organisations to have their annual fairs in the George Robinson Gardens will have a detrimental impact upon what Mandurah means to so many, both residents and visitors.</p>		
<p>105. <b>Petition 1</b></p> <p><b>Signed by 323 people</b></p> <p><b>Received from:</b> L A Joyce 5 Dryandra Place Mandurah</p>	<p>I raise the following matters for consideration in relation to the Council's proposed car parking plans as outlined in the Mandurah City Centre Precinct Plan:</p> <p>(a) Our survey of several hundred Mandurah residents revealed strong opposition to the rezoning and sale of land that is currently occupied by the car park bordered by the Mewburn Centre, Sholl St and Church Lane. No one we spoke to supported the planned changes. This community asset has been developed and maintained by the rates of the residents of this community. The community opposition to the proposed changes to this site's land use has been so strong that we are confident that we could have obtained thousands of letters of opposition if we had the time to do a more thorough survey. We call upon Council to reconsider the redevelopment and represent the wishes and needs of the residents of this city. Residents have signed several hundred letters opposing the rezoning and sale of the land.</p> <p>(b) The people we spoke to were very concerned about where they would park as they had all experienced difficulty parking close to the CBD shop during the summer months. They all strongly expressed how vital it is that ample free central parking be retained.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p> <p>Parking charges are a matter for the City of Mandurah to determine and administer as appropriate.</p> <p>The MCCPP was extensively advertised via the City's website, local newspaper and City newsletter, as well as prominent signage being installed in the city centre.</p>

The cost of the three year lease and paving of the temporary car park next to the Post Office confirms that Council recognises the importance of central parking.

- (c) The on-street parking outlined in the plan is already available. The majority of this on-street parking is located too far from the shops for many of our older or disabled residents.
- (d) The lack of adequate free car parking, close to shops, will send many people out to the Centro shopping centre. Many people indicated that they will not patronise downtown businesses if there is no accessible, free parking.
- (e) There are numerous areas in central Mandurah that would benefit from redevelopment and in the course of time this will occur but Council should not sell assets that belong to the people of Mandurah unless the majority of residents agree to this sale. During our survey we did not encounter a single person who supported the rezoning and sale of either the car park.
- (f) Traffic congestion is already a problem in Sholl St. Any future high rise developments in the foreshore area, apart from those already approved should be north of Tuckey St.
- (g) During our survey we found that the people were unaware of the proposed changes. I realise that Council has advertised the Precinct Plan and has given details on the website. Unfortunately many residents do not regularly read our local newspapers where the Precinct Plan has been advertised. Council should have found more ways to communicate the major changes to the central parking strategy and proposed rezoning and sale of the George Robinson Gardens. Has our local radio station been used? A talkback program on the radio or radio ads encouraging people to access the council website may have reached more people.
- (h) In addition, we believe that the sign that has been erected in George Robinson Gardens to draw people's attention to the proposed changes is deceptive as it clearly shows both the car park and the gardens in the back ground. This sign creates a pretty picture that misrepresents the changes Council hopes to make in the city centre. A sign clearly displaying figure 6.1 of the Indicative Development Plan would have shown a more accurate picture of the proposed changes. The weather has been very cold, wet and windy since the sign was erected and this has not allowed many people to read the website details on the sign.

	<p>(i) I believe this is such an important issue that it calls for an extensive community planning and awareness exercise to generate broad community discussion and input in regards to the challenges, issues and opportunities indicated in this central precinct plan, particularly relating to the loss of free parking and valued community gardens.</p> <p>Questions for Council in relation to the proposed car parking changes:</p> <p>(j) Is Council aware that the provision of sufficient free parking in the CBD may be one of the major considerations for any larger business that is considering opening in the central precinct area?</p> <p>(k) Is Council aware that free car parking is one of the main reasons consumers flock to major regional shopping centres and this consumer support, in turn, attracts businesses to these centres?</p> <p>(l) How will Council justify charging the people of Mandurah for parking if they proceed with the rezoning and sale of the car park that they currently own? Haven't residents already paid for the development, improvement and maintenance of this car park through the rates they have paid?</p> <p>(m) Is Council aware the sign that has been erected in the Gardens to display information about the proposed changes is misleading because it shows both the central car park and the George Robinson Gardens in the pictures on the sign when neither of these facilities will exist if the plan is approved.</p> <p>(n) Is Council aware that there is little knowledge of these major planned changes within our Community? I have serious concerns that the precinct plans have not been adequately advertised within the community.</p> <p>I raise the following matters in relation to the proposed rezoning and sale of the land currently occupied by the George Robinson Gardens.</p> <p>(o) The people we surveyed unanimously opposed the rezoning and sale of the park land. The little park is a community asset and should be retained at all cost. We have lovely foreshores but they are often very crowded. The park is very special, it gives a sense of peace in a busy day and I believe it represents the values that this community holds. It is a precious community asset to have and hold on to in our CBD and we should never consider replacing this with commercial buildings.</p>		
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	<p>(p) Council should look at neighbouring cities to see the importance of open spaces. Fremantle attracts many thousands of tourists but it is not planning to sell off their green spaces for further development. The little park next to the Post Office is an ideal site for any developer and so are parts of the Esplanade, but Fremantle Councillors have recognised the value of these green spaces and retained them. I read recently that the City of Perth was hoping to create more open spaces in the city. They had a vision of an open space stretching from the Anglican Cathedral to Murray St. A lovely central square for the peoples of the city. We are so fortunate to already have a central park and this should never be sold.</p> <p>(q) Mandurah City Council must retain the unique character for the city if we are to attract tourists. Tourists will not flock to Mandurah to visit an overcrowded commercial centre, they often have those at home, but they may come to see a town that has valued its green spaces and its heritage. Surely the gardens are part of the heritage of the city.</p> <p>Questions for Council in relation to the proposed rezoning and sale of the land currently occupied by the George Robinson Gardens.</p> <p>(r) Is Council aware that the hundreds of people we spoke to were visibly and verbally dismayed at the possible loss of the George Robinson Gardens?</p> <p>(s) Is Council aware that the George Robinson Gardens are part of the heritage of this community and if so, are they willing to destroy this?</p> <p>I raise the following matters in relation to the Cities building height policy.</p> <p>(t) A few years ago this community participated in and followed closely the debate that preceded the establishment of building heights restrictions for our city. It now appears that the building height policy established after all of the community consultation has been set aside and we now have a policy that will allow buildings of up to 75 metres.</p> <p>The famous cities of the world; the ones tourists flock to, do not have high rise buildings in their city centres. Mandurah cannot and should not aspire to be another Gold Coast. We do not have a climate or the large eastern seaboard cities as a nearby base for our tourism. We need to develop and retain our own unique identity.</p> <p>Questions for Council in relation to the increased building height policy:</p>		
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	<p>(u) Has the previous building height policy already been changed to allow buildings up to 75 metres high? If so, why was the previous policy, established after considerable community consultation, set aside?</p> <p>(v) Would Council please advise the residents of Mandurah when the City's building height policy was changed?</p> <p>(w) In conclusion, I have been happy with many of the things that council has implemented in Mandurah in recent years, especially the tree planting on road verges. Residents and visitors often comment on the attractive approaches to Mandurah. Please don't allow our City to be spoilt by creating a very congested central shopping precinct. I know there must be better solutions, more creative and innovative ideas that will give Mandurah a unique identity. Why not look at the option of having the car park and gardens as a 'Town Square'. Perhaps a coffee shop overlooking the park behind the Mewburn Central. I believe this would build on the attraction of central Mandurah. We live in a beautiful place; let us not ruin it with stale ideas that lack imagination.</p> <p>(x) I strongly encourage Council to please take as long as needed to review all of the available options and leave us our lovely park and the facility of ample free parking in Mandurah's CBD and town centre. These assets belong to the people of Mandurah and I believe that Council has a responsibility to maintain them for us and future generations.</p>		
<p><b>106. Petition 2</b></p> <p><b>Signed by 175 people</b></p> <p><b>Received from: Christs Church Anglican Parish of Mandurah</b></p>	<p>(a) It is respectfully requested that the Mandurah City Council receive our objection to the building height criteria, insufficient free public car parking facilities and of public open space as outlined in the Second Draft Revised Mandurah City Centre Precinct Plan.</p> <p>The ratepayers and residents of Mandurah, whose names, details and signatures are set out on the attached lists support this objection. Our objections are as follows:</p> <ul style="list-style-type: none"> <li>We, the ratepayers and residents of Mandurah, who are also parishioners of Christs Church Anglican parish of Mandurah strongly object to the consideration of a 75m high (20 storey) building in the Mandurah CBD which would dominate and overwhelm the Church, Bell Tower and graveyard of Mandurah and Peel region pioneers. In particular, we object to the proposal set out in the Revised Draft Mandurah City Centre Precinct Plan – Figure 6.1 and 7.3 which is adopted would see:</li> <li>The possible construction of a 75m high building within the CBD.</li> </ul>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above.</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p>

	<ul style="list-style-type: none"> <li>• The loss of the Public Car Park fronting Sholl Street and Church Lane.</li> <li>• The loss of the George Robinson Gardens (commonly known as Mewburn Gardens).</li> </ul> <p>(b) We, the signatories to this petition, urge the members of the Mandurah City Council and its executive officers to review and amend the Mandurah City Centre Precinct Plan to:</p> <ul style="list-style-type: none"> <li>• Retain the existing car park.</li> <li>• Incorporate public open space gardens within the area referred to as 'Retail Main Street Precinct' in figure 6.1.</li> <li>• Remove the proposed rezoning to allow for a 75m high building alongside the Church.</li> </ul>		
<p><b>107. Proforma Letters</b></p>	<p>(a) We the undersigned strongly oppose any building development on the car park that is bordered by Church Lane and Sholl Street. We believe that it is important that this central car park be retained for the benefit of downtown businesses and for the people who do business or shop in this area.</p> <p>(b) We also strongly oppose any plans to sell the George Robinson Gardens. This central park belongs to the people of Mandurah. It is part of the character and heritage of this community.</p>	<p>Refer details regarding Mewburn Site and introduction of Development Guide Plan for the location above</p>	<p>Refer comments at submission 1 regarding the Mewburn site.</p>



Map shown @ 1:4000 for A3 Paper Size

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 Department of Planning, WA  
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 Western Australian Land Information Authority  
 LI 430-2009-4

**Legend**  
 ⑤ No. of Submission

**SUBMISSIONS LOCATION PLAN**



# Mandurah City Centre Precinct Plan

*Final Draft  
(Subject to WAPC Approval)  
November 2010*

## Record of Adoption to the Mandurah City Centre Precinct Plan

Revision No & Date	Description	Endorsed by Council	Endorsed by WAPC
0 (August 2008)	draft (for internal review)	N/A	N/A
1 (September 2008)	draft (adopted for advertising purposes)	16 September 2008	N/A
2 (August 2009)	second draft (for internal review)	N/A	N/A
3 (November 2009)	third draft (for peer review)	N/A	N/A
4 (March 2010)	revised draft (for advertising purposes)	23 March 2010	N/A
5 (November 2010)	final draft (subject to WAPC approval; presented to Council for approval: Nov 2010)	N/A	N/A
6 (November 2010)	final draft (subject to WAPC approval)	23 November 2010	tbc

Record of the Mandurah City Centre Precinct Plan  
(Indicative Development Plan and Figure Versions) (Plan No 07/2434/002)

Revision No & Date	Description	Incorporated in Precinct Text
0 (20 March 2008)	interim draft (for Council information April 2008)	
A (13 June 2008)	draft (for internal review – stage 1)	Rev 0
B (11 July 2008)	draft (for internal review – stage 2)	
C (26 August 2008)	draft (adopted for advertising purposes)	Rev 1
D (28 August 2009)	second draft (for internal review)	Rev 2
E (12 November 2009)	third draft (for peer review)	Rev 3
F (3 March 2010)	revised draft (for advertising purposes)	Rev 4
G (24 September 2010)	final draft (subject to WAPC approval; presented to Council for approval)	Rev 5
H (26 November 2010)	final draft (subject to WAPC approval)	Rev 6

## Record of Modifications to the approved Mandurah City Centre Precinct Plan

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# Mandurah City Centre Precinct Plan

## 1. Introduction

## 1.1 Application

This Precinct Plan, once endorsed, becomes the development control plan for the Mandurah City Centre, providing design guidelines and development standards for the Precinct Area as required by Town Planning Scheme No 3.

Applications for minor extensions of an existing development or applications for a change of use where there is no proposed increase in net leasable floor area may be exempt from the a number of elements outlined in the Precinct Plan, such as setbacks, access points and building scale.

## 1.2 Relationship to Town Planning Scheme No 3

The approval of Mandurah City Centre Precinct Plan is addressed through [Clauses 4.1.2 and 4.14.2](#) of Town Planning Scheme No 3 ('Scheme 3'), which states *"permissibility of land uses and relevant development and subdivision standards are specified in the applicable Precinct Plan."*

The defined Precinct Area is shown in [Figure 1](#)~~Figure-1~~.

The approval process for the Precinct Plan is addressed by Clause 7.11 of Scheme 3, whereby upon endorsement by Council and the Western Australian Planning Commission, this Precinct Plan forms part of the City of Mandurah's development approval process for new development within the Precinct Area. **Section 3.1** addresses the implementation procedure required for the Precinct Plan. Therefore a provision, standard or requirement of the Precinct Plan shall be given the same force and effect as if it were a provision, standard or requirement of Scheme 3.

The City of Mandurah may refuse an application for planning approval which is determined as not being consistent with the intent or content of this Precinct Plan.

The standards and guidelines provided in the Precinct Plan shall apply throughout the Precinct Area unless they are not applicable for that particular development. For any development within the Precinct Area, the priority shall be given to achieving quality built form outcomes as opposed to compliance with development standards.

## 1.3 Purpose

Precinct Planning provides for a flexible, yet comprehensive approach to the preparation of plans and policies that guide the development/redevelopment of strategic activity centres.

The City of Mandurah has introduced Precinct Plans to:

- (a) facilitate the coordinated development of numerous land uses into a single integrated precinct area;
- (b) guide subdivision, land use, development and infrastructure provision in accordance with an overall strategic vision

For the purposes of this Precinct Plan, it provides the development control mechanism for new development within the Precinct Area. There are aspects of the Precinct Plan which provide recommendations relating to the public domain, however the Mandurah Central Revitalisation Strategy, as referenced in **Section 1.4.3** will continue to provide direction with regarding to infrastructure and public improvements.

The City of Mandurah may prepare a **Public Realm Design Guide** to further refine elements of the public domain.

Outcomes prescribed within the Precinct Plan relating to development provides the maximum potential of each lot, however actual outcomes may differ due to the configuration, size and shape of individual landholdings. Amalgamation may be required to generate the maximum development potential.

## 1.4 Precinct Plan Context

### 1.4.1 Summary

A range of Precinct Plans have been prepared by the City of Mandurah to help coordinate further planning, land use, development and infrastructure.

The Mandurah City Centre Precinct Area was first identified in the Mandurah Inner Area Strategic Plan (June 2002), and then also recommended as part of the Mandurah Central Revitalisation Strategy. This Precinct Plan responds to both of these projects.

The City of Mandurah recognises the importance of economic growth and diversity and quality of employment as key requirements for a sustainable community. The Mandurah City Centre is the primary location for employment and economic activity within the City's long term strategy and this Precinct Plan establishes a series of important criteria to achieve this vision.

Mandurah is a prime example of a traditionally planned mixed-use town with strong physical, social and economic connections to its marine environment context. It's regional location, historic settlement pattern and origins as a tourist town have all contributed to Mandurah's successful urban structure and activity mix. The Mandurah foreshore and surrounding activity nodes are seen as playing a regional role for the Peel Region.

### 1.4.2 Role of the Precinct Plan

The success of the Precinct Area as a well functioning City Centre requires more planning than just the Precinct Plan.

The Precinct Plan provides the development control function of the Precinct Area, however it is required to function with other strategies and actions of the City of Mandurah, which include, but not extended to place making, public spaces and traffic management.

### 1.4.3 Mandurah Central Revitalisation Strategy

The Precinct Plan builds on the work undertaken as part of the Mandurah Central Revitalisation Strategy: 'Mandurah Waterfront' to ensure that the future development of the city centre is consistent and compatible with the established vision. The vision statement for the 'Mandurah Waterfront' is as follows:

*"Mandurah: The Waterfront Capital of the Peel Region, offering vibrant and diverse commercial, retail, entertainment and lifestyle opportunities for residents and visitors."*

The Revitalisation Strategy is a significant strategy for the City Centre, with the Strategy providing a framework for the redevelopment of City Centre, with a significant emphasis on urban design principles, and improvements to the public domain and in particular streetscapes.

In essence, the Strategy remains the strategic framework for the Precinct Area, with the Precinct Plan being one method of its implementation. The Precinct Plan provides the next level of detail with respect to land use planning and development control.

Key recommendations relevant to the Precinct Plan from the Strategy include the following:

- Sutton Street is proposed to be extended through to Mandurah Terrace as a main route for the through traffic, which has been reflected on the Precinct Plan;
- The re-alignment of Rockford Street to connect/link with the extended Sutton Street at a T-junction;
- Proposal for traffic signals to be provided at the Peel Street-Sutton Street intersection;
- Recommendations for land use sub-precincts and street cross sections;
- An indicative height plan and street block development plan.

The recommendations are based on a Strategic Vision and a fundamental Urban Design Framework. The Strategic Vision expands on the vision statement to outline the strategic objectives for land use, movement, built form, public realm and open spaces, and landscape.

The Urban Design Framework has three distinct levels:

- (a) Major Urban Design Themes (the rationale for the overall, long-term vision), which are as follows:

- Enhancing the Arrival to and Movement Through Mandurah Waterfront;
- Enriching the Public Realm;
- Creating a Landmark City; and
- Reinforcing Precinct Character.

(b) Precinct Character Guidance (to guide development of precincts in the next 10-20 years).

(c) A number of keynote projects (to guide development of key projects to be implemented in the next 5-10 years), which seek to improve the public domain, and include the extension of Sutton Street to Mandurah Terrace, and upgrading from Peel Street through to Pinjarra Road.

#### 1.4.4 Local Planning Strategy (Activity Centres)

~~Whilst in a draft format at this stage, arising from the State Planning Policy 4.2 (Activity Centres for Perth and Peel), the City of Mandurah has commenced preparation of a Local Planning Strategy (Activity Centres) as an update to the previously prepared 2002 Local Commercial Strategy.~~

Arising from this work, the draft Local Planning Strategy (Activity Centres) identifies the Mandurah City Centre with the following floorspace allocations:

Table 1 Floorspace Allocations

	Shop Retail (m <sup>2</sup> )	Other Retail (m <sup>2</sup> )	Office (m <sup>2</sup> )
<b>Current Supply 2010</b>	30,365	2,836	18,917
2016	31,195	2,839	24,065
2021	55,218	3,594	28,734
2031	107,816	9,118	58,596

These figures, particularly with regard to shop retail and office floorspace, represent a significant increase over the current development patterns within the Precinct Area and the Precinct Plan responds to these requirements accordingly.

~~Arising from the requirements of State Planning Policy 4.2 (Activity Centres for Perth and Peel), this Precinct Plan, once approved, may require revision to ensure consistency with the 'Activity Centre Structure Plan' requirements of this Policy.~~

#### 1.4.5 Town Planning Scheme No 3

The provisions of Town Planning Scheme No 3 for the Precinct Area are provided through the 'City Centre Development Zone'. Scheme 3 introduced the City Centre zoning provisions into the planning framework for the area, with the zoning extending beyond the Precinct Area towards Forrest Street to include a broad area within this zoning. Provisions such as nil setbacks to all boundaries and a generous plot ratio of 3.0 were also included in City Centre zone.

This zoning provides for a wide variety of land uses and outcomes, however, residential development, generally at an R60 density is a permitted use across the zone. The Precinct Plan seeks to rectify this by consolidating the areas of activity, and ensuring relatively low density / low impact land uses that are generally prevalent east of Sutton Street no longer continuing to be permitted from Sutton Street to Mandurah Terrace, and compromising the objectives of the planning for the area.

Subsequent amendments to the zoning provisions have cross referenced development standards with the Solar Skyline Policy and introduced the mechanism for an Outline Development Plan to be prepared for the City Centre zone, which was intended to be the subject Precinct Plan. Sub-precinct areas within the zone, such as the Brighton Hotel Precinct, which have been generally applicant driven, and has its own ODP approved subsequent to the introduction of the ODP provisions into the zone.

In order to give effect to the Precinct Plan some modifications to the City Centre zoning provisions are required, including the modification of the land use table (Table 1) for this zone so that it only applies where a Precinct Plan hasn't been approved. References to the contents of this Amendment are contained in Section 3.3.

## Mandurah City Centre Precinct Plan

### 2. Indicative Development Plan and Design Criteria

## 2.1 Overview

### 2.1.1 Vision and Aims

The vision of the Mandurah City Centre Precinct Plan is as follows:

*The Mandurah City Centre being a vibrant and efficiently designed City Centre with appropriate scale, a diverse range of land uses and facilities and attractive and safe streets and spaces.*

The aim of the Precinct Plan is to provide for planning controls with regard to land uses, built form and road/landscape treatments that provide for cohesiveness and quality, worthy of the main centre of Mandurah and the Peel Region. The Precinct Plan will be used to guide land use development and the built form within the Precinct Area.

### 2.1.2 Development Objectives

Key objectives of the Precinct Plan are as follows:

1. *Provide a broad range of land uses to reinforce the location's function as a city centre;*
2. *Identify redevelopment opportunities and an indication of appropriate development;*
3. *Ensure that quality retail and diverse employment opportunities are provided in new development.*
4. *Ensure that public spaces are pedestrian friendly, safe and usable to ensure that it is a destination for residents, employees and visitors.*

The Precinct Plan will evolve over time, and be subject to constant review to ensure that development in the City Centre meets its objectives.

### 2.1.3 Key Principles and Priorities

The following priorities have been identified for the Mandurah City Centre:

1. *Facilitating Employment Generating Land Uses*
2. *Ensuring quality built form and architecture*
3. *Providing activity throughout the day and night for tourists, workers and residents in a safe environment.*
4. *Providing quality public spaces and streets with upgraded street furniture and activity*

### 2.1.4 Key Themes

#### 1. *Introduce City Centre Scale (Identify Nodes)*

In order to ensure that the Precinct Area fulfils its function as a City Centre, potential development outcomes need to allow for an appropriate scale. Previous policies on scale and height have sought to have a general low rise development outcome extending to Forrest Street.

The Precinct Plan seeks to contain significant development outcomes to a smaller walkable catchment, and introduce a scale consistent with a City Centre. A number of nodes of building height have been identified in [Figure 2](#), together with the identification of a retail node and Mandurah Terrace providing an active frontage for tourist and leisure activities.

#### 2. *Improve Visitor Experiences (Spaces and Edges)*

The waterfront (being primarily the Eastern Foreshore) and the linked series of access points around the water is currently a key attractor. The built form in the City Centre, via new urban and town spaces needs to provide for improved visitor experiences.

This can be achieved through upgraded ground level frontages and pedestrian spaces, and creation of improved public nodes both within the Precinct Area and in key open space areas as noted on [Figure 2](#)~~Figure-2~~.

Key gateways as entry points to and within the Precinct require special attention in the built form to provide key demarcation of place

### 3. *Celebrate the Point of Difference (Embrace Waterfront Amenity)*

Identification, protection and improvement to existing views and vistas is essential to ensure that the location's point of difference is celebrated and embraced.

Furthermore, the ability for views and vistas of the water from development back from those lots along Mandurah Terrace is required to ensure that the quality of the place is enjoyed. This is achieved via application of building height standards and through the treatment of streets, and specifying widths between buildings.

#### 2.1.5 Indicative Development Plan

In order to provide an overview into the design outcomes of the Precinct Plan, an Indicative Development Plan has been prepared and provided as [Figure 3](#)~~Figure-3~~.

The Indicative Development Plan outlines outcomes, such as building footprints, location for vehicular access and parking, and broad land use areas, in addition to key components of the public domain and street networks including street cross sections and intersection upgrades into one comprehensive plan. The Indicative Development Plan also outlines the priorities for future development, and brief notes to outline the intent and vision for the Precinct Area.

Outcomes prescribed within this Part of the Precinct Plan relate to the maximum potential of each lot, however actual outcomes may differ due to the configuration, size and shape of individual landholdings. Amalgamation may be required to generate the maximum development potential.

Where required, development criteria are specified by element, with criteria provided either via sub-precinct or land use category as described in within the Precinct Plan.

## 2.2 Desired Urban Form

### 2.2.1 Sub-Precincts Zones

For the purposes of providing specific details relating to the urban form and land use within the Precinct Area, the area has been broken down into seven distinctive sub-precinct zones as shown in [Figure 3](#) [Figure-3](#).

#### 2.2.1.1 Retail / Main Street Precinct

The Retail / Main Street Precinct will be the retail destination for the region, providing a large range of retail options, both in strip retailing along the ground floor of streets and along the Smart Street Mall. The built form will reflect the retail nature of the area, with glazed shopfronts along streets.

All streets will have a high quality streetscape character, defined by street trees and awnings, particularly Sholl Street and Tuckey Street, and will be focused to the pedestrian's experience and a slow speed traffic environment.

Retail, Leisure and Entertainment and Civic uses are recommended to be the core activities in this sub-precinct, supported by office and residential uses. Limited residential development is recommended in this sub-precinct zone.



#### 2.2.1.2 Mandurah Waterfront Precinct

The Mandurah Waterfront Precinct is defined by the locations relationship to the foreshore and Mandurah Terrace drawing tourists and locals alike. The use of a street setback will assist in creating a pedestrian colonnade and providing space for outdoor dining.

The area will be comprised of a mix of tourist accommodation types, and residential and leisure-focused retail. Outdoor seating, entertainment venues, and festivals along the foreshore will aid in the development of Mandurah Terrace as a main destination for activity throughout the day in the city. The foreshore is the important feature of Mandurah Terrace that defines the character of the entire city.

Leisure Retail, Restaurants and Café's and Entertainment uses are recommended to be the core activities in this sub-precinct, supported by office, tourist accommodation and residential uses. Limited permanent residential development is recommended in this sub-precinct zone.



### 2.2.1.3 Mewburn Site Development Guide Plan Area

Due to the interests in this Precinct, and the various impacts that potential development will have on the City Centre, the Precinct Plan identifies this area as requiring its own planning process to be undertaken to identify development outcomes, land uses, height and scale and community outcomes.

Any redevelopment of the Mewburn site should aim to provide a similar amount of parking and open space to that which currently exists.

The process for the preparation and approval of the Development Guide Plan will be dealt with as outlined in Clause 4.13 of Town Planning Scheme No.3 a modification to the Precinct Plan as outlined in Section 3.2 which will require a process of public consultation prior to determination by Council, and approval by the Western Australian Planning Commission.

### 2.2.1.4 Central Employment Precinct

The Central Employment Precinct is defined by Sutton Street and Pinjarra Road, with this Precinct being the key employment and transport spine of the City Centre that expresses the urban character of Mandurah.

As an employment destination, there will be flow on effects to all surrounding areas and will trigger the achievement of Mandurah as an urban centre. Sutton Street and Pinjarra Road will feature a hard edge streetscape, with more subtle elements of open space also forming a small part the streetscape character.

Office uses are recommended to be the core activities in this sub-precinct, supported by retail, showroom, residential and tourist accommodation. Limited residential development is recommended for this sub-precinct zone.



### 2.2.1.5 Northern Mixed Use Precinct

The Northern Mixed Use Precinct covers the northern extent of the Precinct Area, which will be, for the foreseeable future, a transition between the core employment activity nodes to the south and the north.

All new development will need to be a minimum of three storeys, with the ground level being mixed use commercial, with supporting high density residential uses above. The corners represent an opportunity for retail development given the high degree of exposure that these sites are provided.

Retail, commercial and office uses are identified as supporting activities in this sub-precinct, whereby residential development is likely to prevail.



### 2.2.1.6 Heritage Precinct

The Precinct Area is significant to Mandurah and the region.

It is indicative of the early settlement patterns of Mandurah where families congregated around the former ferry site adjacent to the current old traffic bridge. The area has aesthetic value in the stonework of the early random rubble wall construction of buildings. The area is one of social significance through its role in giving identity and social cohesion to the Mandurah community.

There are numerous sites throughout the Precinct Area that have been included in Council's Municipal Heritage Inventory. As provided within the relevant provisions of Scheme 3, Council will take account of the heritage significance of these places when assessing development.

Further to this, in recognition of consideration significance of several places, a portion of the Precinct Area has been designated as a 'Heritage Precinct' within the Precinct Plan.

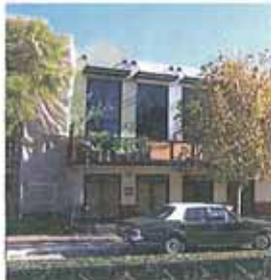
The provisions relating to new development within this Precinct are set out in [Section 2.42-4](#).

### 2.2.1.7 Ormsby Terrace Precinct

This sub-precinct was part of the original Civic and Cultural Precinct Plan and formed part of the Mandurah Central Revitalisation Strategy.

Key issues identified for this sub-precinct include the promotion of high quality medium-high density residential development. High quality streetscape will be provided along Ormsby Terrace with this street providing a link between the City Centre and the Mandurah Ocean Marina to capitalise on benefits derived from new development at the Ocean Marina and The Point development.

Mixed use commercial / residential development is envisaged for this sub-precinct, with residential apartment up to 5 levels. Active uses should be pursued for the Ormsby Terrace frontage. Some of the lots (particularly those north of the access from the Mandurah Ocean Marina) have a 'double frontage' to Ormsby Terrace and the adjacent public open space, allowing car parking to be contained within the middle of the sites.



## 2.2.2 Building Form Edges (Site Layout)

The Precinct Plan requires perimeter block development, with buildings oriented towards the street and with enclosed semi private/public space within the interior of the block.

Buildings shall have a strong connection to the street and will contribute to public spaces by:

1. *Helping to define streets and public spaces; and*
2. *Scale, typology, pedestrian space, climatic influence, land use and transport integration; and*
3. *Creating environments that are appropriate to the human scale as well as being comfortable, interesting and safe.*

In this regard, the Precinct Plan requires the following outcomes:

- (a) Buildings heights and setbacks to ensure solar access for surrounding lots and streets.
- (b) Buildings being articulated with variation in the facade to avoid box-like structures and break up the building's mass and scale while creating a street rhythm.
- (c) Buildings along all streets having a maximum four storey podium that adjoins the footpath and establishes a coherent street wall. Above the street wall line, additional storeys will be set back to allow for solar access to the footpaths and to ensure the scale of buildings do not dominate public spaces through a podium setback.
- (d) Wide pedestrian spaces that create both a defined outdoor space and a transition area to the foreshore, allowing for outdoor activities that are appropriate for the relevant streets, including outdoor dining to contribute to the liveliness of the street.
- (e) No on-site car parking being permitted between the street and the front of the building. All private car parking will be sleeved behind buildings, with on-street parking maximised, and, over time, public decked parking stations for consolidated parking arrangements.
- (f) Crossovers shall be limited to along certain streets and where being allowed, one crossover per development site;
- (g) Areas of blank wall at ground floor level to adjacent streets shall be minimised. For ground floor tenancies commercial tenancies adjacent to the street shall maximise the provision of clear shopfront glazing to the adjacent street frontage with a maximum sill height of 450mm. The internal fit out of commercial tenancies shall reflect this requirement;
- (h) Building entrances at ground floor levels address street frontages and clearly identified;
- (i) A canopy or awning shall be provided to all ground floor tenancies adjacent to a street, to a minimum height of 3.0m above the pedestrian footpath, and a minimum width of 2.5m for the full length of the building unless this is physically impractical;
- (j) Deep and poorly illuminated recesses must be avoided at ground level adjacent to pedestrian paths
- (k) In all cases, development should address adjacent streets and satisfy the CPTED requirements in **Section 2.3.82-3.8**.
- (l) Where public access is anticipated, the pedestrian access shall be designed for universal access.
- (m) Where the ground floor level is required to be raised above the footpath level in order to meet minimum levels set out in the Building Code of Australia, any access requirements to the ground level such as steps and ramps shall be provided behind the designated setback. The footpath level cannot be raised or lowered in order to meet access requirements into buildings.
- (n) Service areas shall be discrete with rubbish bins, clothes drying areas, plant and equipment screened from public view;
- (o) No front fencing is permitted.



### 2.2.2.1 Indicative Street Cross Sections

In order to assist in describing the front setback requirements, the street cross sections have been prepared as shown in [Figure 4](#).

The street cross sections recommended have been used to determine the subsequent setback distances that range from nil through to 2.5 metres, dependant on the form and type of street as identified in [Figure 2](#).

For example:

- a boulevard of trees and car parking on both sides of the street is required for Sutton Street, therefore requiring a 24 metre building line to building line, which requires a 2.0 metre setback;
- to retain pedestrian spaces and car parking on Mandurah Terrace requires a 1.5m setback; and
- Tuckey Street and Sholl Street are being promoted as the centres 'main street' and therefore in order to promote a 'tighter' urban form, nil setbacks are recommended.
- Hackett, Cooper and Gibson Streets are being promoted as 'parkland streets' and it is recommended that a 3.0m landscaping corridor on both sides of the street, together with a 3.0m pedestrian footpath and on street parking is required, therefore requiring a 2.0m setback.

The landscaping fulfils a number of functions, particularly the ability to have larger trees, ground level landscaping to soften the street, assist in an urban drainage function, and providing viewing corridors back into the precinct to the water.

The street cross sections and subsequent application of setbacks have been prepared on the basis that powerlines have been, or are required to be provided through development, placed underground. Where this is not possible, the building design will need to factor the powerlines into final design.

### 2.2.2.2 Street Wall Setbacks

The street wall setbacks shall be 0m (nil), unless otherwise shown on [Figure 5](#).

**Note:** 1. For the purposes of determining the setbacks specified for lots fronting Pinjarra Road, the specified setback is from the proposed road reserve as proposed under Peel Region Scheme Amendment 0113/33, which requires a road widening of 8.2m on the southern side of Pinjarra Road and a 1.8m road widening on northern side.

2. The height of the street wall is determined under Section 2.2.3, and the land use at ground level is determined under Section 2.2.4.

### 2.2.2.3 Use of Front Setback

Where designated, the front setback shall be designed as if it is an extension of the road reserve and the building shall be designed as if the front setback is 'nil', as described:

- (a) Buildings shall address the street and locate their main entries so as to face the street.
- (b) Ground level frontages for commercial uses shall have large windows to enable a connection between the interior and the street; and
- (c) The front setback area shall be protected through a public access easement. The easement will be required as a condition of development approval.

Other than a pedestrian footpath (3.0m minimum), the remaining front setback can be used as a formal landscaping area, alfresco dining and other 'active frontage' uses, unless a Public Realm Design Guide for the location has been prepared by Council.

This provision shall apply also where a development has a setback greater than those specified in [Section 2.2.2.2](#).

### 2.2.2.4 Balconies and Upper Storey Development

- Balconies may extend into the setback area designated, up to the front property boundary.
- Enclosed upper storey development shall be subject to the street wall setback requirement.
- Notwithstanding the above, any development shall be 'cantilevered' over the street wall setback, so that the setback area is not obstructed by columns and the like.

**2.2.3 Building Height and Scale**

The Precinct Plan requires development at the street edge should be no more than 4 storeys, with an allowance for elements at street corners to define the edge with an additional storey. 'Midblock' heights should reflect the intended land use outcomes for the sub-precinct zone with taller height provided where more intensive land uses are encouraged as described below:

- (a) view-lines and the aspect of the Mandurah Estuary and Mandjar Bay back into the Precinct Area to Sholl and Sutton Streets are required. Subsequently taller buildings are provided for away from the waterfront;
- (b) that the massing of buildings, view corridors and "human scale" are incorporated into the designs of buildings;
- (c) Building elements higher than 4 storeys above ground level to be setback a minimum of 6 metres from the property boundary;
- (d) the uppermost floor of any building shall be articulated as to create a visual interest and clearly distinguish the top of the building from the remaining built mass; and
- (e) A 15 metre minimum separation distance between building elements higher than 4-storeys above ground level is required.

*Note: Outcomes prescribed within the Precinct Plan relating to height provides the maximum potential for the entire Precinct, however actual outcomes for individual lots may differ due to the configuration, size and shape. Amalgamation may be required to generate the maximum development potential.*

**2.2.3.1 Street Wall Height**

*(a) Minimum Street Wall Height*

A minimum street wall height of 6.0m is applicable.

(with the exception of development within the **Northern Mixed Use** and **Ormsby Terrace Mixed Use Sub-Precincts** where no specific minimum street wall height is specified)

*(b) Maximum Street Wall Height*

A maximum street wall height of 16.0m is applicable.

*(c) Landmark Building Criteria*

**Figure 6** identifies a number of street corners that warrant a building of a landmark quality. These locations either stand at the 'gateway' to the Precinct Area or to terminate vistas.

Buildings in 'landmark' locations are expected to display a higher than average standard of building design and incorporate distinctive architectural features to all street-fronts which will contribute to the overall character and quality of the public realm.

For development in these locations, the street wall may be increased by an additional storey (up to a maximum of 21.0m within 20 metres of the identified street corners.

**Note:** The horizontal street wall setback is specified in Section 2.2.2.2.

<i>For assessment purposes, heights are referenced in metres above natural ground level.</i>					
<i>For reference purposes only, the following is a guide (total overall heights):</i>					
6.0m	1 storey	16.0m	4 storeys	32.0m	8 storeys
9.0m	2 storeys	21.0m	5 storeys	47.0m	12 storeys
12.0m	3 storeys	24.0m	6 storeys		

2.2.3.2 Development Above Street Wall (Overall Building Height)

Development above the street wall shall be in accordance with the following criteria:

(a) Minimum Overall Building Height

A minimum overall building height of 9.0m ('two storeys') applicable.  
(With the exception of development within the *Heritage Sub-Precinct*. Refer to Section 2.4).

(b) Lot Size Criteria (Assessment 1)

	Maximum Height
Lot size less than 1050 square metres:	As per street wall height (16.0m)
Lot size between 1050 & 1500 square metres:	21.0m
Lot size between 1500 & 4000 square metres:	As per Figure 6; Up to a maximum of 32.0m <b>but not exceeding the height limits specified in 6.</b>
Lot size greater than 4000 square metres:	As per <b>Figure 6</b> Figure-6

(c) Setback Provisions (Assessment 2)

	Setback Requirements <sup>(2)</sup>
Setback from <u>front</u> Property Boundary <sup>(1)</sup>	6.0m (as generally shown in <b>Figure 4</b> Figure-4)
Development Above 16.0m <sup>(2)</sup>	15.0m separation distance between building elements on adjoining sites
Development Above 16.0m <i>Ormsby-Terrace Mixed Use Precinct Only</i>	Minimum setback of 20.0m to all boundaries
Development between 16.0m and 32.0m	Minimum setback of 20.0m to Precinct Plan Boundary
Development Above 32.0m	Minimum setback of 35.0m to Precinct Plan Boundary

(1) For the purposes of determining the 'property boundary' for this clause, for lots fronting Pinjarra Road, the property boundary is determined from the proposed road reserve as proposed under Peel Region Scheme Amendment 013/33.

(2) For the purposes of applying this clause, it is not necessarily to be interpreted as a shared setback requirement (ie 7.5m from each boundary), which may result in one site having a higher height building than the adjoining site, dependant on the dimensions of the site and existing development. This criteria excludes any Building Code of Australia or other safety relating requirements that may be applicable.

(3) All other setbacks not specified elsewhere in the Precinct Plan will be determined in accordance with the requirements of the Residential Design Codes.

(d) Top of Building (Assessment 3)

Articulation of the upper most floor of the building is required to distinguish the top of the building from the remaining building mass so as to create visual interest in the building. This could potentially be achieved through the use of a 3.0m setback from the storey below.

(e) Specific Site Provisions:

	Additional Criteria
Lot 400 Mandurah Terrace:	<p>The overall building height as shown in <b>Figure 6</b>Figure-6 may be considered subject to the following criteria above being adequately addressed:</p> <ul style="list-style-type: none"> <li>Any building element above 4 levels has a maximum width of 30.0m when viewed in a direction perpendicular to Mandurah Terrace;</li> <li>Any building element above 4 levels has a maximum width of 60.0m when viewed in a direction parallel to Mandurah Terrace;</li> <li>The development incorporates substantial elements of sustainable building design;</li> <li>Provision of public art as part of any development;</li> </ul>

	• Contribution to street improvement works
--	--

(f) *Maximum Building Heights*

- | Maximum overall buildings shall be as per ~~Figure 6~~ *Figure-6* subject to satisfying the criteria above.

## 2.2.4 Land Uses

It is the aim of the Precinct Plan to the locations is a vibrant centre, providing a diverse range of retail and commercial uses that are commensurate with a City Centre. As a result, land uses are generally controlled by the built form, urban design and vertical elements contained within the Precinct Plan, rather than through a conventional land use table.

However, there are specific considerations for certain land uses that are required in order to enable a compatible land use mix. As a key priority, the development of quality places to ensure an active public realm is required. Therefore, the land use system specifies land uses on a vertical level, including the specification of particular land uses at ground level in order to achieve activation of the public realm.

### 2.2.4.1 Change of Use Requiring Planning Approval

In addition to the provisions of Scheme 3 with development requiring planning approval, any change in nature of use within the **Dining and Entertainment** and **Amplified Music Venue** Land Use Category as provided in ~~Table 2~~**Table-2**, is considered to be a material change of use requiring planning approval, where the use proposes to:

- (a) ~~A~~ change from one type of Amplified Music Venue to another type of Amplified Music Venue;
- (b) ~~Any~~ increase or ~~expansion~~ of trading hours or ~~a~~ licensed area of an Amplified Music Venue; or
- (c) ~~Any premises that commences~~ the playing of amplified music on a regular basis.

Reference shall be made to **Section 2.3.112.3.44** in dealing with applications for planning approval required under this Section.

### 2.2.4.2 Definition of Uses and Land Use Categories

For the purposes of Interpretation of those land uses listed in ~~Table 2~~**Table-2**, but not defined in Appendix 1 of Scheme 3, the following shall apply:

*"small bar" means premises licensed as a Small Bar under the Liquor Control Act 1988 to sell liquor for consumption on the premises and includes a limit of not more than 120 patrons permitted on the premises at any one time. May or may not provide live entertainment and the supply of food for consumption on the premises.*

*"specific purpose housing" means a dwelling or collection of dwellings designed and/or set aside for a specific or special accommodation need usually of a permanent nature, including but not limited to aged persons, students, care takers dwelling, communal living, disability living and designated affordable housing".*

*Insert definitions of 'commercial car park' and 'public car park'*

### 2.2.4.3 Unlisted Uses

Where a use is not listed in ~~Table 2~~**Table-2**, there may be examples where a land use is:

- (a) Listed in another zone within Scheme 3; or
- (b) Is not listed in ~~Table 2~~**Table-2** or Scheme 3;

In these circumstances, Council may, notwithstanding any other provision of Scheme 3:

- (a) determine that the use **is** consistent with the desired urban form set out and objectives of the Sub-Precinct Zone, as generally described in **Section 2.2.12.2.4** and is therefore permitted; or
- (b) determine that the proposed use **may be** consistent with the desired urban form set out and objectives of the Sub-Precinct Zone, as generally described in **Section 2.2.12.2.4** and thereafter follow the 'SA' procedures of Clause 7.3 of Scheme 3 in considering an application for planning approval; or
- (c) determine that the use is **not** consistent with the desired urban form set out and objectives of the Sub-Precinct Zone, as generally described in **Section 2.2.12.2.4** and is therefore **not permitted**.

Table 2 Land Use Table

Land Use Category and Land Uses	Sub-Precincts										
	Retail / Main Street		Mandurah Waterfront		Central Employment		Northern Mixed Use		Heritage (2)	Ormsby Terrace Mixed Use	
	First Three Levels	Above Three Levels	Ground Level	Above Ground Level	First Three Level	Above Three Level	Ground Level	Above Ground Level	All Levels (where applicable)	Ground Level	Above Ground Level
<b>Category 1: Retail</b> Shop Personal Services-Market Liquor Store	P	P	P	P	P	P	P	P	P	P	P
<b>Category 2: Commercial</b> Office Business Services-Consulting Rooms Medical Centre Commercial Car Park <u>include definition in Clause 2.2.4.2</u> Showroom (subject to design requirements) Childcare Premises	P	P	X	AA	P	P	P	P	SA	P	X
<b>Category 3: Dining and Entertainment</b> Small Bar Function- Reception Centre Restaurant / Café Amusement <u>Parlour &amp; Gaming Centre</u> Betting Agency Take Away Food Outlet	P	AA	P	AA	P	AA	AA	X	P	AA	X
<b>Category 4: Amplified Music Venue</b> Hotel Nightclub Tavern	SA	X	SA	SA	SA	X	X	X	X	X	X
<b>Category 5: Residential</b> (Note: refer to Section <u>2.2.4.42-2.4.4</u> ) Multiple Dwelling Specific Purpose Housing Short Stay Accommodation Serviced Apartments Hotel (Accommodation only) Hostel/Lodging House Bed and Breakfast Tourist Development	X	P	X	P	X	P	X	P	X	AA	P
<b>Category 6: Community and Cultural</b> Community <u>Purpose Facility</u> Health Services Education Establishment Library Museum Public Car Park <u>include definition in Clause 2.2.4.2</u> Government Administration	P	P	P	P	P	P	P	P	P	P	P

- (1) A basement and/or sub-basement are not included as a level.
- (2) Refer to Section 2.4: Heritage Impact Assessment requirements.
- (3) Refer to Clause 3.2.1 of Scheme 3 for interpretation of 'P', 'AA', 'SA' and 'X'.

2.2.4.4 Residential Development

(a) Maximum Residential Floorspace **Ratio**

The maximum residential floorspace, as a **ratio-percentage** of the total floorspace, within **each** the **sub-precinct** shall be as follows:

Sub-Precincts	Residential Floorspace <b>Ratio%</b>
Retail / Main Street	<b>50 per cent</b>
Mandurah Waterfront	<b>75 per cent</b>
Central Employment	<b>25 per cent</b>
Northern Mixed Use	<b>75 per cent</b>
Heritage	<b>Refer to Section 2.4</b>
Ormsby Tce Mixed Use	<b>75 per cent</b>

(b) Application of the Residential Design Codes

Within the Precinct Area, for the purposes of residential development, an R-Code of **R-IC (Inner City Housing)** shall apply.

In interpreting the **R-IC coding**, the following should be noted:

- (a) For the purposes of determining dwelling yield and / or density for residential uses, no specific provisions apply, therefore, the 'Performance Criteria' of Clause 7.3.1 of the Residential Design Codes shall apply.
- (b) Maximum plot ratio and other setbacks shall be in accordance with the design elements contained in the Precinct Plan (as per note (c) of Table 4) Dwelling yield / density shall be derived from the application of design elements contained within the Precinct Plan, including Building Height and Scale, Setbacks and Car Parking Requirements.
- (c) For the purposes of development standards, all remaining provisions of Clause 7.3 of the Residential Design Codes shall apply where not covered within the Precinct Plan

**Note:** The above provisions may require revision upon the final approval and implementation of the proposed Multi-Unit Housing Code into the Residential Design Codes by the Western Australian Planning Commission.

**2.2.5 Vehicle Parking and Access**

**2.2.5.1 Overview**

The existing car parking arrangements in the Precinct Area are complex, via reference to standards in Scheme 3 and in a Local Planning Policy, which includes complex cash in lieu provisions. There are numerous policy objectives and directions that make it desirable to promote alternative modes of travel to city centres and to regulate the amount and type of parking provided.

In the City Centre, it is desirable to require reduced parking rates based on:

- A proportion of parking being provided as public parking and therefore available for reciprocal use. Reciprocal parking allows for the most efficient use of available bays whereby uses that have different periods of peak demand can utilise the same parking facilities; and
- Promoting the use of public transport, particularly for the location where high density employment and housing is being promoted.

In addition to reduced parking rates, the Precinct Plan simplifies the cash in lieu payment provisions, which will be a contribution to public parking, and to provide a greater proportion of sites for development. Reduced parking rates are based on allowances for reciprocal use for parking in the Precinct Area for retail and commercial uses. Residential dwellings provide their entire parking requirement as private parking and therefore the potential for any reductions in this sector is limited.

The parking ratios to be provided have been prepared acknowledging current demands and car dependency within Mandurah, whilst attempting to provide development incentives by unlocking areas that would otherwise been allocated to parking within sites. Sometime in the future, maximum ratios may be introduced to ensure that car parking does not dominate development outcomes.

A draft car parking strategy has been prepared with [Figure 3](#) outlining some key public parking locations arising from that strategy.

**2.2.5.2 Private Parking Requirements**

Parking requirements for developments shall be in accordance with the following:

**(a) Standard Provision by Land Use Category (Assessment 1)**

	Standard Provision (Floorspace in Gross Leasable Area)
Category 1: Retail	<b>3 bays per 100 square metres</b>
Category 2: Commercial	<b>1 bay per 70 square metres</b>
Category 3: Dining and Entertainment	<b>3 bays per 100 square metres</b>
Category 4: Amplified Noise Venue	<b>3 bays per 100 square metres</b>
Category 5: Residential	<b>1 bay per residential unit</b>
Category 6: Community and Cultural	<b>1 bay per 100 square metres</b>

- (1) Refer Section [3.7.7](#) for definition of Gross Leasable Area
- (2) The provision or construction of on-street parking bays are not calculated in the above rates, as they have been factored into the rates applied.

(b) *Sub-Precinct Reduction Rates (Assessment 2)*

	Reduction Rate <sup>(1) (2)</sup>
<b>Retail / Main Street</b> <i>Lots less than 1000 square metres</i>	<b>Assessment 1 reduced by 25 per cent</b>
<b>Retail / Main Street</b> <i>Lots greater than 1000 square metres</i>	<b>Assessment 1 reduced by 50 per cent</b>
<b>Mandurah Waterfront</b> <i>Lots less than 1000 square metres</i>	<b>Assessment 1 reduced by 25 per cent</b>
<b>Mandurah Waterfront</b> <i>Lots greater than 1000 square metres</i>	<b>Assessment 1 reduced by 50 per cent</b>
<b>Central Employment <sup>(3)</sup></b> <i>Lots within 2.5m walk of public parking</i>	<b>Assessment 1 reduced by 50 per cent</b>
<b>Heritage</b> <i>All development</i>	<b>Assessment 1 reduced by 25 per cent</b>

(1) *Where applicable, otherwise as per standard provision by land use category*

(2) *Excludes Category 5: Residential Land Use Category*

(3) *The Mandurah City Centre Car Parking Strategy and*

**Figure 7** *Figure-7 provide guidance to the location of public parking that maybe provided*

(c) *Minimum Requirements to be Provided On Site (Assessment 3)*

	Minimum On Site Requirements <sup>(1)</sup>
<b>Retail / Main Street</b> <i>Lots less than 1000 square metres</i>	<b>Nil</b>
<b>Retail / Main Street</b> <i>Lots greater than 1000 square metres</i>	<b>25 per cent of Assessment 2</b>
<b>Mandurah Waterfront</b> <i>Lots less than 1000 square metres</i>	<b>Nil</b>
<b>Mandurah Waterfront</b> <i>Lots greater than 1000 square metres</i>	<b>25 per cent of Assessment 2</b>
<b>Central Employment</b>	<b>25 per cent of Assessment 2</b>
<b>Heritage</b> <i>All development</i>	<b>Nil</b>

(1) *Where applicable, otherwise as per standard provision by land use category*

(d) *Cash-in-lieu payment for the parking bays not provided on site (Assessment 4)*

	Minimum Cash in Lieu Payment <sup>(1)</sup>
<b>All Precincts</b> <i>Except Heritage Sub Precinct</i>	<b>\$30,000</b> <b>(as determined by Assessment 2)</b>
<b>Heritage</b> <i>All development</i>	<b>Nil</b>

(1) *Where applicable, otherwise as per standard provision by land use category*

(2)

**Figure 7** *Figure-7 provide guidance to the location of public parking that maybe provided using the funds received from cash in lieu provisions*

(3) *The cash in lieu sum will be annually reviewed (noting that it is a discounted rate from the actual cost of providing public parking), and as a minimum indexed by reference to ABS Catalogue 6427.0 Producer Price Indexes Tables 15 and 16, General Construction <sup>(41)</sup> Western Australia.*

(e) *Parking Bays made available and accessible for general public use (Assessment 5)*

25 per cent of the total bays to be provided (as determined by Assessment 2) where there is a combined floorspace above 2000 square metres within the following land use categories:

- Category 1: Retail;
- Category 2: Commercial;

### 2.2.5.3 Design Requirements

#### (a) Vehicle Parking

- The design standards for the design and layout of parking spaces shall be in accordance with the relevant Australian Standard, including those required for disability access.
- Off-street (ie on-site) car-parking areas are to be located internally within a development, out of view from pedestrians on adjacent public footpaths.
- Car parking areas shall be designed to address the elements of:
  - Security and lighting
  - Traffic and Pedestrian access
  - Landscaping
  - Disabled access
  - Shelter
  - Signage
  - Bicycle parking and end of trip facilities
  - Integration with adjoining development

#### (b) Bicycle Parking

- Parking and facilities are required to be integrated into the development for employees and residents in accordance with the following ratios:

	Long Term Bicycle Parking Space (Floorspace in Gross Leasable Area)
Category 1: Retail	1 space per 500m <sup>2</sup> above 1000m <sup>2</sup> of floorspace
Category 2: Commercial	1 space per 250m <sup>2</sup> above 1000m <sup>2</sup> of floorspace
Category 3: Dining and Entertainment	1 space per 500m <sup>2</sup> above 1000m <sup>2</sup> of floorspace

(1) Refer Section 3.73.7 for definition of Gross Leasable Area

(2) The requirements for bicycle parking for multiple dwellings in activity centres are addressed in the residential development may be addressed in the Multi-Unit Housing Code of the Residential Design Codes once endorsed by the WAPC.

- End of trip facilities are to be provided where long term bicycle parking spaces are provided in accordance with the following ratios:

Long Term Bicycle Parking Spaces Required	End of Trip Facilities (Showers/Changerooms)
0 – 2	0
3 – 5	1
6 – 10	2 (1 male, 1 female)
11 – 20	4 (2 male, 2 female)
above 20	4 + additional 2 per 10 bicycle parking space above the first 20 bicycle parking space provided

- Facilities, in addition to showers, should include the change rooms and clothing lockers, ideally close to the long-term bicycle parking facilities, in a safe and secure location. Clothing lockers should be provided at the same rate as the number of long term bicycle parking spaces.
- The design of bicycle facilities should be convenient and secure, and generally be one of the following:
  - Locked compounds with communal access using duplicate keys or electronic swipe cards in a secure location and fitted with bicycle parking devices; or
  - Fully-enclosed individual lockers; or
  - Devices to which the bicycle frame and wheels can be locked positioned close to and directly visible from inside the place of employment.
- Where required, car parking bays required to be provided in Section 2.2.5.2 can be used to make the necessary provision for the bicycle parking provisions as required by this section.

#### 2.2.5.4 Crossover and Access Provisions

The following criteria will apply with respect to provision of access to parking and provision of crossovers accessing site(s):

##### (a) *Restricted Vehicle Access / Crossovers*

- No vehicle access for servicing or parking is permitted for those locations shown in **Figure 7**.

This provision is to apply, except where the opportunity for amalgamation with a lot to another street frontage can be clearly demonstrated as impractical.

- Where a development is accessible from two street frontages, access to vehicle parking will be from the frontage deemed by Council as the 'secondary frontage'.

##### (b) *Shared Access Laneway*

- Where the Precinct Plan (as indicated on **Figure 7**) shows a *Shared Access Laneway*, which will be required to be provided either as a dedicated Right of Way or shared access easement, all access, servicing and parking shall be via this Laneway.
- There may be circumstances where a staged approach to this access is required.
- Each Shared Access Laneway shall be a minimum width of 6.0m. As a result, a minimum 3.0m setback from the rear property boundary shall be required, unless otherwise indicated elsewhere.
- For the Shared Access Laneway shown between Brighton Lane and Smart Street, a 3.0m building setback to the property boundary shall be required, and space protected via an easement, as required and indicated within **Section 2.2.22-2-2**.
- A minimum height clearance of 3.5m shall be required for all Shared Access Laneways or Shared Access Easements.

##### (c) *Dedicated Access Points (Shared Crossover / Shared Easement)*

- Where a Dedicated Access Point is shown on shared between properties, shared access easement(s) shall be provided in order to protect this access for the adjoining owner.

The Dedicated Access Points shall have a minimum width of 6.0m to be shared equally between the adjoining properties (with the exception of those running in an east-west direction, which shall be subject to detailed car parking and access design).

##### (d) *Pedestrian Connection to be Provided*

- A dedicated Pedestrian Connection is to be provided as shown on **Figure 7**.
- It shall have a minimum width of 6.0m, and covered by an easement at the time of development.

The width of the Pedestrian Connection can be reduced to a width of 4.0m subject to an active frontage being provided along the length of the access as described in **Section 2.2.2**.

##### (e) *Traffic Management Report*

- Notwithstanding the provisions of this Section, applications for planning approval shall be accompanied by a Traffic Management Plan to confirm that the proposed access points as part of the development are satisfactory.

## 2.3 Building Design

Council encourages individual, diverse, sustainable, environmentally responsive material palettes and architectural detailing in regard to the building design.

### 2.3.1 Architectural Form

The architectural character should be of a contemporary nature with consistency of form, materials and detailing, and should include the following:

- (a) Strong and clear expression of building form;
- (b) Articulation of buildings into elements which express distinct forms, reduce the perceived visual bulk of the building, provide an interplay of light and shade and establish a variety of transitional spaces adjacent to the public domain;
- (c) A sensitive integration of the commercial and residential components; and
- (d) In the case of residential development, a flexibility of design with the capacity for the buildings to be adapted for commercial activities at a later date.

### 2.3.2 Articulation and Detailing

- (a) Buildings are to be articulated (broken down visually into smaller elements to establish a 'rhythm' or pattern, particularly at pedestrian level). At street level this should be at intervals of around 6-8m.
- (b) Corner buildings are to address both frontages and should articulate the corner by incorporating a distinctive design feature (such as a tower element or entrance feature).
- (c) The public faces of buildings should be detailed using of a variety of materials, surface modelling, projections such as balconies and verandahs, the spacing of windows and doors.
- (d) The integration of public art shall be incorporated into the design of buildings, as architectural features, or as part of improved streetscape / ground level design works as part of the development.
- (e) Where walls without articulation are unavoidable other details using colour, texture or other variation should be applied.
- (f) Structural elements, glazing details, architectural details and cladding patterns should be used to create a rhythm to building elevations and avoid a monolithic appearance.
- (g) Recesses and projections in the architectural detailing should be pronounced to take advantage of the sharp contrast resulting from the strong sunlight evident in Mandurah.
- (h) The design of roofs should be considered from various viewpoints. These can include observation points from taller buildings, to helping to form a distinctive skyline for the city. The perceived scale of taller buildings can be reduced by breaking down the massing through roof articulation.
- (i) Elements of 'public art' shall be incorporated into the design of the building, either through the use of materials and colours on the sides of the building(s), or at street level.
- (j) External lighting must be provided under all awning treatments in accordance with the relevant Australian Standards;

### 2.3.3 Windows

- The use of clear glazing is required wherever there is significant occupation of the building to engender a strong visual relationship between the building occupants and people within the adjacent public domain.



- The use of reflective, heavily tinted or obscure glass (including signage) is not permitted on ground floor windows adjoining pedestrian areas.
- Rooms requiring privacy or shop fit outs that require shelving adjacent to the street front that require blocking out of the windows are not permitted.
- Exterior shade structures should be used where it is necessary to protect windows from summer sun.

### 2.3.4 Materials and Colours

Mandurah is a coastal location. External materials should take into consideration the conditions of the location.

A schedule of proposed exterior colours and materials is to accompany applications for planning approval.

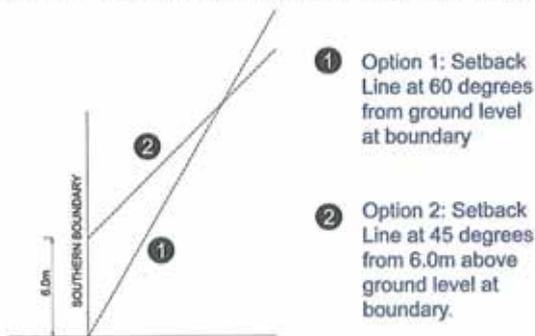
### 2.3.5 Provisions for Natural Lighting

A minimum of 65 per cent of floorspace for developments within **Category 2: Commercial Land Use Category** in a single development shall be within 8.0m of a natural source of daylight (i.e. an external window). Demonstration of compliance with this requirement shall be included with the submission of an application for planning approval.

**Note: This reflects similar criteria in the Green Building Council of Australia star rating system (IEQ-4-Daylight).**

### 2.3.6 Provisions for Solar Access to Adjacent Sites

A setback to the rear boundary, where located on the southern side of the lot shall be provided as shown below to ensure that northern light is preserved for the site to the south.



### 2.3.7 Landscaping

- A minimum 20 per cent of the site area shall be dedicated to landscaping.
- This requirement may be fulfilled at ground level or provided as a landscape terrace or green roof on the upper levels of the building(s).
- Areas of landscaping included in the requirement exclude:
  - Areas where any part of the building projects over this area; or
  - Accessible private terraces belonging exclusively to residential units of the building.
- Vertical green walls may be included in this requirement subject to 2 square metres of vertical element be calculated to satisfy 1 square metre of the requirement.
- Stormwater is to be retained on site wherever possible, using water sensitive design principles, or through rainwater tanks below and above the building.



- (f) Landscaping should be designed using water sensitive design principles, with native plants being preferred.
- (g) The selection of plant species should include consideration of the mature size of the plant, which should not result in the obstruction of any lighting or essential vehicle or pedestrian sight lines.

### 2.3.8 Crime Prevention through Environmental Design (CPTED) Provisions

- (a) The safety of people and property throughout the Precinct and within individual developments is to be assisted through the use of appropriate design elements, such as the following:
  - Building and landscape design is to avoid the formation of 'blind' spaces, corners or alleys that cannot be seen from within the most used rooms of a building or from approach paths.
  - Deterrents to ram-raiding such as raised sills should be considered in the design of ground floor windows in vulnerable buildings such as shops and showrooms.
  - Where provided, security screens and grills are to be designed to be integral to the architecture of the development to ensure streetscape is maintained.
- (b) A 'CPTED' assessment shall be undertaken for all development.

*Note: Reference shall be made to the Performance Criteria under Chapter 5 of the WAPC's Designing Out Crime Guidelines, 2006 in undertaking such assessments.*

### 2.3.9 Signage

A high standard of signage is required as an integral part of achieving the vision for the City Centre. The following provisions apply throughout the Precinct Area. They shall be considered as part of the building design.

- (a) No freestanding signage is permitted. All signage must be attached to a building.
- (b) Signage shall be integrated with the architectural design and where multiple occupancy is likely to occur, signage should be shared.
- (c) Corporate colours, logos and decorations will be regarded as signage and will be required to being considered through a signage concept plan for each development. Signage should not detract from the intended amenity and character of the Precinct and can only be considered when attached or form part of the building façade.
- (d) Maximum sign size of 3 square metres within 5.0m of ground level.
- (e) Illuminated corporate logos are contemplated at the upper level of buildings greater than 12-storeys in height.
- (f) Signage is not permitted above the roofline of the building.
- (g) Pylon signs are not permitted.
- (h) Clearance to signs above pedestrian areas shall be a minimum of 2.4m.
- (i) Street numbering is to be provided on the building's front façade.
- (j) The use of reflective, heavily tinted or obscure glass (including signage) is not permitted on ground floor windows adjoining pedestrian areas as rooms requiring privacy or shop fit outs that require shelving adjacent to the street front that require blocking out of the windows are not permitted.



### 2.3.10 Energy and Resource Conservation

In addition to any provision already covered by the Precinct Plan, the following should be considered in the design of buildings within the Precinct Area.

Attention should be given to the energy efficient design principles and construction materials in the design of buildings and spaces.

The following elements being considered as part of the design and construction process:

- Low thermal mass materials being used externally, especially on exposed east and west facades;
- High thermal mass materials being used for internal construction to retain internal ambient temperature;
- Appropriate ceiling insulation and ventilation being included provided;
- Shade and draft protection for large windows and door openings, particularly on the east and west facades; and
- Double glazing being considered for large areas of glass to limit heat transmission and possibly noise attenuation.
- Outdoor living for domestic and commercial purposes being designed and located to provide protection from sun and strong winds.
- Water conservation and recycling opportunities should be explored throughout the building.

**Note:** *These elements will be subject to review over time, which may include the introduction of a relevant star rating system to assess and monitor development.*



### 2.3.11 Noise Attenuation Measures

In providing for the sustainable co-existence of a mix of land uses (including residential, retail and commercial) within an urban village setting measures need to be taken to minimise the adverse impacts of noise.

Within a precinct of this type there needs to be an acceptance that noise levels will be higher than those in suburban residential areas. There must also be acceptance of a shared responsibility for noise management between the owners and operators of entertainment facilities and the developers and occupiers of residential premises.

As a result, a detailed Acoustic Report will be required to be submitted with an application for planning approval to the City of Mandurah as detailed in this section.

#### 2.3.11.1 Sources

Ambient environmental noise sources that are relevant to an urban village setting include:

- (a) Traffic Noise**  
Major roads contribute to the ambient environmental noise of an area. In most cases, these roads are characterised by a daily traffic noise pattern.
- (b) Residual Break Out Noise From Leisure and Entertainment Venue**  
Developments that accommodate lifestyle uses including cafes and restaurants particularly with alfresco dining, hotels and entertainment venues such as taverns and nightclubs are integral to the vitality and enjoyment of mixed-use localities for all sections of the community.

Although noise emission from such venues is regulated under the *Environmental Protection (Noise) Regulations 1997*, residual break out noise does occur which can be in excess of the strict interpretation of the regulations and this noise contributes to general ambient environmental noise.

Low frequency noise from amplified music from venues such as nightclubs, taverns and hotels can have significant impacts as this type of noise can pass easily through most walls and windows and can prevent people sleeping seriously affecting the health and amenity of people living within the precinct. Specific measures from these venues are essential to protect the amenity of business and residential uses with the precinct.

- (c) **Street Noise**  
Urban locations containing the mix of lifestyle uses that contribute to the vitality and enjoyment of such areas are also characterised by increased levels of pedestrian activity. The noise associated with this pedestrian activity, including movement to and from different establishments, persons getting into and out of parked cars, and occasional anti-social behaviour, can contribute significantly to general ambient environmental noise (particularly when this occurs late at night or early morning), impacting on the amenity of noise sensitive premises, particularly residential.
- (d) **Service Vehicles**  
Delivery and Waste Collection Vehicles servicing commercial and residential premises can cause disruption but practically these vehicles must be capable of operating outside hours to allow adequate servicing, prevent traffic and parking congestion and reduce potential safety issues.
- (e) **Mechanical Plant:**  
Air-conditioning and related service hardware can impact on the amenity of noise sensitive premises. In a residential setting, the noise emission from a single air conditioner condenser can affect a neighbouring property. In mixed-use locations, exhaust fans associated with commercial kitchens, smoke exhaust systems, refrigeration compressors and chillers associated with the air conditioning of larger premises are significant noise sources that impact on the general ambient environmental noise.

#### 2.3.11.2 Measures to be taken

- (a) All new development shall address the potential adverse impacts of noise intrusion and noise emissions at the planning and design stage, incorporating appropriate measures at the time of construction to minimise the impacts of noise.

For residential uses, measures are required to control noise intrusion from ambient noise sources, including:

- traffic noise;
- residual break out noise from lifestyle uses and entertainment venues
- amplified music particularly low frequency noise
- street noise
- service vehicles; and
- mechanical plant (on adjoining or adjacent properties).

For commercial uses, measures are required to control noise emissions generated by a use, including:

- noise break out from lifestyle uses and entertainment venues particularly low frequency noise;
- mechanical plant; and
- Services vehicles through locations of loading bays and access ways

- (b) In the case of mixed-use buildings, a Memorial shall be placed on the residential titles to notify owners of the mixed-use nature of the building and the potential for noise nuisance generated by the commercial components of the building.
- (c) The special noise control provisions and the potential for noise nuisance can also be brought to the attention of prospective purchasers through the local government responses to property inquiries.

### 2.3.11.3 Acoustic Reporting

#### *Objective for reporting*

An acoustic report prepared shall demonstrate how the proposed development has been acoustically assessed and designed for the purpose of minimising the effects of noise intrusion and/or noise emissions.

#### *Acoustic Report*

Where an acoustic report is required, the report shall:

- (a) be prepared by an acoustical consultant with relevant qualifications and experience equivalent to those required for admission as a Member of the Australian Acoustical Society (to the satisfaction of the City of Mandurah);
- (b) be lodged with the application for planning approval; and
- (c) to address all matters that are required to demonstrate that the 'objective for reporting' has been achieved including:

#### *for developments that may receive noise (noise intrusion):*

- the identification of all environmental noise sources;
- the measurement of all identified noise sources including, adequate sampling to enable the establishment of reliable design noise levels. (for example, for traffic noise, measurements at different times such as during peak traffic times and late at night on weekends;
- the character of the noise source to be adequately described in terms of frequency analysis (minimum of octave bands);
- the establishment of appropriate interior design sound levels for various areas of occupancy in accordance with the Noise Criteria (outlined below);
- a detailed description of the construction measures that are required to be included, or which have been included, in the proposed development to achieve the noise levels prescribed in the Noise Criteria (outlined below). Calculations shall be based on octave band noise source data and octave band sound reduction performance for construction elements; and
- the provision of the following: - date, time and results of measurements; design noise levels used in assessment; design sound levels used for internal spaces; and recommendations for construction.

#### *for developments that may emit noise (noise emissions):*

- the identification of all noise sources to be addressed, including alfresco areas for lifestyle uses such as cafes, restaurants and hotels;
- any potential low frequency emissions;
- determination of noise source levels and character;
- acoustic data to be in octave bands where noise sources are internal;
- the establishment of Assigned Levels for noise sensitive premises in the vicinity in accordance with the *Environmental Protection (Noise) Regulations 1997*;
- a detailed description of the construction measures that are required to be included, or which have been included, in the proposed development to achieve the noise levels prescribed in the Noise Criteria (outlined below). Calculations shall be based on octave band noise source data and octave band sound reduction performance for construction elements;
- for commercial premises that have external noise sources, a description of the measures that are required to be included, or which have been included, in the proposed development to comply with the *Environmental Protection (Noise) Regulations 1997*; and
- the provision of the following: date, time and results of measurements; design noise levels used in assessment; Assigned Levels determined for adjacent areas/noise sensitive premises in the vicinity; and recommendations for construction and noise control.

### 2.3.11.4 Noise Criteria

#### *Noise Intrusion (Residential Development)*

For the purposes of this policy, noise intrusion into residential premises within the Entertainment Precinct, should not exceed the *maximum* indoor noise levels recommended in AS/NZS 2107 for houses and apartments near *minor* roads as set out in the Table below.

Type of occupancy/activity	Maximum indoor sound level
Sleeping areas	35 L <sub>Aeq</sub> dB(A)
Living areas	40 L <sub>Aeq</sub> dB(A)
Work areas	40 L <sub>Aeq</sub> dB(A)
Common areas (lobbies, etc)	55 L <sub>Aeq</sub> dB(A)

Where there is a significant level of music in the noise impacting on the residential premises, a lower indoor design sound level is recommended, based on the increased sensitivity of people to this form of noise, particularly during sleeping periods. Where low frequency noise is likely to impact the residential premises the development should be designed to achieve significant noise attenuation due to this type of noise ability to penetrate building materials. As a guide noise reduction of at least 25 dB at 63Hz should be achieved.

All calculations for noise are to be undertaken considering the measurement being taken from inside with windows closed and does not include balconies. The City cannot protect the internal noise environment with windows open within the City Centre Precinct.

#### *Internal Construction Requirements*

Multi-residential developments shall be constructed to meet the requirements of the acoustically upgraded 2004 Building Code of Australia (BCA) Part F5.

#### *Noise Emission*

Noise emission from all developments shall comply with the Environmental Protection (Noise) Regulations 1997.

### 2.3.11.5 Noise Attenuation Measures

#### *General*

To achieve appropriate acoustic environments within noise sensitive premises, ambient environmental noise shall be considered at the planning stage of the development process, and subsequently addressed during development design for implementation during construction.

#### *Development Planning*

The consideration of sound attenuation at the planning stage of a development can contribute significantly to achieving required Noise Criteria -as well as reducing the eventual cost of construction. Factors that affect the acoustic performance of a building that should be considered include:

- (a) the identification of existing/potential environmental noise sources;
- (b) development orientation and layout taking into account the location of existing/potential environmental noise sources;
- (c) the location of bedrooms away from noise sources;
- (d) the location of balconies and windows away from noise sources;
- (e) the use of development built form (blade walls etc) to screen noise sources; and
- (f) the use of building design elements (balcony balustrades, decorative screens etc) to provide some reduction in noise impact on windows.

#### *Development Design (Documentation)*

At the design documentation stage, working drawings should reflect the outcomes and recommendations in the acoustic report prepared for the development.

#### *Development Construction*

Noise attenuation measures that may be addressed in the acoustic report and implemented into the construction of the development to achieve the Noise Criteria include:

#### *Noise Intrusion:*

- (a) Windows:
  - heavyweight / thicker glass;
  - double glazing;

- special acoustic requirements for window frames; and
  - specific acoustic performance requirements – Laboratory tests data.
- (b) Walls:
- stud frame walls may require acoustic upgrading;
  - acoustic attenuation for exhaust vents through wall; and
  - specific acoustic requirements for external doors.
- (c) Roof - Ceiling:
- specific acoustic requirements for sealing roof;
  - upgraded acoustic performance for ceiling;
  - closing / sealing of eaves;
  - insulation of ceiling void; and
  - acoustic attenuation for vents through roof.

#### *Noise Emission*

- (a) Environmental Protection (Noise) Regulations 1997:
- Assigned Levels identified for various time of day; and
  - adjustments for noise characteristics identified.
- (b) Noise breakout from premises:
- acoustic upgrade of windows;
  - acoustic lobbies at entry and exit points in the building;
  - acoustic upgrade to walls and roof-ceiling construction;
  - process for determining maximum allowable internal noise level;
  - use of permanent noise monitoring with integrated audio control system;
  - management strategies to control breakout noise; and
  - management strategies for control of noise during deliveries and disposal of rubbish.

#### 2.3.11.6 Amplified Music Venue(s)

Any development within the **Amplified Music Venue Land Use Category** must be capable of fully enclosing with appropriate noise attenuation as detailed above all parts of the licensed area after 10:00pm this specifically involves "beer garden" situations which can result in very high levels of patron and music noise emissions. This requirement does not apply to venues that can demonstrate that they can practically move all patrons from the outdoor area of the venue after 10:00pm to an enclosed noise attenuated area.

All doors that open directly to an outdoor area or windows that provide patron thoroughfare must be provided with acoustic lobbies to prevent the leakage of noise from inside the premises

Aside from these design requirements as a minimum standard all **Amplified Music Venues** must achieve the following standard catering for low frequency noise and this should be achieved through acoustic design measures. Measurements will be taken from the boundary of the licensed venue.

#### 2.3.11.7 Management

Conditions may be imposed to require notification on title advising prospective purchasers of noise-sensitive premises, of the potential for noise nuisance for all development.

The special noise control provisions and the potential for noise nuisance can also be brought to the attention of prospective purchasers through the local government responses to property inquiries

*(Note: adapted from EPRA Planning Policy 1.17, dated January 2005)*

## 2.3.12 Services and Facilities

### 2.3.12.1 Vehicular and Pedestrian Access

- (a) The design of exterior spaces, including car parks, is to reflect a priority for pedestrian passage, with footpaths being continuous across driveways.
- (b) Pedestrian access to buildings is to be clearly defined.
- (c) Pedestrian access is to be designed to comply with Australian Standard AS1428.1 (Disabled and Limited Mobility).

### 2.3.12.2 Servicing

- (a) In order to ensure active street fronts and public spaces, all rubbish collection, loading areas and service zones shall be located at the rear of buildings.
- (b) All services located on the roof (eg air-conditioners etc) shall be designed to be integrated into the roof design and shall not be visible from the surrounds, noting that adjoining buildings may be developed with a number of levels.

### 2.3.12.3 Lighting

- (a) Lighting is to be provided in all parking and open spaces that may be subject to night time use.
- (b) All lighting is to be compatible with the general amenity of the area. Direct and reflected glare is to be prevented, light spill into surrounding areas minimised, and colour rendition is to be natural.
- (c) The provision of lights under verandahs and awnings is required.

### 2.3.12.4 Subdivision

Subdivision (including strata) of lots for small lot residential and / or commercial use is unlikely to be supported by Council unless the lot has otherwise been developed and / or an approved development has been substantially commenced.

The subdivision and / or amalgamation of lots does not affect any element, standard or requirement of the Precinct Plan.

### 2.3.12.5 Corner Truncation

Where a development is proposed on a corner lot that currently does not have a standard 6.0m x 6.0m truncation, a truncation will be required to be created and shall be ceded to the Crown as a condition of approval.

### 2.3.12.6 Drainage and Stormwater

Subject to a review of Council's drainage and stormwater infrastructure, on-site drainage and stormwater may be connected into the street system.

This provision is subject to a contribution fee for the connection to, maintenance and improvement to the existing infrastructure.

### 2.3.12.7 Construction Management

Within the Precinct Area, a high level of construction management is required, to ensure that the City Centre can continue to perform its function whilst construction work is being undertaken, and to ensure a safe environment during these times.

A condition of planning approval will require the preparation of a detailed construction management plan, which shall cover the following as a minimum:

- Type and location of lighting
- Type and location of fencing
- Nature of and timing of deliveries to the site
- Form of security (where applicable)
- Location of parking for delivery vehicles, construction vehicles and vehicles of builders and sub-contractors (which may be off site).

## 2.4 Heritage Impact Assessment

### 2.4.1 Overview

The Precinct Area is significant to Mandurah and the region.

It is indicative of the early settlement patterns of Mandurah where families congregated around the former ferry site adjacent to the current old traffic bridge. The area has aesthetic value in the stonework of the early random rubble wall construction of buildings. The area is one of social significance through its role in giving identity and social cohesion to the Mandurah community.

There are numerous sites throughout the Precinct Area that have been included in Council's Municipal Heritage Inventory. As provided within the relevant provisions of Scheme 3, Council will take account of the heritage significance of these places when assessing development.

Further to this, in recognition of consideration significance of several places, a portion of the Precinct Area has been designated as a 'Heritage Precinct' within the Precinct Plan, as described in **Section 2.2.1**. Council considers that this Precinct makes a special contribution to the city. Within the Heritage Precinct, Council expects that existing heritage buildings will be retained and conserved, and that any extensions, alterations or new construction will respect existing buildings. In response, new development will generally be restricted to 2 storeys.

### 2.4.2 Development Control Principles

In considering any application for planning approval for a place within the Heritage Precinct, Council will apply and have regard to:

- The development control principles set out in Sections 6.5 and 6.6 of State Planning Policy 3.5 - Historic Heritage Conservation;
- The structural condition of the building(s) on the site, and whether a place is reasonably capable of conservation.

### 2.4.3 Heritage Impact Assessment

Council will require a Heritage Impact Statement to be prepared for any development within the Heritage Precinct, except in the case of minor development.

The Impact Statement will address the following questions:

- How will any proposed works affect the significance of the place and area?
- What alternatives have been considered to ameliorate any adverse impacts?
- Will any proposal result in any heritage conservation benefits that might offset any adverse impacts?

Council may also require a Heritage Impact Statement to be prepared on any land adjacent to the Heritage Precinct, or any other site within the Precinct Area listed in the Municipal Heritage Inventory to consider matters of scale, massing / form and material and details.

### 2.4.4 Structural Implications

If structural failure is cited as a justification for the demolition of a building within the Heritage Precinct, evidence should be provided from a registered structural engineer that the structural integrity of the building has failed, to the point where it cannot be rectified without removal of a majority of its significant fabric and/or prohibitive costs.

In this instance, Council will require the preparation of an archival record of the place, prior to the commencement of development. The archival record is to be in accordance with the Heritage Council's standard for archival recording.

## Mandurah City Centre Precinct Plan

### 3. Administration

### 3.1 Adoption of the Precinct Plan

As referred to in **Section 1.2**, the Precinct Plan (once endorsed by Council and adopted by the WAPC), requires that all development and subdivision will be determined in accordance with the Precinct Plan. Clause 4.1.4 of Scheme 3 outlines the process required, in order to give effect to the Precinct Plan under Scheme 3, which is as follows:

- (a) Council to adopt the draft Precinct Plan for the purposes of advertising;
- (b) The draft Precinct Plan will be advertised for public comment for a period of 42 days;
- (c) Council to consider submissions received which may require modifications to the Plan and grant final approval to the Plan; and
- (d) The Precinct Plan will be then referred to the Western Australian Planning Commission (WAPC) for approval.

### 3.2 Modifications to the Precinct Plan

There may be circumstances under which the Precinct Plan may warrant modification, either through a Council initiative or upon a request from a landowner or the community. On this basis, Council may consider modifications to the Precinct Plan, subject to the following qualifications, whereby any proposed modifications to either the land use or layout of the Precinct Plan:

- Must not compromise the overall function or integrity of the Precinct Area;
- Must be consistent with the Vision and Aims of the Precinct Plan;
- Must not prejudice adjoining landowners in terms of amenity, interface or integration; and
- Must be able to demonstrate an improvement to the overall design and function of the Precinct Area.

Such modifications, if deemed acceptable, will need to be undertaken by the process outlined by Clause 7.11 of Scheme 3.

### 3.3 Amendment 96 to Scheme 3

In order to ensure that the Precinct Plan can be implemented through Scheme 3, and to ensure that there are no conflicts between the Precinct Plan and Scheme 3, an Amendment to Scheme 3 is necessary. Council has adopted Amendment 96 to ensure this consistency.

In summary, Amendment 96 to Scheme 3 seeks to achieve the following:

- Modify the provisions relating to Clause 4.1 (City Centre Development zone requirements) to reference development being in accordance with a 'Precinct Plan' rather than an Outline Development Plan, to generally reflect those provisions contained in Clause 4.14 (Precinct Development zone);
- Outlining additional criteria that is to be included in a Precinct Plan for the City Centre Development zone;
- Modification to Table 1 of the Scheme Text, which currently provides land uses and development standards for the City Centre Development zone, to ensure that Table 1 only applies in the absence of a Precinct Plan;
- Removal of residential density codes from the Scheme maps for the City Centre Development zone, to ensure residential development and density is covered by this and other Precinct Plans;
- Inclusion of Lot 9 and portion of Lot 14 Sholl Street ('George Robinson Gardens' / 'Mewburn Centre' site) into the City Centre Development zone (from the Local Recreation reserve), ensuring the whole area is integrated into the Precinct Plan. Similarly Lot 16 Sholl Street (Christ's Church site) is recommended to be included in the City Centre Development zone (from the 'Community Purpose' reserve);
- Inclusion of lots fronting Pinjarra Road, between Sutton Street and George Street from the 'Service Commercial' zone into the 'City Centre Development' zone to match the Precinct Plan boundary;
- Inclusion of lots fronting Ormsby Terrace, between Marco Polo Drive and Peel Street (opposite the Civic and Cultural Precinct) being rezoned from 'Tourist R40' to 'Precinct Development' zone, to allow for the provision of this Precinct Plan to be applied to development outcomes of these sites.

The relevant mapping changes, including those arising from Amendment 96 and Peel Region Scheme Amendment 0113/33 are shown in [Figure 8](#) *Figure-8*.

### 3.4 Applications for planning approval

#### 3.4.1 Submission of Plans

In addition to any other information required by the Scheme or by any Council policy, applications for planning approval for development within the Precinct Area shall also provide the following:

- (a) For development above four storeys (16.0m) shall be accompanied diagrams illustrating the shading of surrounding and adjacent properties (including the public domain), at 9:00am, 12:00 noon and 3:00pm as at 21 June and 22 March/September;
- (b) A coloured perspective or artists impression of the proposed development, and its integration into the street block; and
- (c) Any other plan, assessment or contribution as outlined elsewhere in the Precinct Plan; such as:
  - CPTED Assessment;
  - Acoustic Report;
  - Traffic Management Plan
  - Demonstration the development complies with the requirement for commercial floorspace within being within 8.0m of a natural source of daylight

#### 3.4.2 Advertising of Proposals

Any proposal that seeks to modify any of the development standards referenced in Section 2 of the Design Criteria will be required to be advertised in accordance with Clause 5.3 of Scheme 3, which states:

*Except for development in respect of which the Residential Planning Codes apply under this Scheme, if a development the subject of an application for planning approval does not comply with a standard prescribed by the Scheme with respect to minimum lot sizes, building height, setbacks, site coverage, car parking, landscaping and related matters, the Council may, notwithstanding that non compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this clause may only be exercised if the Council is satisfied that:*

- (a) *approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;*
- (b) *the non compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality;*

### 3.5 Servicing implications

#### 3.5.1 Water and Sewerage Services

Implementation of this Precinct Plan and other Precinct Plans in the immediate locality will have an impact upon existing Water Corporation infrastructure. For instance, the capacity of the existing sewerage pump station near the Mandurah Visitors Centre may need to be increased and waste water conveyance infrastructure may need to be replaced.

Should development of the Precinct occur at a rate which exceeds the Water Corporation's capital works program, it may be necessary for developers to pre-fund certain infrastructure improvements.

#### 3.5.2 Electricity Services

Implementation of this Precinct Plan and other Precinct Plans in the immediate locality will have an impact upon existing Western Power infrastructure and will most probably require additional 22kV feeder capacity into the Precinct Plan areas. Should development of the Precinct occur at a rate which exceeds Western Power's capital works program, it may be necessary for developers to pre-fund certain infrastructure improvements.

## 3.6 Non Statutory Recommendations

### 3.6.1 Architecture Review Panel

Council may consider the introduction of an Architecture Review Panel to assist in assessing development proposals, to ensure that an acceptable standard of architectural quality is provided for development in the City Centre.

### 3.6.2 Development Contribution Plan

In order to implement the Precinct Plan, the City of Mandurah may prepare a Development Contribution Plan to fund the recommendations.

The Development Contribution Plan may include the following items (but not limited to):

- Underground Power;
- Streetscape Upgrades (to cover pavement treatments, street trees, street furniture, footpath upgrades, street lighting, signage and branding);
- Upgrades to Services (Drainage, Power, Water etc);
- Improvements to Public Transport; (Extension to 'CAT' bus system etc) and
- Public Art.

The implementation of a Developer Contributions Scheme once prepared, will be advertised for public comment prior to final endorsement by Council as required by Scheme 3 and will form part of the Precinct Plan. Any Development Contribution Plan that is prepared will need to satisfactorily address the requirements of State Planning Policy 3.6 - Development Contributions for Infrastructure.

## 3.7 Interpretation and Definitions

### *Building Height*

For the purposes of interpretation of building height in the Precinct Area, reference shall be made to the following definition provided in Scheme 3:

*"when used in relation to a building that is used for:*

- (c) residential purposes, has the same meaning given to it in and for the purpose of the Residential Design Codes; or*
- (d) purposes other than residential purposes, means the measurement taken from the natural ground level immediately in front of the centre of the face of the building to a level of the top of the eaves, parapet or flat roof, whichever is the highest."*

*For the purposes of this definition, natural ground level shall be measured using the minimum finished floor levels specified for the purposes of 1 in 100 year storm event and that ground levels that exist on a subject lot prior to any other alterations being made to lot.*

**Storey/Level** means a space within a building which is situated between one floor level and the floor level above, or if there is no floor above, the ceiling or roof above.

### *Gross Leasable Area*

For the purposes of interpretation of gross leasable area in the Precinct Area, reference shall be made to the following definition provided in Scheme 3:

*means, in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas*

### *Street Wall*

For the purposes of the Precinct Plan, 'street wall' shall be defined as "the extent of the building face at the nearest point to the street before additional setback at upper levels".

## ITEM NO: 9.3

### BELMONT PARK RACECOURSE REDEVELOPMENT - ENDORSEMENT OF LOCAL STRUCTURE PLAN

**WAPC OR COMMITTEE:** Statutory Planning Committee

REPORTING AGENCY: Department of Planning  
REPORTING OFFICER: Planning Manager Metropolitan Planning Central  
AUTHORISING OFFICER: Planning Director Metropolitan Planning Central  
AGENDA PART: C  
FILE NO: SPN/0368/1  
DATE: 28 February 2013  
ATTACHMENTS:  
1 Department of Transport Letter  
2 Location Plan  
3 Aerial View  
4 MRS Zoning  
5 Town Planning Scheme Zoning  
6 LSP Precincts  
7 Consultation Summary  
8 Structure Plan Map  
9 Regulatory Requirements  
10 Built Form  
11 Built Form Aerial View  
12 Movement and Access

REGION SCHEME ZONING: Urban and Parks and recreation  
LOCAL GOVERNMENT: Town of Victoria Park  
LOCAL SCHEME ZONING: Special Use - R AC 0  
LGA RECOMMENDATION(S): Conditional Approval  
REGION DESCRIPTOR:  
RECEIPT DATE: 21 December 2012  
PROCESS DAYS: 70 days  
APPLICATION TYPE: Local Structure Plan  
CADASTRAL REFERENCE:

#### RECOMMENDATION:

***That the Western Australian Planning Commission resolves to:***

- 1. endorse the Belmont Park Racecourse Redevelopment Structure Plan, subject to the following modifications and advice to the applicant:***

- 1.1 modification to the Regulatory Section of the Structure Plan by:**
- a) The maximum building height to be reduced to 30 storeys;**
  - b) Site Access Operation and Implementation section to be modified to include the recommendations and agreements referred to in the correspondence from the Department of Transport to the Department of Planning dated 26 February 2013 (ATTACHMENT 1);**
  - c) The Structure Plan Map to be modified to refer to a possible inlet (indicative only, subject to detailed area planning and receipt of environmental and planning approvals from State and Local Government).**
- 1.2 insert the following provisions into the Regulatory Section of the Structure Plan:**
- a) Detailed Area Plans to identify a mix of dwelling types;**
  - b) A maximum dwelling yield of 4500 dwellings for the Structure Plan area;**
  - c) Detailed Area Plans to implement the recommendations of the technical appendices to the Structure Plan;**
  - d) A Parking Management Strategy to be prepared for the Structure Plan to the satisfaction of the Local Government and upon advice from the Western Australian Planning Commission;**
  - e) Parking Management Plans to be prepared and implemented for individual development sites or as part of the Detailed Area Plans for individual Precincts to the satisfaction of the Local Government and in particular the Parking Management Plan for the Race Track Precinct shall stipulate that the racetrack parking is only available for activities associated with the use of the Race Track Precinct;**
  - f) Precinct B to include a requirement for the preparation of a separate Detailed Area Plan for the proposed inlet and endorsement by the Local and the Western Australian Planning Commission;**
  - g) Detailed Area Plans to further analyse and determine appropriate setbacks from the foreshore reserve.**

**Advice to the Applicant:**

- i) The timing of the works required for the development will need to be closely aligned with the timings of the works required for the transport aspects of the Major Stadium project. The construction**

***program for the Major Stadium will also need to be considered. As such all road works within the Graham Framer Freeway and Victoria Park Drive road reserves will need to be completed before the stadium is operational. GRD and the PTA/Main Roads will be required to work together to develop a staging and procurement plan for the road works that tie in within this timeframe and deliver minimum disruption to traffic.***

- ii) The Parking Management Plan should also address specialised parking, motorcycle parking, bicycle end of trip facilities, public parking, reciprocal parking if appropriate and the need for a mechanism to require landowners to change the parking management over time to respond to emerging needs and traffic conditions. In addition the Plan should include proposals for the management of on street parking.***
- iii) A table shall be included in each Detailed Area Plan to the satisfaction of the local authority and the WAPC that sets out the maximum parking allocations that will be permitted for the various non-residential land uses based on the Structure Plan proposals and Statement of Planning Policy 4.2.***
- iv) Section 18 (Aboriginal Heritage Act) consent to be obtained prior to subdivision or development commencing.***

***2. advise the Town of Victoria Park of its decision accordingly.***

#### **SUMMARY:**

The Belmont Park Racecourse Redevelopment Structure Plan (LSP) has been submitted to the Western Australian Planning Commission (WAPC) for its endorsement in accordance with Clause 29AB (12) (c) of the Town of Victoria Park Town Planning Scheme No. 1.

The Belmont Park Racecourse Redevelopment Structure Plan proposes the redevelopment of land surrounding the Belmont Park racecourse into a vibrant mixed-use development comprising a range of land uses including high density residential, short stay accommodation, office and retail floorspace and public and private recreation including a public day use marina/boat landing. It is envisaged that the LSP will take in the order of 19 years to implement.

The site is strategically located on the northern tip of the Burswood Peninsular, in close proximity to the Perth central business district and city airports and forms a key gateway to Perth from the east. The Burswood Peninsular has developed as a leisure precinct accommodating the Burswood Entertainment Complex, the Burswood Park Golf Course, the State Tennis Centre, the Mirvac Peninsula residential estate and the Belmont Park racetrack. The precinct identity will be further enhanced by the

anticipated construction of the football stadium, the 6 star hotel associated with Crown Casino and the redevelopment of the Belmont Park Racecourse site.

Key proposals of the LSP include:

- To develop approximately 4500 dwellings (single, grouped and multiple dwellings) in a range of built forms ranging from single residential to multiple dwellings;
- To provide for a built form dominated by buildings with heights of 4 to 13 storeys and interspersed with towers with heights ranging from 38 to 53 storeys;
- To create up to 31,000m<sup>2</sup> of retail floorspace and up to 60,000m<sup>2</sup> of office floorspace.
- To access the LSP area from Graham Farmer Freeway (GFF) and Victoria Park Drive (VPD)
- To accommodate a permanent resident population of approximately 4500 people.
- To generate between 5350 and 5470 jobs.

The LSP has been prepared to provide a framework to guide future detailed area planning, subdivision and development over the site. Further detailed planning is required prior to further subdivision and development commencing in accordance with the Belmont Park LSP and includes the preparation and endorsement of Detailed Area Plans for individual precincts.

The LSP has been referred to the Statutory Planning Committee (SPC) because of the proposed scale of development and because of the potential for the development to impact on the regional road network and the prominence of the Perth Central Business District as the capital city.

It is recommended that the LSP be endorsed subject to modifications relating to building height, access and movement, foreshore access, diversity of dwelling stock, building height and parking allocation.

## **BACKGROUND:**

The site the subject of the LSP is legally known as Lot 9000, Lot 102, Lot 300 and Lot 3 Graham Farmer Freeway (GFF) Burswood and is bound to the south by GFF and on all other boundaries by the Swan River. The site has an area of 73.6641 hectares and is located approximately 4 kilometres from the Perth Central Business District (CBD) (**Attachment 2 Location Plan** and **Attachment 3 Aerial View**).

Planning for the redevelopment of the area commenced in 2005 when a Structure Plan was prepared over the site by the WA Turf Club. MRS Amendment 1159/41 which rezoned the site from Private Recreation to Urban (and retained the racing precinct in its current location), was prepared in consultation with the Swan River Trust (SRT) and the Department of Environment and Conservation (DEC) and was gazetted in 2009. MRS Amendment 1159/41 forms the basis of the subject LSP (**Attachment 4 MRS Zoning**).

An amendment to the Town of Victoria Park Town Planning Scheme No. 1 (Amendment No. 57 to TPS No.1) was gazetted on 22 February 2013 and rezoned the structure plan area from 'Special Use-Racecourse' to 'Special Use R AC 0' and amended the Burswood Peninsular Precinct Plan to introduce new land use and development standards for the LSP area (**Attachment 5 Local Planning Scheme Zoning**).

## **LEGISLATION / STRATEGIC PLAN / POLICY:**

**Legislation** *Town of Victoria Park Town Planning Scheme No. 1*

### **Strategic Plan**

Strategic Goal: Planning  
Outcomes: Effective Delivery of Integrated Plans  
Strategies: Implement State and Regional Planning priorities

### **Policy**

Number and / or Name: SPP 4.2 Activity Centres for Perth and Peel

## **DETAILS:**

Pursuant to Clause 29AB (10) of the Town of Victoria Park TPS No. 1, the Belmont Park Racecourse Redevelopment Structure Plan (LSP) has been referred to the WAPC for its endorsement.

The LSP has been prepared to establish a statutory framework to guide the planning and redevelopment of the Belmont Park Racecourse site. The LSP provides for the redevelopment and consolidation of the racecourse facilities and development of the surrounding surplus land for a vibrant mixed use and transit oriented development focused on the Swan River and its foreshore and the existing racecourse facility.

The LSP defines the land use composition for the site and proposes a diverse mix of land uses ranging from retail and commercial to entertainment, cultural, tourism and civic land uses and high density residential developments.

The broad land use categories proposed in the LSP are:

- Racing;
- Retail;
- Commercial;
- Residential;
- Public Open Space;
- Regional Open Space; and
- Roads

The LSP area has been separated into 4 Precincts as illustrated in **Attachment 6 - LSP Precincts**, which will be summarised below.

- Precinct A – a diverse residential community with low to mid rise residential;
- Precinct B – the activity centre with high rise residential, office, retail, tourism, entertainment using transit oriented development principles;
- Precinct C – racing; and
- Precinct D – an activity centre, high rise residential, office and retail.

A detailed assessment of the LSP and the proposed land uses will be discussed in the Officer's Comment Section of this report.

## **GOVERNMENT AND CORPORATE IMPLICATIONS:**

The Structure Plan proposes the redevelopment of a strategically located site at the northern tip of the Burswood Peninsular. The LSP proposes a high density mixed use transit oriented development with a vibrant activity centre to accommodate a range of commercial, office and retail uses.

The LSP proposes a built form which ranges from 3 storeys to 53 storeys. Whilst the site is isolated by its location on a Peninsula and north of the GFF in a location where the impacts of building height are physically reduced as a result, any height above 30 storeys (maximum approved height at the Riverside project adjacent to the Causeway) is considered to be untested and outside of the Capital City Planning Framework and could be to the detriment of the Perth Central Business District.

The WAPC is in the process of finalising the Burswood Peninsular Draft District Structure Plan, a non-statutory structure plan, which aims to provide a strategic framework for the planning, assessment, co-ordination and implementation of major development initiatives across the Peninsular and includes the LSP area. The District Structure Plan has not been endorsed by the WAPC and there are no statutory controls to defer determination of the subject LSP pending finalisation and adoption of the district Structure Plan.

## **CONSULTATION:**

The LSP was advertised by the Town of Victoria Park for a period of 42 days between the 12 June 2012 to 24 July 2012 and included consultation with government departments and servicing agencies. A total of 18 submissions were received from a range of submitters including servicing agencies, government departments, local government agencies and residents. A summary of the submissions and Council's comments on the submissions is contained in **Attachment 7 - Consultation Summary**.

Submissions were received from a Rivervale resident, Heritage Council, City of Bayswater, Department of Indigenous Affairs, Western Power, Telstra, City of Perth, Water Corporation, Department of Transport, Department of Tourism, Landcorp, Department of Health, Department of Planning, Metropolitan Redevelopment Authority, Department of Education, Department of Environment and Conservation and Swan River Trust.

The central issues raised in the submissions include:

- Maximum building height should be reduced;
- Proposed built form and height of towers reflecting the hierarchy of activity centres;
- Cohesive planning of Burswood Peninsula;
- Provision of a range of residential densities;
- Impact of proposed retail floorspace on the CBD;
- Servicing limitations and constraints;
- Access and egress to the site from GFF and VPD;
- Traffic problems will increase for surrounding areas;
- Building setback to the 'Parks and Recreation' reserve; and
- Odour from the racing activities;

The majority of the issues raised in the submissions have been addressed through recommended modifications to the statutory section of the LSP, the detailed area planning stage and/or at the time of subdivision and development. The issues raised during the consultation phase will be discussed in the following relevant sections of the report.

## **PLANNING FRAMEWORK**

### ***Metropolitan Region Scheme***

The LSP area is predominantly zoned 'Urban' under the MRS with the exception of the foreshore which is reserved for 'Parks and Recreation' and a small portion of the site adjacent to the southern boundary which is reserved for 'Primary Regional Roads'.

The LSP is in accordance with the MRS zonings and reservations.

### ***Town of Victoria Park Town Planning Scheme No. 1 Zoning***

The majority of the site is zoned 'Special Use - RAC 0' and included with a Special Control Area DA1. The land is also subject to the provisions of Precinct Plan P1 - Sheet A.

The land has been the subject of a recent Amendment No. 57 to TPS No. 1 as discussed in the background section of this report. The current zoning of the site recognises the redevelopment of the racecourse.

### ***Directions 2031 and Beyond and Central Perth Metropolitan Sub-Regional Strategy***

The WAPC's Directions 2031 and Beyond Strategy represent the highest level of strategic land use planning within the Metropolitan and Peel regions. Directions 2031 and Beyond aims to provide a hierarchy of places and locations for a range of economic activities and employment across the Perth and Peel region. The Strategy also plans for a diverse mix of services, facilities, activities, amenity and housing types in centres to facilitate economic development and employment.

The Draft Central Metropolitan Perth Sub-Regional Strategy identifies the site as being a major Transit Oriented Development site and a major growth area with a potential yield of 1000 or more dwellings. The LSP site is also in proximity to the Victoria Park Secondary Centre (Activity Centre) and is in close proximity to the Burswood Casino Metropolitan Attractor Activity Centre.

### ***Perth Capital City Planning Framework***

The Capital City Planning Framework provides a key planning strategy for Central Perth that sets out how it is to respond to its role as the State's capital city. The framework acknowledges the resultant horizontal landscape of the city centre which emphasises the soaring heights of the office and apartment buildings that mark the city centre and it accentuates the pockets of more intense development outside of the city such as Burswood, Crawley and Canning Bridge.

The framework contains a Spatial Plan which demonstrates an urban structure by distributing a palette of defined urban development types which groups urban features together to establish a logical structure for a desirable city. The Spatial Plan identifies the LSP area as higher-intensity residential, urban and open space. The framework indicates a strongly defined urban block for higher intensity residential and with typically 3 to 6 storey primary street frontage and capacity for additional levels above if impact on adjacent streetscape and urban context is acceptable. The framework further states that limitation of overall height contrasts with higher urban centres and implies a hierarchy of place. The framework indicates a lower height for urban (the grandstand building) although it indicates that some towers and larger buildings may be appropriate in amalgamated or larger urban sites.

The LSP is generally consistent with the Capital City Framework with the exception of some of the proposed building heights which will be discussed separately in the following sections.

### ***State Planning Policy 4.2 Activity Centres for Perth and Peel***

State Planning Policy 4.2 - Activity Centres for Perth and Peel guides the planning and development of activity centres. The policy reflects the WAPC's intention to encourage and consolidate a mix of residential and commercial uses within activity centres. The subject site is on the periphery of the Burswood Casino Metropolitan Attractor Activity Centre and in proximity to the Victoria Park Secondary Centre.

The LSP proposes to expand the diversity of commercial land uses on the site to compliment surrounding uses and support the nearby activity centres and will be discussed in a separate section.

### ***Burswood Peninsular District Structure Plan***

The draft Burswood Peninsula District Structure Plan (draft DSP) sets the high level vision for the peninsula, and details the creation (amongst other things) of a high density transit oriented urban centre constructed around the Belmont railway station. The draft DSP provides a strategic framework for the planning, assessment, coordination and implementation of major development initiatives across the

Burswood Peninsula. The DSP will be used by state and local governments to inform planning and development decisions across the Peninsula, including the assessment of local structure plans for individual projects. The DSP envisages the following major developments locating to the Peninsular:

- high density urban neighbourhoods at Belmont Part, Burswood Station and The Springs;
- an expanded gaming and entertainment precinct including the new 6-star Crown Towers hotel;
- a 60,000 seat major sporting stadium with access to upgraded public transport facilities and an expanded pedestrian network;
- a significant area of structured parkland;
- new employment, retail and hospital centres within the walkable catchments of Belmont Park and Burswood railway stations; and
- an extended riverine parkland connected by high quality pedestrian and cycle paths.

Concurrently with the draft DSP the Department of Transport, Main Roads WA, Town of Victoria Park and Department of Planning have jointly commissioned detailed transport modelling of the Burswood Peninsula to assess proposed road network changes and identify any infrastructure upgrades that are required to service the development. The calibrated base model and validation report were completed in February 2013; however detailed scenario testing will not be undertaken until the end of March 2013.

The draft DSP has been circulated to key Government agencies for preliminary review and comment prior to seeking consent from the Western Australian Planning Commission to commence broader stakeholder.

The Department of Transport has signed off the proposal contained within the Belmont Park LSP and as such the LSP is considered to be suitable for determination despite the traffic modelling not being complete and the DSP having not been finalised.

### ***Development Control Policy Planning to Support Transit Use and Transit Oriented Development***

WAPC Policy DC 1.6 - Planning to Support Transit Use and Transit Oriented Development aims to promote and facilitate the use of public transport as a more sustainable alternative to the private car for personal travel and to ensure the optimal use of land within transit oriented precincts by encouraging the development of uses and activities that will benefit from their proximity and accessibility to public transport and which will in turn generate a demand for the use of transit infrastructure and services.

The LSP proposes a transit oriented development within precinct D and will be discussed in following sections.

### **OFFICER'S COMMENTS:**

The LSP is in three parts:

- Part One – Regulatory Section (to be used for future decision making);
- Part Two – Explanatory Section (sets out the development intent for development in the LSP area; and
- Appendices – Technical Reports (Environmental Assessment, Preliminary Acid Sulfate Soil Investigations, Foreshore Management Plan, Servicing Report, Noise Assessment, LSP Inputs, Concept Masterplan, Redevelopment Sizing and Impact, Retail and Office Assessment Peer review, Community Development Plan, Transport Assessment, Local Water Management Strategy, Landscape Strategy, Sustainability Statement, Horse Racing Track Lighting, Review of Potential for Malodour Impacts and Project Modelling Report)

The LSP structure and content is sufficient to enable determination of the LSP and is generally in accordance with the Commission's Guidelines for the Preparation of Structure Plans.

### ***Proposed Statutory Provisions***

In accordance with clause 29 AB (12) (c) of TPS No.1 where the land is within the area of a Structure Plan the land use permissibility and development requirements contained in the Structure Plan will apply to the land in lieu of the land use permissibility and development requirements which would otherwise apply to the land under TPS No. 1.

The regulatory provisions of the LSP are contained in Part One of the LSP and stipulate the general subdivision and development requirements that apply to the structure plan area. Part one of the LSP specifies that the local government will not consider recommending subdivision or approving development within the structure plan area unless a Structure Plan and Detailed Area Plan (DAP) for a precinct or part of a precinct has been prepared and adopted. The statutory provisions within the LSP are detailed in **Attachment 8 - Structure Plan Map** and **Attachment 9 - Regulatory Provisions** and include the following:

- Objectives for the LSP and individual precincts;
- Statement of intent and relationship of the LSP to Council's Town Planning Scheme;
- Design principles;
- General subdivision and development requirements for the LSP and for individual precincts;
- Land use permissibility;
- Residential density;
- Site area requirements for single houses, grouped and multiple dwellings;
- Minimum dwelling yields;
- Car parking requirements;
- Detailed Area Planning requirements;
- Maximum net lettable area allocation; and
- Operation and implementation.

## Precinct Planning Requirements

The LSP is divided into 4 distinct precincts as shown on Attachment \*\* and as summarised below:

Precinct	Description	Yield
<b>Precinct A - North &amp; West Park Precinct</b>	<ul style="list-style-type: none"> <li>located on the northern and north western tip of the peninsular;</li> <li>a mix of residential developments ranging from medium rise residential apartments (4 to 13 storeys) to low rise attached single residential dwellings (3 storeys and less), ;</li> <li>R-AC 0 density code to apply with a minimum site area requirement of 150m<sup>2</sup> for single and grouped dwellings and a maximum plot ratio of 5 for multiple dwellings;</li> <li>restricted non-residential land uses to commence over time including home businesses, restaurants, small retail shops &amp; child care facilities.</li> </ul>	<p>estimated dwelling yield 950 dwellings</p> <p>estimated retail NLA 400m<sup>2</sup></p>
<b>Precinct B - Marina Precinct</b>	<ul style="list-style-type: none"> <li>comprises the south western portion of the LSP area and adjoins GFF;</li> <li>a mix of high density and mid (4 to 13 storeys) to high rise residential development (38 to 53 storeys), commercial, office, retail, leisure, tourism (hotel), cultural and entertainment uses including a public marina/boat landing</li> <li>the R-AC 0 density to apply with a maximum plot ratio of 12 for multiple dwellings;</li> <li>office, retail and commercial development is to be located surrounding the marina and adjacent to the GFF (8 to 10 storey building);</li> <li>reduced car parking requirements for non-residential uses.</li> </ul>	<p>estimated dwelling yield 2050 dwellings</p> <p>estimated office NLA 22,500m<sup>2</sup></p> <p>estimated retail NLA 29,975m<sup>2</sup></p>
<b>Precinct C - Racetrack</b>	<ul style="list-style-type: none"> <li>located along the southern edge of the site adjacent to the GFF and incorporating the race track, grandstand, stables and ancillary infrastructure;</li> <li>redevelopment of grandstand and associated facilities into iconic building which will connect to the existing pedestrian footbridge to the Belmont Park railway station;</li> <li>structural walls and the back of the new grandstand building will restrict the interface between the surrounding Precincts and the Racetrack;</li> <li>foreshore adjacent to the track will be stabilised to allow for a continued public access around the foreshore;</li> <li>car parking (at-grade and underground) in this precinct for race track users and patrons only.</li> </ul>	
<b>Precinct D - Transit Oriented Development</b>	<ul style="list-style-type: none"> <li>south eastern portion of the LSP area and adjoins the GFF;</li> <li>mix of land uses appropriate for a Transit Oriented (TOD) including high density residential (38 to 53 storeys), office, commercial and retail (4 to 13 storeys), piazza, restaurants and pedestrian thoroughfares;</li> <li>R-AC 0 density code will apply with a maximum plot ratio of 12 for multiple dwellings;</li> <li>reduced car parking requirements for non-residential uses.</li> </ul>	<p>estimated dwelling yield 1500 dwellings</p> <p>estimated office NLA 37,725m<sup>2</sup></p> <p>estimated retail NLA 1450m<sup>2</sup></p>
<b>ESTIMATED TOTAL YIELDS</b>		
<p><b>Total dwelling yield 4500</b>  <b>Estimated total retail NLA 31,825m<sup>2</sup></b>  <b>Estimated total office NLA 60,225m<sup>2</sup></b></p>		

## Residential Density, Dwelling Size, Yield and Built Form

Part One of the LSP specifies a residential density of R AC 0 over the entire LSP area (with the exception of the foreshore area), which is consistent with the zoning of the site. Density, site requirements and development standards are specified for each precinct as detailed in the table above.

Whilst the LSP does not identify a range of densities it does specify different density, site requirements and development standards that will determine the built form and which will assist in providing a diversity of dwelling sizes. However, there are no provisions contained within the LSP to secure an appropriate dwelling mix. In order to ensure a dwelling mix is provided but also to provide flexibility for the developers, it is recommended that the LSP be modified to require the overall structure plan to provide a mix of dwelling types.

In the absence of minimum and maximum density controls, the overall dwelling yield will be controlled through prescribing minimum yields for each precinct. It is recommended that maximum dwelling yields be included in the LSP also.

The intensity of residential development and density of development is proposed to increase in the southern portion of the site, near the Burswood Train Station and TOD precinct and activity centres. The proposed means of regulatory control, which will control form and land use within each precinct, will assist in increasing the intensity of residential development.

The LSP indicates that the future community is likely to consist of;

- Singles and couples with no children in the 25-54 age groups;
- Empty nesters and generally those who are aged 55 years and over;
- Professional workers who earn a higher than average weekly median income;
- Local and overseas people currently undertaking university or tertiary education; and
- People who choose to live in medium to high density environments with a range of housing options available.

In the interest of providing affordable housing alternatives it is considered that statutory provisions to ensure a range of dwelling sizes is further necessary.

### ***Retail and Commercial***

Part One of the LSP indicates maximum retail and office floor space allocation for the overall structure plan. The LSP proposes a maximum net lettable area (NLA) of 60,000m<sup>2</sup> for office space and a maximum NLA of 31,000m<sup>2</sup> for retail floor space. Part One of the LSP also states that the maximum NLA may be exceeded through a Detailed Area Plan for the entire centre where the requirements of SPP 4.2 Activity Centres for Perth and Peel are met to the satisfaction of the WAPC and the Town of Victoria Park.

The LSP proposes to concentrate non-residential development with Precinct B and D. Precinct D in the south eastern portion of the site is proposed to focus on transit oriented development because of its proximity and connectivity to the Burswood train station. Precinct B in the south western portion of the site is proposed to

accommodate the focus of retail activities in the form of a shopping centre as detailed in the Table above.

A Commercial Impact and Sustainability Assessment has been prepared by MacroPlan and includes a qualitative assessment of the commercial impacts on the surrounding area. The Assessment suggests that the type of office space delivered as part of the LSP will be premium office space and will differ to the existing and proposed product within the Town of Victoria Park. In addition to this MacroPlan have undertaken a detailed Retail, Economic Impact Assessment for the LSP which outlines the impacts of the proposed office and retail development on surrounding centres.

The proponents submit that the development of the Activity Centre at Belmont Park will have an impact on surrounding existing centres but that the impact will not be adverse and will not affect the orderly and proper provision of activity centres in the district as summarised by the proponent below:

- *The proposed Activity Centre will provide a complementary function to existing commercial areas elsewhere in Victoria Park, including office and retail*
- *The critical mass on site will enable the community to be self-sufficient in its own right and provide a greater catchment for the entire area of Victoria Park. This will allow Victoria Park and Albany Highway retail in particular to continue to provide a unique, diverse range of small and family owned retail, service and food services*
- *The proposed Activity Centre will reduce competition for retail tenancies in Victoria Park and along Albany Highway. This will allow current businesses to remain viable as the reduced level of competition will not place upward pressure on rental levels*
- *It will offer employment and business opportunities for broader Victoria Park area*
- *It will enhance the offerings in the area, support the proposed new sports arena stadium and reinforce Victoria Park as Perth's primary entertainment precinct*
- *It will enhance the necessity for better public transport, road linkages and rail networks in the entertainment precinct*
- *It will offer businesses a cheaper alternative to traditional precincts such as the CBD, West Perth and Subiaco for both high end retail and office space users"*

The LSP area is not identified as a specific activity Centre under SPP 4.2 however; the State Planning Policy does identify a District Centre for Burswood. Considering the location of the structure plan area on the Burswood Peninsular the proposed activity centres are considered to be appropriate for the District Centre hierarchy and are supported.

### ***Transit Oriented Development***

The LSP proposes to provide for Transit Oriented Development (TOD) within Precinct B and D in order to take advantage of the accessibility to the Burswood Train Station. To facilitate a successful TOD development, it will be necessary for the proponents to work with the Public Transport Authority (PTA) to ensure the timely upgrade of the station from a 'special events station' to a 'fully operational daily use commuter' station.

A TOD is typically defined as a relatively high density development within a radius of 400 to 800 metres from a transit stop. Approximately 3.5 hectares of the LSP area is within a 400 to 800 metre radius from the Belmont Park Train Station and is therefore considered to be highly suited to a TOD.

The location of the retail and office uses, in close proximity to the higher density residential development and the train station, is considered to promote walkability within the LSP and is therefore in keeping with TOD principles.

The LSP proposes to locate entertainment and tourist uses including a hotel for short stay accommodation and a possible marina within the TOD precincts (Precincts A and B). The location of tourist activities within the TOD precincts will assist in facilitating the creation of a vibrant and diverse activity centre, which is well located to maximise the high amenity and locational advantages of the site, which are ideal for tourist development.

The Department of Transport (DOT) has not provided a commitment as to when and under what conditions the Belmont Park Railway Station would become fully operational and brought into daily use. There is a risk that the PTA could delay making Burswood Station a fully operational station in the short to medium term and that this would significantly impact on the functionality of the TOD precinct.

In this regard modifications are recommended to the LSP to require the proponent to continue to liaise with the PTA to secure a timeframe for the PTA to upgrade the station and to ensure that the station is operational in the early phases of development thus allowing for a reduction in the parking standards and to facilitate more sustainable transport patterns.

### ***Racing***

The LSP proposes to retain the racing facility in its current configuration and for its existing horse racing uses. Perth Racing who own the racetrack propose to upgrade the racecourse and associated facilities, including the construction of a new multipurpose grandstand, outdoor viewing area, stables, parade ring and car parking in order to increase the use and patronage of the race course.

The retention of the racecourse and its integration into an urban environment is considered to be innovative and will assist in making the development unique.

### ***Building Height and Built Form***

The LSP proposes 3 distinct building forms as illustrated on **Attachment 10 - Built Form** and **Attachment 11 - Built Form Aerial View** and as described below:

- High-rise - podium deck structures (4 to 13 storeys) punctuated by tower structures (38 to 53 storeys);
- Mid-rise residential blocks (4 to 13 storeys); and
- Low-rise single residential dwellings (maximum of 3 storeys)

The LSP details how the built form and the proposed heights have been designed and positioned to suit the different characteristics of the respective parts of the site as quoted below:

*"The development enjoys a unique and distinctive address at the tip of the Burswood Peninsula, surrounded by the Swan River. Low rise built form in the north and western part of the site capitalizes on the qualities and opportunities presented by the riverside site.*

*Mid-rise residential built form is located generally adjacent to the race track responding to the need for development on land abutting the race track to be undertaken in a manner that respects its geometry and function. The general massing of mid-rise built form in this location affords views to the track.*

*Taller buildings are located alongside and close to the southern edge of the site, bounded by the Graham Farmer Freeway. The height and massing of the built form adjacent to the Graham Farmer Freeway will create an acoustic barrier to the road, with uses that benefit from a highly visible frontage. This offers shelter from both noise and pollution associated with the Graham Farmer Freeway.*

*High rise residential towers are strategically positioned to take advantage of views to the river, the CBD and the racecourse."*

The structure plan area is visually isolated by its location on a Peninsula and north of the GFF. These characteristics will assist in minimising the visual impacts of building height. The proposal to allow a maximum building height of 53 storeys is however still a concern taking into account the fact that the highest building within the CBD is currently only 51 storeys. Nearby development has been approved up to 21 storeys on Burswood and up to 30 storeys in the Waterbank development adjacent to the Causeway. Any building height higher than that approved at the Causeway is considered to be outside of the Capital City Planning Framework and could be to the detriment of the Perth Central Business District. In this regard a modification is recommended to require a maximum building height of 30 storeys.

### ***Movement and Access***

The Structure Plan proposes two main access points to the site as illustrated in **Attachment 12 - Movement and Access** and as described below:

- The existing access to Belmont Park from the eastbound off-ramp of Graham Farmer Freeway;
- A new connection from the northern intersection on the Victoria Park Drive bridge;

To facilitate the existing and proposed access to the site the following road works are required:

- Left hand entry lane to the LSP TOD from the east bound on ramp at the VPD overpass intersection.
- Provision of a dedicated eastbound off ramp from GFF to VPD.

- Provision of a through lane at the VPD intersection from the eastbound GFF off ramp to the eastbound on ramp.
- Provision of two right turn lanes from the eastbound off ramp onto VPD and from VPD onto the GFF westbound on ramp is supported.

In response to the restricted access to the site, the LSP also proposes emergency access points on the eastern edge of the site via a 3.0 metre wide cycleway and pedestrian boardwalk (suitable for light vehicles also), across the race track and on the western edge of the site under the Windan Bridge.

Within the LSP a road hierarchy consistent with Liveable Neighbourhoods is proposed. The road hierarchy is based on traffic modelling, which has identified anticipated traffic volumes for each road. It is considered that the LSP provides for a well-connected street network. The overall road network is not considered to be permeable as a result of the location of the race track which prevents access around the eastern periphery of the race track. Despite this the LSP has provided for a permeable road network within Precinct B and will assist in facilitating activity at the street level and connectivity to the foreshore.

The Department of Transport (DOT) on behalf of DOT, Main Roads WA and the Public Transport Authority (PTA) have undertaken significant consultation with the proponent, the Town of Victoria Park, the Department of Planning and Servicing agencies. The result of these extended negotiations is that all outstanding matters associated with movement and access to and from the LSP have been negotiated. The Department of Transport has confirmed its support for the Structure Plan and future subdivision and development subject to a number of conditions relating to the requirement for a road safety audit, funding arrangement for particular works and construction requirements. These conditions form part of the recommended modifications to the statutory section of the LSP.

The LSP proposes to relocate the existing principle shared path (PSP) alongside GFF and to relocate and construct this as a grade separated path and so that it can be designed to pass under the new entry road into the LSP area via a tunnel in order to eliminate potential conflict between cyclists and vehicles.

The LSP also proposes to extend the shared path system which has been constructed around the foreshore to the south of the site into the LSP area and to extend this around the periphery of the LSP to provide access to the foreshore reserve from the LSP area. This pathway will provide excellent recreational opportunities for residents as well as wider users of the Burswood Peninsular who will be able to access the foreshore area that will be developed as part of the LSP. In addition to the foreshore path, the LSP proposes additional paths along all internal roads and within the foreshore reserve and will be accessible to the residents of the LSP and recreational users of the Burswood Peninsula.

### ***Parking***

The LSP proposes that car parking requirements for residential component are to be provided in accordance with the R Codes. This is acceptable.

With regard to the office and retail uses the LSP proposes to apply reduced parking standards as described below:

- Office parking to be provided at 1 bay per 57m<sup>2</sup> which is less than the 1 bay per 40m<sup>2</sup> which is required under TPS 1 and less than SPP 4.2 which requires 1 bay per 50m<sup>2</sup>;
- Retail Parking to be provided at 5 bays per 100m<sup>2</sup> consistent with SPP 4.2 which requires 4 to 5 bays per 100m<sup>2</sup>, which is less than the 10 bays per 100m<sup>2</sup> which is required under TPS 1; and
- Hotel Parking to be provided at 1 bay per 5 rooms which is less than TPS 1 which requires one bay per room.

The basis for reducing the car parking requirements is supported on the grounds that the LSP is situated next to the Belmont Park Railway station and transit oriented development is a key focus of the LSP because this will maximise the location of the site adjacent to a rail station and reduce traffic movements to and from the site in order to minimise traffic impacts on the GFF and VPD. In addition it is anticipated the higher residential densities proposed in the LSP area combined with the projected future workforce residence will reduce the demand for office car parking within the area. The Structure Plan area aims to achieve strong employment self-sufficiency and the car parking requirement has been designed to reflect this.

The preparation of a parking supply and management is the key to ensuring the future accessibility to the site and the LSP sets out an appropriate approach to preparing a Parking Management Plan. Modifications are recommended however to require the Parking Management Plan to be prepared in consultation with the WAPC.

The Structure Plan largely reflects the parking standards as set out in SPP 4.2 and as such is appropriate for the development. This however is lower than the Town of Victoria Park Scheme standards consequently action should be taken to apply the Structure Plan standards as a statutory maximum. The risk here is that individual developers may seek higher amounts of parking that could compromise access for the overall project and exacerbate peak loadings on the regional road system. The Detailed Area Plans - Parking Management Plans should include a table of agreed specified maximum parking standards based on the Structure Plan and SPP 4.2.

The LSP does not address specialised parking, motorcycle parking, bicycle end of trip facilities, public parking, reciprocal parking and the need for a mechanism to require landowners to change the parking management over time to respond to emerging needs and traffic conditions. These elements along with on street parking management should be addressed in the preparation of the Parking Management Plan.

### ***Public Open Space and Foreshore Reserves***

The LSP proposes to landscape the foreshore reserve and to create this as a useable active and passive recreational area. The LSP also proposes to create 19 pockets of local open space and indicates that approximately 13.8% of the gross subdivisible area will be provided as public open space (POS) and this is in addition to the foreshore reserve and the private recreation which will accommodate the racing track.

The provision of POS in accordance with the LSP and the provision of open space surplus to 10% as required under Development Control Policy 2.2 is commended and supported.

A Foreshore Management Plan has been prepared as part of the LSP and will require the approval of the Town and the Swan River Trust prior to the commencement of subdivision or development. Detailed Area Plans will need to further analyse and determine appropriate setbacks from the foreshore reserve.

### ***Servicing***

A servicing assessment has been undertaken as part of the structure planning for the site and is in the Appendices to the LSP. In addition to this submissions were received during the consultation period from the Water Corporation and Western Power. Currently reticulated water and sewer of a sufficient capacity to service the LSP is not available to the site. It will therefore be necessary that a full scheme review be undertaken by the Water Corporation and Western Power to determine how the LSP and the remainder of the Burswood Peninsular will be serviced.

The ultimate servicing of the development will need to be approved by the Water Corporation and Western Power and are standard requirements of the subdivision and development process. To ensure the development is fully serviced by standard urban services a condition is included to require all subdivision and development be connected to reticulated water, sewerage and underground power.

### **Conclusion**

The proposed land uses, access, built form open space and movement and access aspects of the LSP are broadly considered appropriate for the site and for transit oriented development.

The LSP is generally in accordance with the relevant WAPC policy and practice and any variations to this relates to the location of the site on the Burswood Peninsular and to the provision of a transit oriented development.

Some more detailed planning is to be undertaken following the endorsement of the LSP and Detailed Area Plans will further guide subdivision and development.

It is recommended that the LSP be endorsed subject to a number of modifications to the Regulatory / Statutory Section.



Government of Western Australia  
Department of Transport

ToVP ref : PLA0003/57, GRAH1, BURS  
Our ref : DT/10/02176  
Enquiries : Craig Wooldridge (6551 6082)

Gemma Basley  
Senior Planner  
Department of Planning  
140 William Street  
Perth WA 6000

26 February 2013

Dear Gemma

## **DRAFT STRUCTURE PLAN FOR BELMONT PARK RACECOURSE SITE – TRANSPORT PORTFOLIO CONDITIONS**

As per the letter from the Department of Transport to Golden River Development on 21 February (supplied to you last week) all outstanding matters have been negotiated subject to a small number of conditions. These conditions cover the requirements of the Department for Transport, Main Roads and the Public Transport Authority. These conditions are contained within this letter for the WAPC to include in the Structure Planning approval process.

The Transport Portfolio is support of the subdivision proceeding subject to the conditions set out below.

### **Left Turn from the First East bound Graham Farmer Freeway Off Ramp**

The concept plan indicates a stub end that feeds into a car park just before the roundabout. Through further discussion we have been advised that there will be a lead into the car park of substantial length that will prevent queues extending back onto the off ramp. This access point is acceptable subject to further detail being provided during the design process and an associated signage strategy that will address the access point if the car park is full.

### **Left Turn from the Second Eastbound Graham Framer Freeway Off Ramp onto Victoria Park Drive**

The proposed left turn at this location has been discussed in detail and there are still varying views on the impacts. The modelling for the traffic flows through the two entry/exit points from the off ramps vary considerably due to the differing levels of detail and focus for the two models produced. The Transport Portfolio has agreed to allow the left turn at this location subject to a Road Safety Audit.

**ATTACHMENT 1**

### **Westbound On Ramp from Victoria Park Drive onto Graham Farmer Freeway**

From discussions, agreement has been reached to remove the breakdown lane from Victoria Park Drive to a point just west of the overpass and this is indicated on the latest concept drawing supplied in February. This will result in the widening missing the pier, but pier protection to relevant standards will be required and a Road Safety Audit.

### **Road Safety Audit**

A Road Safety Audit covering all aspects of the project will need to be arranged by Transcore (on behalf of GRD). The audit team will consist of members that are agreeable to the Transport Portfolio and Transcore (on behalf of GRD). The audit team will need to include a member with transport modelling experience and also one with freeway design experience. The audit will cover all road works associated with the development and safety issues raised will need to be addressed during the design process. The audit is to be completed by the end of March 2013.

### **Timing of the Works that are Within the Graham Farmer Freeway and Victoria Park Drive Road Reserves**

The timing of the works required for the development will need to be closely aligned with the timings of the works required for the transport aspects of the Major Stadium project. The construction program for the Major Stadium will also need to be considered. As such all roadworks within the Graham Framer Freeway and Victoria Park Drive road reserves will need to be completed before the stadium is operational. GRD and the PTA/Main Roads will be required to work together to develop a staging and procurement plan for the roadworks that tie in within this timeframe and deliver minimum disruption to traffic.

### **Funding Contributions**

To date GRD has agreed to fund the following:

1. All PSP relocation/tie in works including grade separation at the first access point and at Victoria Park Drive.
2. All works associated with the revised eastbound off ramps from Graham Farmer Freeway to the development and Victoria Park Drive.
3. All works associated with the widening of the westbound on ramp from Victoria Park Drive to Graham Framer Freeway (this does not include any work associated with the proposed future ramp-metering widening and works on this ramp).
4. Modifications to Bulbuk Way.
5. The modifications to the Victoria Park Drive bridge over Graham Farmer Freeway, including a replacement pedestrian/cycling bridge.
6. A contribution towards the Victoria Park Drive modifications from the westbound off ramp to the tie in point to the south of the rail line.

#### 7. The cost of all regulatory devices associated with points 1-6.

Of the above points only point 6 requires additional discussions. The PTA has suggested a contribution of 15% of the total cost of the bridge work and associated tie in works. This approach would see a contribution, initially estimated by PTA/Main Roads, in the order of \$3.5m. Alternatively GRD have suggested that they fund construction of a PSP bridge, alongside the planned new railway bridge, similar to the PSP bridge to be funded by GRD, alongside the Victoria Park Drive bridge, crossing GF, or contribute 15% of the total cost of bridge work, as stated in 6., which ever is the lower cost. A meeting was held between GRD, Windward Structures, JDSi and David Wilson, on 18<sup>th</sup> February, at which David outlined the MRWA and PTA design, engineering other requirements, for any works in respect to GFF or PTA matters, to be funded by GRD. It was agreed that Windward Structures and JDSi would conform to those requirements, and submit design at various phases, to both respective Government Agencies, and then GRD would obtain costings from Main Roads qualified contractors, and get cost verification from RLB, for purposes of resolving items 6 contributions. Further discussions will be required between GRD and the PTA before 11 March 2013, to review the costs estimates, with the aim of reaching an agreed contribution towards 6, or alternatively a direct commitment by GRD, to fund the item 6 obligation, by way of a separate PSP bridge, adjoining the new rail bridge. These discussions will also include the initial exploration of the staging and procurement options for points 1-7 taking into account the delivery of the road aspects of the Major Stadium project. Peter Martinovich is to lead these discussions.

#### **Design Standards**

The design standards for the Graham Farmer Freeway aspects of the roadworks will be required to meet with Main Roads standards.

#### **Western Power Underground Transmission Line Relocation**

The PTA and GRD will continue to plan and implement the relocation of the line from the western side of Graham Farmer Freeway to the Balbuk Way road reserve.

#### **Future Landing Point for Summer Street Bridge**

A future landing point is shown for the future Summers Street bridge. Construction is not required as part of the development, but is likely to be required in the long term.

#### **Public Transport Connections**

The developer will be required to provide an internal shuttle bus service to provide connectivity to public transport (bus and train).

**Emergency Access Points**

The developer is to provide emergency access points that meet with Fire and Emergency Services requirements.

**Works on Graham Farmer Freeway**

Main Roads 'Works by Others' processes will apply to all works within the Graham Farmer Freeway road reserve.

Should you have any further information please feel free to contact Craig Wooldridge directly on 6551 6082.

Yours sincerely



Craig Wooldridge  
Director Network Planning Moving People



Government of Western Australia  
Department of Planning

Attachment 2

Location Plan

-  Cadastre with Street Address Number
-  Cadastre



Prepared by: gbsley  
Prepared for: Statutory Planning Committee  
Date: Friday, March 01, 2013 11:25  
Plot identifier: P20130301\_1124



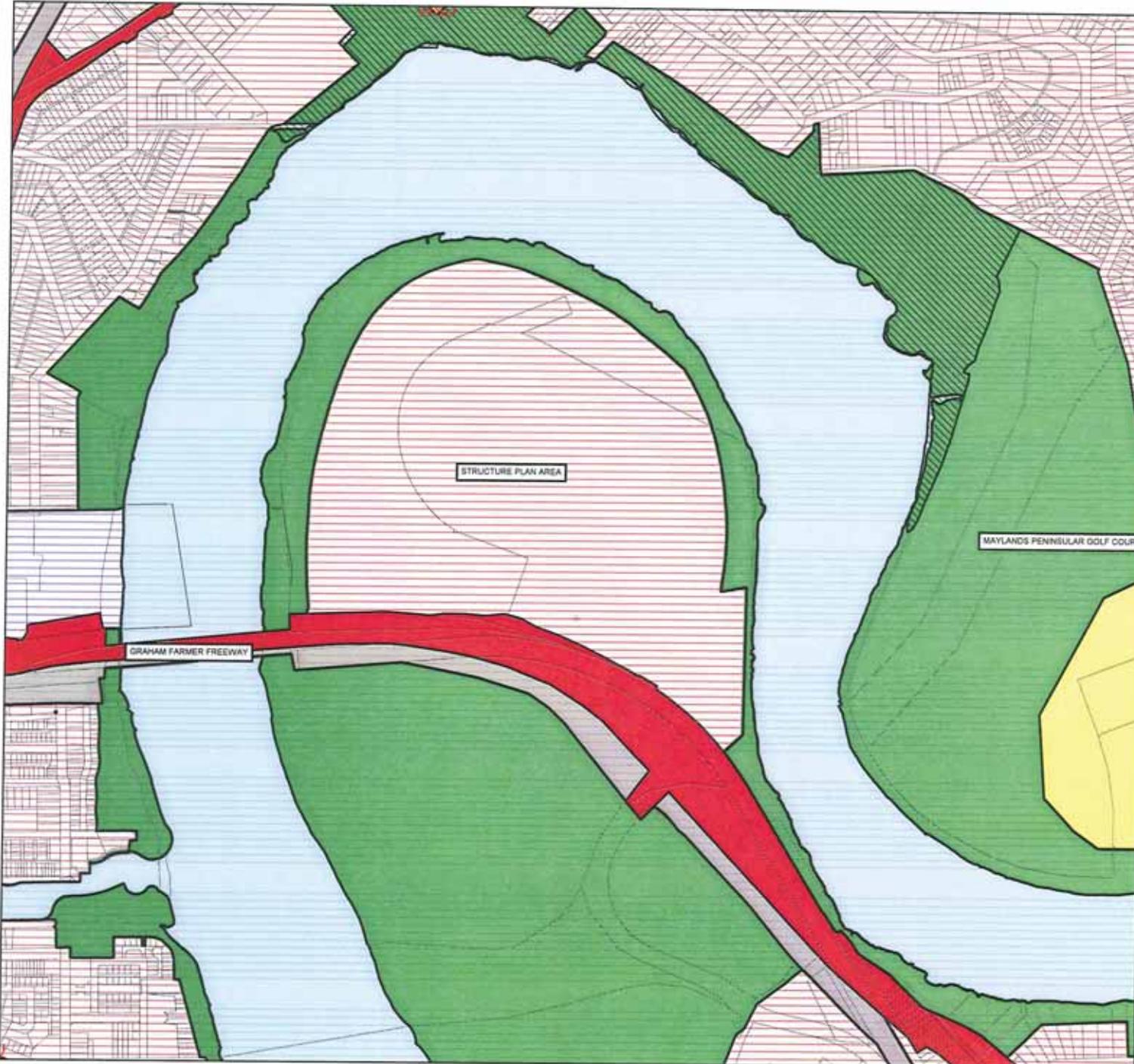
**DP INTERNAL USE ONLY**  
SPC AGENDA PAGE 177



ATTACHMENT 3



Attachment 4  
Metropolitan Region Scheme



- Cadastre with Street Address Number
- Cadastre
- Bushforever Area
- Redevelopment and Act Areas
- URBAN
- INDUSTRIAL
- PRIMARY REGIONAL ROADS
- WATERWAYS
- PARKS & RECREATION
- RAILWAYS
- PP - SPECIAL USES
- PP - WATER AUTHORITY OF W A
- PRIMARY REGIONAL ROADS
- WATERWAYS
- PARKS & RECREATION
- RAILWAYS
- PP - SPECIAL USES
- PP - WATER AUTHORITY OF W A



Prepared by: gbasley  
Prepared for: Statutory Planning Committee  
Date: Friday, March 01, 2013 11:10  
Plot identifier: P20130301\_1109



DP INTERNAL USE ONLY



Government of Western Australia  
Department of Planning

Attachment 5  
LPS Zoning

-  Cadastre with Street Address Number
-  Cadastre
-  OFFICE/RESIDENTIAL
-  SPECIAL USE
-  PRIMARY REGIONAL ROADS
-  WATERWAYS
-  PARKS & RECREATION
-  RAILWAYS
-  PP - SPECIAL USES
-  PP - WATER AUTHORITY OF W A



Prepared by: gbasley  
Prepared for: Statutory Planning Committee  
Date: Friday, March 01, 2013 11:14  
Plot identifier: P20130301\_1113



**DP INTERNAL USE ONLY**



ATTACHMENT 6

Submissions on Belmont Park Structure Plan:

No.	Location	Issue	Comment
1	Rivervale resident	Artists impression is misleading as it does not show the proposed Perth Stadium.	Proposals for the stadium are not finalised yet. Artist's impressions are indicative only Images of the proposed stadium were not publicly available at the time of the Structure Plan going to production.
		Existing traffic problems will increase for surrounding areas. The development is too large and existing infrastructure won't be able to cope.	Detailed traffic analyses are provided as part of the Structure Planning documentation.
2	Heritage Council	No objection	Acknowledged.
3	Perth Racing	No objection	Acknowledged.
4	City of Bayswater	Maximum height of the development should be reduced to 25 storeys	Subjective comment. The Structure Plan (section 8.5) outlines the rationale and justification for the proposed heights, including analysis of a broader surrounding context.
		Residential catchments within the City of Bayswater should be excluded from the retail analysis within Appendix 8 as these areas are adequately catered for by existing and future centres, including Bayswater, Maylands and Morley	It is appropriate to consider surrounding catchments as part of economic and retail analysis of a Structure Plan.
		At DAP stage the following should be considered: <ul style="list-style-type: none"> <li>• Detailed wind modelling to ensure the development will not produce adverse wind impacts on the Swan River and surrounding areas.</li> <li>• Future foreshore works to be designed by a coastal erosion</li> </ul>	These matters have been considered and addressed as part of the Structure Plan documentation. Foreshore works will be further dealt with at the construction phase (conditions of development application). In addition, the proposed marina is the subject of a separate approvals process.

		engineer to limit riverbank erosion on the opposite banks of the Swan River and further downstream	
5	Dept of Indigenous Affairs	Submission indicating there may be a need for a new Section 18 clearance.	Advice from DIA confirms that the preliminary works currently underway in the area of the development are being done within the parameters of the existing 2006 section 18 consent. Given the 2006 development plan, for which s18 Ministerial consent was granted, has changed, a fresh section 18 Notice will be submitted in the near future. This has been agreed with DIA.
6	Western Power	No objection. It is pointed out that any change to the existing power system is the responsibility of the developer.	Acknowledged.
7	Telstra	No objection. The developer is advised to contact NBN Co. for any network extension prior to start of construction.	Acknowledged.
8	City of Perth	No objection. However the City requests that consideration is given to the following: <ul style="list-style-type: none"> <li>• Provision of a range of dwelling sizes</li> <li>• Analysis of the current retail market to determine the impact of the proposed floorspace on the CBD</li> <li>• The appropriateness of the proposed Activity Centre as an extension of the future Burswood Activity Centre</li> </ul>	Acknowledged.  Included in Structure Plan. (Section 8.4.5 – Residential and Part 1 – Precinct Provisions refer). Detailed analysis undertaken in Structure Plan (Appendix 8 and 9 – MacroPlan and Essential Economics reports refer).  Detailed analysis undertaken in Structure Plan (Appendix 8 and 9 – MacroPlan and Essential Economics reports refer).

		<ul style="list-style-type: none"> <li>• Preparation of an extended traffic model</li> <li>• Conversion of the Belmont Park Train Station to a fully operational station</li> <li>• The proposed PSP being designated as a recreational path</li> <li>• The proposed built form and height of towers reflecting the hierarchy of activity centres and the prominence of the Perth CBD</li> </ul>	<p>Undertaken in Structure Plan (Appendix 11 – Transport Assessment refers). Noted. Taken into consideration in the Structure Plan.</p> <p>Comment unclear.</p> <p>Analysis undertaken. Section 8.5 – Height and Massing Rationale refers).</p>
		The State government to be consulted to ensure the cohesive planning of the Burswood Peninsula	Acknowledged. Ongoing consultation occurring as part of the statutory process.
9	Water Corporation	<p>Water: Reticulated water of a sufficient capacity is not available to the site. Headworks size water mains may need to be constructed that will loop from Great Eastern Highway to Belmont Park and back to Great Eastern Highway via the proposed Perth Stadium. A full scheme review cannot be undertaken until the accepted future potential development of the entire Burswood Peninsula is understood. All water mains must be laid within road reserves.</p>	<p>JDSi project Engineers have discussed a number of options with the Water Corporation with regards to the possibility of interim water supply and long term water supply. The Water Corporation are still investigating these potential options and as a result cannot give a firm guarantee on supply until they have completed their internal planning and pressure calculations. They are also undertaking a review of the entire Burswood, Springs, Peninsula &amp; Belmont Racecourse area in light of all the developments.</p> <p><u>Possible Interim Solution</u> An existing DN250 main exists which currently services The Peninsula development in Burswood. JDSi are currently liaising</p>

			<p>with the Water Corporation to provide ultimate flow rates and pressures required to service the interim &amp; ultimate stages of development.</p> <p><u>Long Term Solution</u>  A potential option for ultimate connection for this development is via a new water main connection from the Water Corporation's existing DN915 distribution water main located within the Great Eastern Highway, near the Causeway. This water main extension is likely to be a combination of DN300 &amp; DN400 size pipes.</p>
		<p><b>Wastewater:</b>  A major wastewater scheme planning review is required for the entire Burswood Peninsula. A pump station is an option to service the area. This will require appropriate land to be provided including an odour buffer. A route for the pressure main will also be required within a road reserve. If the developer wishes to explore the use of a vacuum system they would need to provide a business case to show how it would be beneficial to all.</p>	<p>JDSi are currently liaising with the WC to assist in the development of some concepts for the development to indicate how the site will be serviced. Special attention needs to be given to the location of the major trunk services routes to facilitate the required levels of service. The development would be serviced internally via gravity sewers which would be connected to a sewer pump station of sufficient size to cater for the development. A business case is also being undertaken for the potential use of a vacuum sewer system within the development which would reduce the depths of internal sewer mains and the proposed pump station but may increase the power required to operate the system. Initial discussions with the Water Corporation</p>

			have identified an option to discharge sewer from the site via a pressure main into the existing gravity sewer network located within Griffiths Street.
		<p>General:  The Water Corporation follows a principle of user pays. The developer is expected to provide all water and sewerage reticulation. A contribution for the required headworks may also be required as well as funding of new works or upgrading of existing works. The Corporation may also require land to be ceded free of cost for works. The developer should contact the Water Corporation if works have not commenced within 6 months to ensure the information provided is still valid.</p>	Acknowledged. Matter will be further addressed at Detailed Area Plan stage.
10	Department of Transport	Objection based on a number of transport and traffic matters.	The issues raised have been discussed in round table meetings on 21 and 27 August 2012 and all issues are now considered to be resolved. Further detail is provided below and in subsequent correspondence from DoT dated 4 September 2012.
11 (Late)	Landcorp	Support	Acknowledged.
12 (Late)	Department of Health	All developments are required to connect to reticulated sewerage.	Acknowledged.
		<p>Draft Structure Plan content:</p> <ul style="list-style-type: none"> <li>'Public Health' is recommended to be integrated to the strategy under headings such as vision, objectives and</li> </ul>	Public health integrated into Structure Plan proposals (Structure Plan and Appendix 7 – Masterplan refer)

		<p>various strategies outlined. This includes disability access, disaster preparedness, health, social and mental wellbeing of residents, workforce and visitors. This will ensure more sustainable developments.</p> <ul style="list-style-type: none"> <li>• The new Public Health Bill will require integration of public health planning into existing plans and strategies. This is an opportune time to do this.</li> </ul>	
		<p>Consideration must be given to the need for adequate buffers to protect residents from lifestyle and public health impacts such as mosquitos, noise or dust.</p>	<p>Consideration given and matters addressed in the Structure Plan and Appendices.</p>
13 (Late)	Department of Planning (DoP)	<p>A number of matters were raised which require additional clarification.</p>	<p>The matters raised by DoP and the proponent's response are included in a separate table below.</p>
14 (Late)	Metropolitan Redevelopment Authority	<p>Support</p>	<p>Acknowledged.</p>
		<p>Land Use and Design:</p> <ul style="list-style-type: none"> <li>• The proposed design of high rise buildings with surrounding large areas of open space maximises sustainability and recreation potential. It is important to ensure that the development caters for a wide range of community needs and detailed design guidance provides sufficient certainty for developers and the</li> </ul>	<p>Acknowledged.</p>

		<p>community.</p> <ul style="list-style-type: none"> <li>• Design and scale of buildings should ensure activation at street level and surveillance of POS.</li> <li>• Interface issues with the race track need to be considered, both during and after events.</li> <li>• Retail should be designed and located to generate activity and influence movement patterns across the peninsula and to and from the major stadium.</li> </ul>	<p>Addressed as 'principle' in Structure Plan. Will be further considered at DAP stage.</p> <p>Addressed in Structure Plan.</p> <p>Acknowledged. Refer Appendix 8 and 9 – MacroPlan and Essential Economics analysis.</p>
		<p>Marina:</p> <ul style="list-style-type: none"> <li>• The marina could improve the connection to Precinct B's activity centre through incorporation of buildings and public spaces around the Inlet and designed to provide a sense of arrival.</li> <li>• Water based recreation activities and facilities such as moorings and anchorages for boats are important.</li> </ul>	<p>Acknowledged.</p>
		<p>Public Open Space:</p> <ul style="list-style-type: none"> <li>• Should be designed to cater for active and passive needs of residents and visitors and offer a range of attractions and activities to cater for all age groups.</li> <li>• In regards to 'strategic open space' in Precinct A, particular attention</li> </ul>	<p>POS strategy outlined in Structure Plan.</p> <p>Addressed in Structure Plan (Appendix 7 – F+P MasterPlan refers).</p>

		should be given to the interface between buildings and public spaces to ensure activation and surveillance	
		<p>Connectivity:</p> <ul style="list-style-type: none"> <li>• Strong pedestrian and public transport links are encouraged to provide transport options for all age groups and to promote sustainability and social interaction.</li> <li>• Safe and comfortable connections should be provided between Precinct B and development south of Graham Farmer Freeway</li> <li>• Management of the inlet and 'connecting the dots' between different destinations (ie Belmont Park, Stadium, East Perth Power Station, Claisebrook, Riverside and beyond Victoria Park to the City) will be fundamental to the success of the project.</li> </ul>	<p>Acknowledged. Reflected in Structure Plan principles.</p> <p>Noted. Reflected in Structure Plan.</p> <p>Acknowledged.</p>
15 (late)	Department of Education (DET)	No objection	Acknowledged.
		The demographic profile suggests a low student yield, but this can change in the future and may increase pressure on existing schools.	Acknowledged.
		The DET has notionally identified a primary school site on the Burswood Peninsula, but due to the	Acknowledged.

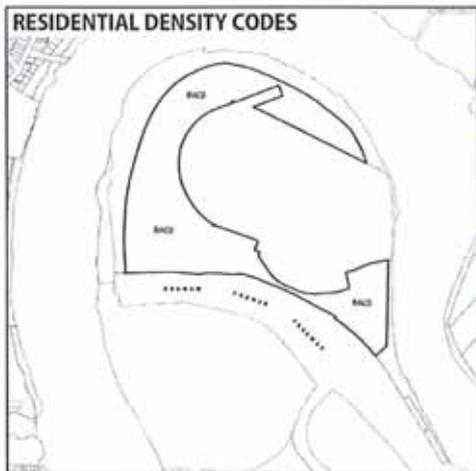
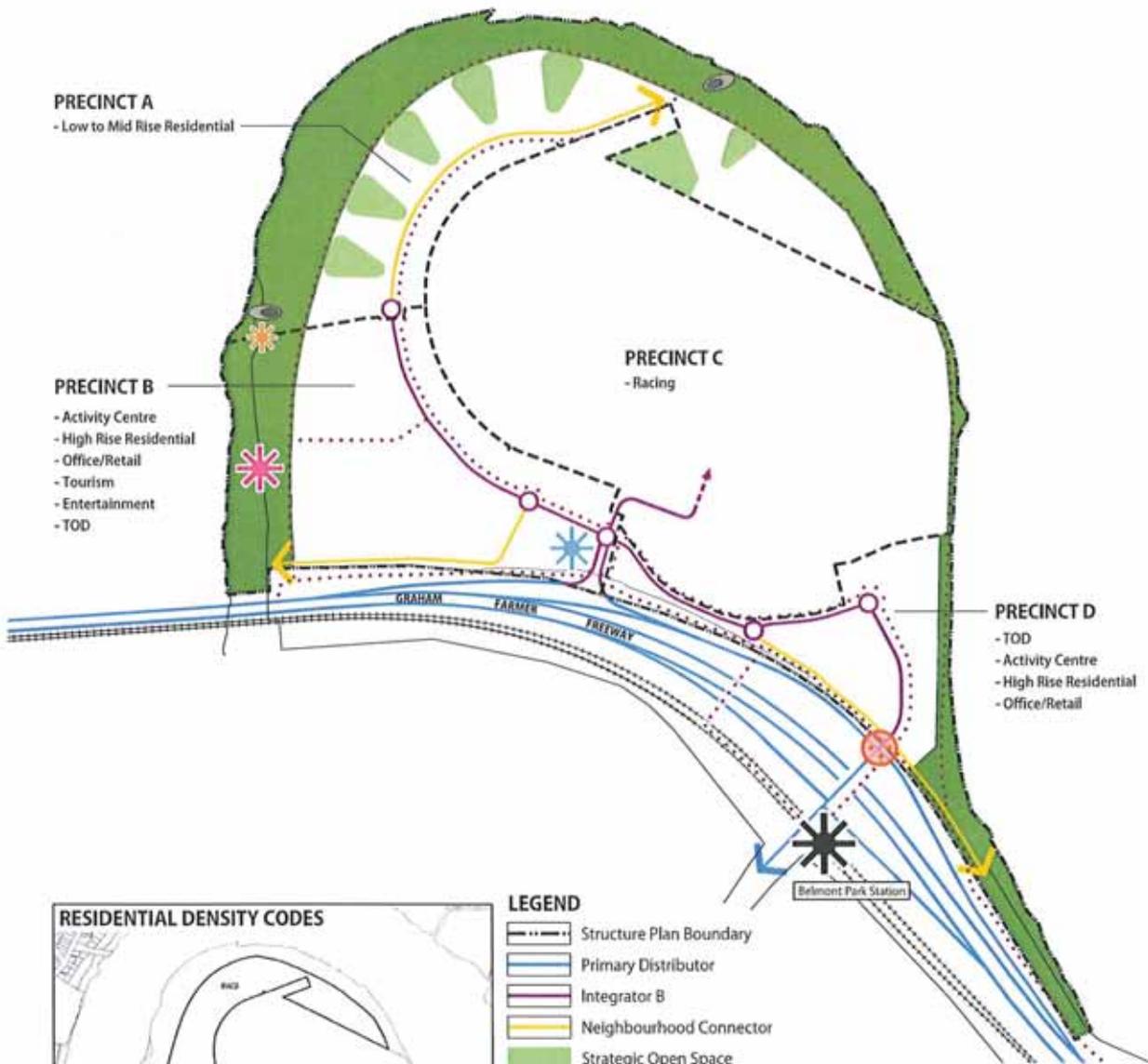
		<p>stadium this may no longer be available. Should an alternative site not be able to be identified, pressure from the student yield will be placed on existing schools.</p>	
16 (late)	Department of Environment and Conservation	<p>There are a number of environmental issues which are managed through the planning process. These are:</p> <ul style="list-style-type: none"> <li>• Foreshore reserve</li> <li>• Contamination</li> <li>• Acid sulfate soils</li> <li>• Water quality and quantity</li> <li>• Odour and</li> <li>• noise</li> </ul>	Acknowledged.
		<p>Odour from the racing activities is a concern. This needs to be dealt with as follows:</p> <ul style="list-style-type: none"> <li>• engineering design of the undercover area below the grandstand should demonstrate that the concept will contain raceway activities within the covered area and limit odours by implementing best practice management</li> <li>• memorials should be added on the titles to inform property owners about the proximity of raceway activities and the possible experience of odours during race days.</li> </ul>	<p>Odour impact addressed in Structure Plan (Appendix 16 refers). Comments pertaining to engineering design can be considered at Detailed Area Plan/detailed design stage.</p> <p>Acknowledged.</p>
17 (late)	Swan River Trust (SRT)	In general supportive of the proposal, particularly given the extensive rehabilitation proposed of the foreshore reserve.	Acknowledged.
		The following comments are offered:	

		<ul style="list-style-type: none"> <li>• 8.3 Objectives Design Principles: consideration should be given to setbacks from private development to the adjoining public spaces. A uniform approach is not necessary.</li> <li>• 8.7.6 – car parking: the intention in relation to car parking near the foreshore areas is unclear. The SRT has a policy on car parking in its development control area which should be consulted.</li> <li>• 8.8.3 – Precinct C: The SRT accepts the general principle of providing access through the foreshore area using a boardwalk type structure. Detailed design needs to be considered before making further commitments. Any infill to the river will need to be justified and the proposed structures would need to have a long design life to reduce maintenance.</li> <li>• 8.8.4 – Precinct D Figure 49: no setback between the buildings and the P&amp;R Reserve. This may not be acceptable to the SRT. Building setbacks can allow for casual dining spaces largely within</li> </ul>	<p>Part 1 of the Structure Plan deals with site requirements including minimum setbacks (to Primary and Secondary street, Other/Rear/Foreshore). In addition, design principles dealing with interface with public spaces are outlined in section 8.3.</p> <p>Acknowledged.</p> <p>Acknowledged.</p> <p>Figure 49 reflects previous proposals (Figure 24 of the 2005 Structure Plan, attachment 3 refers). These were previously discussed with SRT.</p>
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# STRUCTURE PLAN MAP

Swan River



## LEGEND

- Structure Plan Boundary
- Primary Distributor
- Integrator B
- Neighbourhood Connector
- Strategic Open Space
- Foreshore
- Precinct Boundary
- Key Pedestrian/Cyclist Link
- Boatshed
- Existing Railway Station
- Inlet
- Landmark Building (Indicative Location)
- Existing Light Controlled Intersection
- Potential Future Summer Street Bridge Landing (Indicative only, subject to justification being provided to the satisfaction of the WAPC for the need to provide a bridge and all relevant approvals being obtained.)

ATTACHMENT 8

## 1 STRUCTURE PLAN AREA

This Structure Plan shall apply to:

- Lot 102 on Deposited Plan (DP) 72026 and being the land contained in Certificate of Title Volume 2776 Folio 542;
- Lot 9000 on DP 72026 and being contained in Certificate of Title Volume 2776 Folio 543;
- Part of Crown Reserve 39361;
- Lot 1 on DP 46306, Volume 2659 Folio 443, and
- Lot 3 on DP 46306 Volume 2659 Folio 444.

being the land contained within the inner edge of the line denoting the Structure Plan boundary on the Structure Plan Map (Plan 1).

## 2 STRUCTURE PLAN CONTENT

This Structure Plan comprises the:

- a) Regulatory Section (Part One);
- b) Explanatory Section (Part Two);and
- c) Appendices - Technical Reports.

Part Two of the Structure Plan sets out the development intent for development in the Structure Plan Area. Development shall be guided by that development intent, and a planning authority determining an application for development approval within the Structure Plan Area shall have due regard to the development intent indicated in Part Two.

## 3 INTERPRETATIONS

Unless otherwise specified in this part, the words and expressions used in this Structure Plan shall have the respective meanings given to them in the Town of Victoria Park Town Planning Scheme No. 1 (the Scheme).

**Club:** means premises used for the purpose of club premises by an incorporated club or incorporated association or other body of persons united by a common interest (whether those premises be licensed under the provisions of the *Liquor Act 1970* as amended or re-enacted or not) and which premises are not otherwise classified under the provisions of the Scheme.

**Marina:** means premises at which berths or pens, and services, including fuelling, servicing, storage and other facilities for boats are provided, with or without the sale of boating gear and equipment, and includes all jetties, piers, embankments, quays and moorings appurtenant thereto and all offices and storerooms used in connection therewith and includes a ferry terminal.

**Market:** means premises used for the display and / or sale of goods from stalls by independent vendors.

**Private recreation:** means land used for parks, gardens, playgrounds, sports arenas or other grounds for recreation which are not usually open to the public without charge.

**Reception Centre:** means premises which may include catering facilities used for functions on a formal or ceremonial occasions but are but for unhosted use for general entertainment purposes.

**Health studio:** means land and buildings designed and equipped for physical exercise, recreation and sporting activities including outdoor recreation.

**Stable:** means any building in which a horse is stabled or kept and includes any shed, loose box, stall or shelter used for the keeping, stabling, feeding, watering, grooming, sheltering, showing or veterinary treatment of a horse and other associated incidental activities.

#### 4 OPERATION DATE

This Structure Plan shall come into operation on the day on which it is adopted by the local government under clause 29 AB (9) (a) of the Scheme and endorsed by the Western Australian Planning Commission pursuant to clause 29 AB (10) (b) of the Scheme.

#### 5 RELATIONSHIP TO THE LOCAL PLANNING SCHEME

- a) The provisions, standards and requirements specified under Part One of this Structure Plan shall have the same force and effect as if it were a provision, standard or requirement of the Scheme.
- b) Any other provision, standard or requirement of Part One of this Structure Plan, that is not otherwise contained in the Scheme, shall apply to the land as though it is incorporated into the Scheme, and shall be binding and enforceable to the same extent as if part of the Scheme; and

#### 6 STATEMENT OF INTENT

The intent of the Structure Plan is to establish a statutory framework to guide the planning and design of this site, to facilitate development proposals that will comprise a mix of land uses including retention and upgrading of the current racing facility, high and medium density residential, a significant Activity Centre and riverfront Parks and Recreation and will:

- Create an exciting addition to Perth
- Respond to district and regional context
- Establish a point of difference
- Encourage and facilitate innovation and excellence in built form design
- Build flexibility and robustness into the built form design
- Create a fully functional and sustainable community
- Create a vibrant hub
- Enable people to live and work in the same place
- Celebrate the site's location on the river

#### 7 OVERARCHING OBJECTIVES

Underpinning the Structure Plan Statement of Intent is a series of overarching objectives for the site to help achieve statements of intent. These are as follows:

- Integrate the new development with Town of Victoria Park, the CBD and the surrounding districts.
- Optimise public access to the site.
- Accommodate the primary function and operations of racing.
- Create sustainable communities, based on multifaceted aspects of sustainability.
- Deliver high density residential development, responding to the site's strategic location.
- Respond to the site's access to public transport (Belmont Park Railway Station) by delivering Transit Oriented Development.
- Create employment on site, attracting local population and outside workforce.
- Anchor and support the diverse local community and visitors with a vibrant Activity Centre.
- Attract high level of community amenity to the area through appropriate design of the public realm.
- Create amenity for residents and visitors through appropriate design of built form.
- Encourage accessibility to the race track, the river foreshore and the river.
- Deliver a balance of restored riverine environment and parkland.
- Exercise sensitivity when considering and planning for the riverine environment.

## 8 OVERARCHING DESIGN PRINCIPLES

The following key urban design principles are intended to inform and guide the detailed planning process. Developments are to:

- Address WAPC Crime Prevention Through Environmental Design (CPTED) principles.
- Achieve a high level of safety, and passive street and public spaces surveillance.
- Provide prominent entry to residential towers on Primary roads.
- Promote access to major open space areas including the foreshore reserve.
- Encourage views and visual accessibility from the public realm to the race track, the river foreshore and the river.
- The height of blank walls facing any street should not exceed 1.2 metres.
- Where possible, screen car parking structures from view.
- Locate built form to allow cooling breezes to permeate through the site to assist in cooling during summer months and reduction in energy consumption.
- Distribute building mass to act as a barrier from noise and pollution from the Graham Farmer Freeway.
- Built form design is to:
  - Provide activation at the pedestrian level.
  - Create pedestrian scale where towers are proposed.
  - Address the primary street and have an active façade to the street.
  - Provide clearly identifiable vehicular and pedestrian access to buildings.
  - Provide weather protection for pedestrians in commercial areas.
  - Address solar access principles.
- Where lots are directly abutting Public Open Space and/or the foreshore reserve, orientate built form to front that POS and/or foreshore reserve and construct open style fencing along that boundary.
- Comply with maximum height restrictions associated with Obstacle Limitation Surfaces (OLS) and Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) pursuant to the *Airports Act 1996*.
- Provide for car parking nodes within the foreshore.
- Optimise environmental outcomes associated with the project throughout the development's life cycle (construction, operation, occupancy and eventual redevelopment) by incorporating passive and active measures which:
  - minimise greenhouse emissions
  - minimise water consumption
  - minimise material use
  - minimise waste and other emissions which have an adverse environmental effects
  - enhance indoor and outdoor environment
  - reduce reliance of occupants and visitors on private vehicle use
  - contribute positively to the physical and mental wellbeing of occupants and visitors to the site.

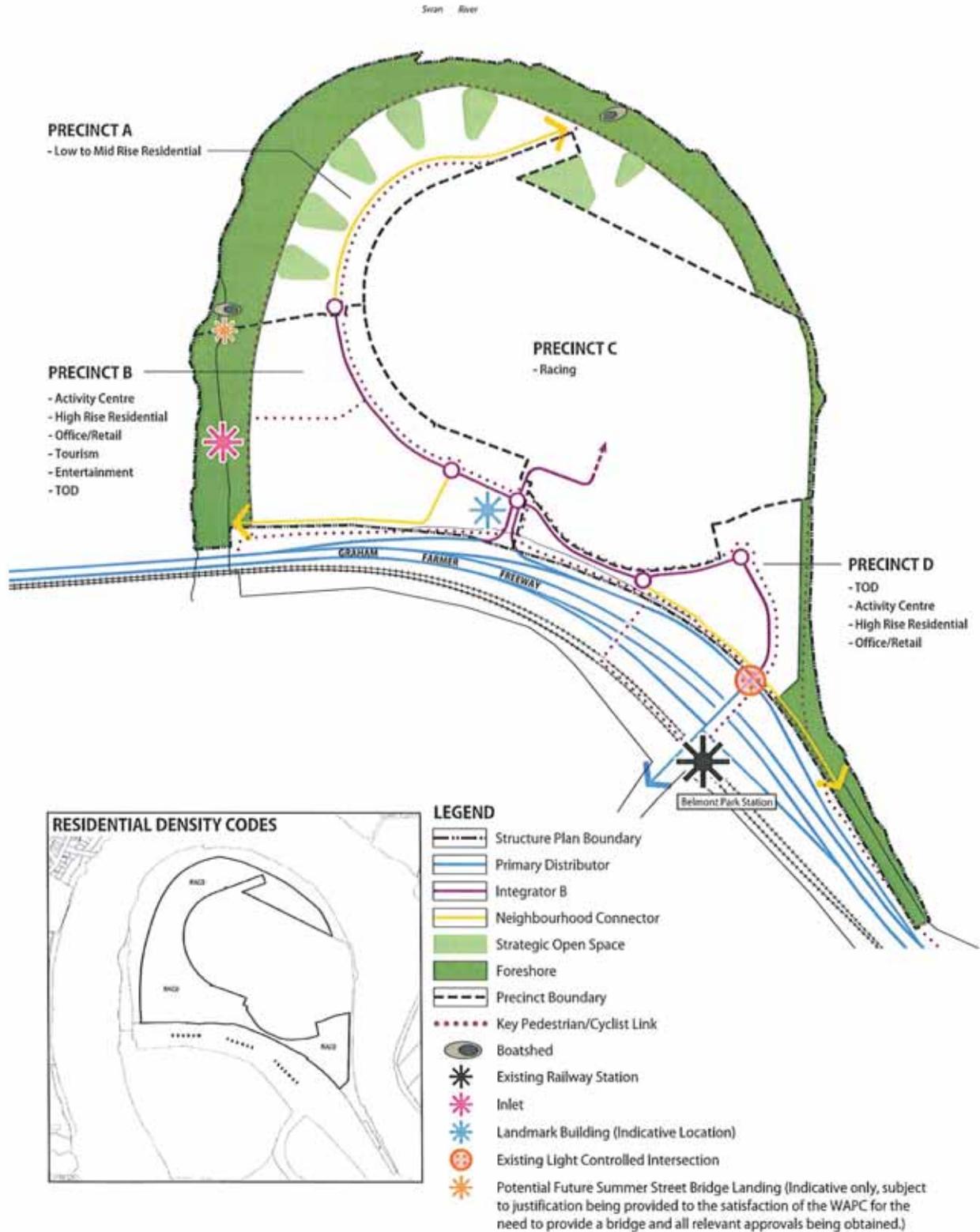
## 9 GENERAL SUBDIVISION AND DEVELOPMENT REQUIREMENTS

- a) The Structure Plan Map (Plan 1) and Tables A-E form part of the regulatory provisions of this Structure Plan and prescribe the land use permissibility, standards, requirements and prerequisites for subdivision and development in the corresponding Precincts designated on the Structure Plan Map:

Plan 1	Structure Plan Map
Table A	Planning Requirements for Precinct A
Table B	Planning Requirements for Precinct B
Table C	Planning Requirements for Precinct C
Table D	Planning Requirements for Precinct D
Table E	Retail / Office Floor Space Allocation

- b) The local government will not consider recommending subdivision or approving development within the Structure Plan area, unless a Structure Plan and a Detailed Area Plan (DAP) for a Precinct or part of a Precinct have been prepared and adopted pursuant to clause 29AB of the Scheme.
- c) Notwithstanding clause 9(b) local government may recommend subdivision or approve the development of land within the Structure Plan area prior to a structure plan and / or DAP coming into effect in relation to that land, if the local government is satisfied that this will not prejudice the specific purposes and requirements of the Structure Plan area, the design of the Structure Plan Area or the development of the surrounding area.
- d) Development of land shall be generally in accordance with the Structure Plan Map (Plan 1).
- e) Residential density shall be in accordance with the Residential Density Code shown on Plan 1, the Structure Plan Map. Residential development shall comply with the Residential Design Codes except for the variations specified in this Structure Plan.
- f) Public Open Space (POS) shall be distributed generally in accordance with Plan 1 with an updated public open space schedule to be provided at the time of subdivision for determination by the WAPC, upon the advice of the Town of Victoria Park.
- g) A minimum of ten percent of the gross subdivisible area shall be provided as POS in accordance with the WAPC's Liveable Neighbourhoods for the development of POS in the Structure Plan area, subject to WAPC approval.
- h) Maximum height of any development shall comply with the restrictions associated with Obstacle Limitation Surfaces (OLS) and Procedures for Air Navigation Services – Aircraft Operations (PANS-OPS) pursuant to the *Airports Act 1996*.
- i) Development shall not compromise the primary function and operations of the racecourse.
- j) Services and infrastructure need to be provided in an appropriately staged manner as development proceeds. Staging of the development needs to be linked to the provision of vehicular and pedestrian access, adequate provision of infrastructure services and access to the foreshore.

10 PLAN 1 STRUCTURE PLAN MAP



11 TABLE A - PLANNING REQUIREMENT FOR PRECINCT A

**PRECINCT OBJECTIVES**

The objective for Precinct A is to create a diverse residential community, set within a landscaped setting with a strong physical and visual connection with the racecourse, foreshore and importantly the river itself.

The Precinct is to incorporate a mix of residential developments at a scale, density and location that respond to the opportunities afforded by its location adjacent to the river and the racecourse. It will provide for 'water front' and 'racecourse front' living through mid rise residential apartments and low rise attached, single residential dwellings.

Non residential uses including retail up to a total of 500m<sup>2</sup>NLA may be acceptable at a small scale to service the local resident population.

The objective of the strategic local public open space is to extend the river and foreshore landscape into the residential areas, maximise connectivity with the river and provide views to the site from the river.

The objectives for the foreshore are to:

- Retain and enhance vegetation and fauna habitat within an access controlled area.
- Manage recreation opportunities and maximise retention of vegetation.
- Provide for open spaces for passive and active recreation and revegetation of the fringing vegetation.
- Create functioning and useable open spaces for the enjoyment of the entire community and local residents.
- Provide for public access through a series of boardwalks.
- Allow for passive recreational activities such as recreational canoeing or kayaking along the foreshore.
- Establish a maximum of two (2) activity nodes, comprising boatsheds, swimming beaches and facilities for the local residents, to limit areas of public activity within the Precinct and protect riverine habitat.
- Establish opportunities for recreational fishing in harmony with the natural riverine habitat.
- Acknowledge and celebrate the Indigenous connection to the Swan River.

**LAND USE PERMISSIBILITY**

Land Use	Permissibility
Single House	P
Grouped dwelling	P
Multiple dwelling	P
Day Care Centre	AA
Consulting Rooms	AA
Convenience store	AA
Service station	X
Educational establishment	AA
Place of worship	AA
Home occupation	AA
Home office	P
Hospital	X
Nursing home	AA
Residential building	AA
Hotel	X
Motel	X
Tavern	X

<b>LAND USE PERMISSIBILITY</b>	Serviced apartment	AA
	Massage rooms	X
	Nightclub	X
	Office	X
	Restricted premises	X
	Single bedroom dwelling	P
	Shop	AA
	Showroom	X
	Aged or Dependent Persons Dwelling	P
	Family Day Care	AA
	Fast Food Outlet	X
	Restaurant	AA
	Marina	X
	Private Recreation	X
	Stables	X
	Veterinary Hospital	X
	Recreation and Sports Centre	X
	Club	X
	Market	AA
	General Industry	X
	Transport Depot	X
	Light Industry	X
	Hazardous Industry	X
	Noxious Industry	X
	Motor Vehicle and Marine Sales Premises	X
	Open Air Sales and Display	X
	Warehouse	X

The symbols used in the Land Use Table have the following meanings:

"P" means that the use is permitted by the Scheme.

"AA" means that the use is not permitted unless the Council has granted planning approval.

"X" means a use that is not permitted by the Scheme.

If the use of land for a particular purpose is not specifically listed in the structure plan and cannot reasonably be determined as falling within the interpretation of one of the listed uses, the Council may determine if the use is permitted consistent with Clause 16 of the Scheme.

**PRECINCT SPECIFIC GUIDING DESIGN PRINCIPLES**

The following additional guiding design principles apply to developments within Precinct A:

- Low -rise built form (up to 3 storeys) is to be located generally in closest proximity to the foreshore.
- Mid-rise built form (4-13 storeys) is to be located generally adjacent to the race track.
- Design and locate appropriate mid-rise built form massing to reveal the geometry of the racecourse and to reinforce the unique sense of place.
- River and foreshore landscape is to be extended into the residential environment in public open spaces to provide a balance between public and private realm.
- Design and orientation of built form is to take account of the river and the race track, to optimise views over open parkland to the Swan River whilst also providing views (where possible) from the river towards the racetrack.

**RESIDENTIAL DENSITY**

R AC 0

**SITE REQUIREMENTS**

R Code	Dwelling Type	Min Site Area per dwelling (m <sup>2</sup> )	Minimum lot area/ rear battleaxe (m <sup>2</sup> )	Minimum frontage (m)	Open Space		Minimum setbacks (m)
					Min total (% of site)	Min o/door living (m <sup>2</sup> )	
R-AC 0	Single house	150	250	6	30	16	2
R-AC 0	Grouped dwelling	150	250	-	30	16	2

**SITE REQUIREMENTS MULTIPLE DWELLINGS**

R Code	Dwelling Type	Max plot ratio	Min open space (% of site)	Min private open space on podium deck (m <sup>2</sup> per dwelling)	Min primary street boundary setback (m)	Secondary street setback (m)	Other / Rear/ Foreshore
R-AC 0	Multiple dwelling	5	40	12	Nil	Nil	Nil

\*Secondary street includes communal street, private street

**MINIMUM RESIDENTIAL DWELLING NUMBERS**

• 664

**CAR PARKING REQUIREMENTS**

Parking for the residential component to be provided as per the R Codes.  
 For non residential land uses the parking provisions within Town Planning Scheme No. 1 will apply.

**DETAILED  
AREA PLAN**

In addition to any general matters required to be included within a DAP under clause 29AB (15)(b) of the Scheme, DAPs for whole or part of Precinct A shall incorporate provisions and design elements addressing the following:

- Precinct Objectives
  - Integration with adjacent existing or planned development
  - Land use and location
  - Open Space; Public Open Space
  - Streetscape
    - Lighting
    - Paving
    - Vegetation
    - Paths
    - Street furniture
    - Public art
  - CPTED principles (report to be provided prior to approval of DAP in accordance with WAPC Designing out Crime Planning Guidelines)
  - Built Form
    - Setbacks
    - Building heights
    - Building envelopes
    - Location of towers
    - Design guidelines
    - Solar access to the public and private realm
    - Transport and Access
    - Parking
    - Plot Ratio
    - Communal open space
  - Urban Water Management Plan (UWMP)
  - Resource Efficiency
  - Servicing
  - Affordable Housing
  - Implementation of DAP.
-

12 TABLE B - PLANNING REQUIREMENTS FOR PRECINCT B

**PRECINCT OBJECTIVES**

Precinct B objectives are to incorporate high density living and working environments, supported by onsite amenities, leisure facilities and retail. It is to comprise a small public Marina, a mix of high density and high rise residential, commercial, office, retail, leisure, tourism, cultural and entertainment land uses in the form of a vibrant Activity Centre.

The Precinct is part of a wider Burswood Peninsula Activity Centre. It is to provide for local employment and a destination for employees and visitors. It is to provide for a mix of uses at a scale, density and location responding to the opportunities offered by its location adjacent to the river foreshore and the Freeway.

The Precinct is to provide a mix of land uses appropriate for a Transit Oriented Development (TOD), pedestrian link to the rail station and activation of transit route.

The objectives for the foreshore are to:

- Create a small public Marina providing a focal point, activity hub and high quality amenity area for residents and visitors.
- Focus on public usable spaces incorporating some open space turf areas and formal landscaping.
- Maximise recreation opportunities.
- Provide for open spaces for passive and active recreation and revegetation of the fringing vegetation.
- Create functioning and useable open spaces for the enjoyment of the entire community and local residents.
- Provide for public access for pedestrians and cyclists.
- Allow for passive recreational activities such as recreational canoeing or kayaking along the foreshore.
- Establish activity nodes, comprising boatsheds, swimming beaches and facilities for the local residents and visitors.
- Acknowledge and celebrate the Indigenous connection to the Swan River.

**LAND USE PERMISSIBILITY**

Land Use	Permissibility
Single house	X
Grouped dwelling	X
Multiple dwelling	P
Day Care Centre	P
Consulting Rooms	P
Convenience store	P
Service station	X
Educational establishment	AA
Place of worship	AA
Home occupation	AA
Home office	P
Hospital	AA
Nursing home	AA
Residential building	AA
Hotel	AA
Motel	AA
Tavern	AA
Serviced apartment	AA

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LAND USE PERMISSIBILITY	Massage rooms	X
	Nightclub	AA
	Office	P
	Restricted premises	X
	Single bedroom dwelling	P
	Shop	P
	Showroom	AA
	Aged or Dependent Persons Dwelling	P
	Family Day Care	AA
	Fast Food Outlet	AA
	Restaurant	P
	Marina	AA
	Private Recreation	AA
	Stables	X
	Veterinary Hospital	X
	Recreation and Sports Centre	AA
	Club	AA
	Market	AA
	General Industry	X
	Transport Depot	X
	Light Industry	X
	Hazardous Industry	X
	Noxious Industry	X
	Motor Vehicle and Marine Sales Premises	X
	Open Air Sales and Display	AA
	Warehouse	X

The symbols used in the Land Use Table have the following meanings:

"P" means that the use is permitted by the Scheme.

"AA" means that the use is not permitted unless the Council has granted planning approval.

"X" means a use that is not permitted by the Scheme.

If the use of land for a particular purpose is not specifically listed in the structure plan and cannot reasonably be determined as falling within the interpretation of one of the listed uses, the Council may determine if the use is permitted consistent with Clause 16 of the Scheme.

<p><b>PRECINCT SPECIFIC GUIDING DESIGN PRINCIPLES</b></p>	<p>The following additional guiding design principles apply to developments within Precinct B</p> <ul style="list-style-type: none"> <li>• Landmark buildings should be developed at the main entries into the Precinct.</li> <li>• Mid rise (4-13 storeys) and high rise (up to 53 storeys) residential built form to be located generally adjacent to the race track.</li> <li>• Development on land abutting the race track is to be undertaken in a manner that respects the geometry and function of the race track.</li> <li>• The bulk of office, retail, commercial built form to be located generally in the western part of the Precinct, surrounding the Marina, and adjacent to the Freeway, to take advantage of the site's exposure to passing traffic.</li> <li>• Building mass should be distributed to act as a barrier from noise and pollution from the Graham Farmer Freeway</li> <li>• Where possible, separation of mid and high rise residential blocks from each other should be encouraged, to create views, cooling breezes, daylight penetration and ventilation opportunities, and to minimise privacy concerns.</li> <li>• Developments should provide a high quality building interface and level of surveillance to the foreshore, streets and podium decks.</li> <li>• Provide connectivity to the station and activation of the transit route.</li> </ul>																
<p><b>RESIDENTIAL DENSITY</b></p> <p><b>SITE REQUIREMENTS MULTIPLE DWELLINGS</b></p>	<p>R AC 0</p> <table border="1"> <thead> <tr> <th>R Code</th> <th>Dwelling Type</th> <th>Max plot ratio</th> <th>Min open space (%) of site)</th> <th>Min private open space on podium deck (m<sup>2</sup> per dwelling)</th> <th>Min primary street setback (m)</th> <th>Secondary street setback (m)</th> <th>Other / Rear/ Foreshore</th> </tr> </thead> <tbody> <tr> <td>R-AC0</td> <td>Multiple dwelling</td> <td>12</td> <td>Nil</td> <td>6</td> <td>Nil</td> <td>Nil</td> <td>Nil</td> </tr> </tbody> </table> <p>*Secondary street includes communal street, private street</p>	R Code	Dwelling Type	Max plot ratio	Min open space (%) of site)	Min private open space on podium deck (m <sup>2</sup> per dwelling)	Min primary street setback (m)	Secondary street setback (m)	Other / Rear/ Foreshore	R-AC0	Multiple dwelling	12	Nil	6	Nil	Nil	Nil
R Code	Dwelling Type	Max plot ratio	Min open space (%) of site)	Min private open space on podium deck (m <sup>2</sup> per dwelling)	Min primary street setback (m)	Secondary street setback (m)	Other / Rear/ Foreshore										
R-AC0	Multiple dwelling	12	Nil	6	Nil	Nil	Nil										
<p><b>MINIMUM RESIDENTIAL DWELLING NUMBERS</b></p>	<p>1359</p>																
<p><b>CAR PARKING REQUIREMENTS</b></p>	<p>Parking for the residential component to be provided as per the R Codes.</p> <p>For non residential land uses the parking provisions within Town Planning Scheme No. 1 will apply with the following exceptions:</p> <ul style="list-style-type: none"> <li>• Office parking to be provided at a rate of 1 bay per 57m<sup>2</sup> of net floor area (NFA), which is consistent with the transit-oriented focus of the proposed office development.</li> <li>• Retail parking to be provided at a rate of 5 bays per 100m<sup>2</sup> NFA.</li> <li>• The hotel component to be provided parking at a rate of one bay per 5 rooms.</li> </ul>																

**DETAILED  
AREA PLANS**

In addition to any general matters required to be included within a DAP under clause 29AB (15)(b) of the Scheme, DAPs for whole or part of Precinct B shall incorporate provisions and design elements addressing the following:

- Precinct Objectives
- Integration with adjacent existing or planned development
- Land use and location
- Open Space; Public Open Space
- Streetscape
  - Lighting
  - Paving
  - Vegetation
  - Paths
  - Street furniture
  - Public art
- CPTED principles (report to be provided prior to approval of DAP in accordance with WAPC Designing out Crime Planning Guidelines)
- Built Form
  - Setbacks
  - Building heights
  - Building envelopes
  - Location of towers
  - Design guidelines
  - Solar access to the public and private realm
  - Transport and Access
  - Parking
  - Plot Ratio
  - Communal open space
- UWMP
- Resource Efficiency
- Servicing
- Affordable Housing
- Implementation of DAP.

13 TABLE C - PLANNING REQUIREMENTS FOR PRECINCT C

**PRECINCT OBJECTIVES**

The objective for Precinct C is to accommodate the primary function and operations of racing. It is to incorporate a race track, Grandstand, stables and other racing associated facilities and infrastructure. The existing Grandstand is proposed to be redeveloped into a new iconic building that will also incorporate sports club amenities for use by the public. Small retail component may be acceptable up to 500m<sup>2</sup> NLA.

Opportunities for public use of the centre of the track on a limited basis will be explored, subject to approval from Racing and Wagering Western Australia.

The Precinct is to provide a pedestrian link to the rail station and activation of transit route.

The objectives for the foreshore are to:

- Create a stable and manageable river's edge.
- Delineate the race track from the stabilised foreshore edge.
- Allow for continuous and emergency public access between the Precincts
- Create safe pedestrian access with passive surveillance along the river's edge..

**LAND USE PERMISSIBILITY**

Land Use	Permissibility
Single house	X
Grouped dwelling	X
Multiple dwelling	X
Day Care Centre	AA
Consulting Rooms	AA
Convenience store	X
Service station	X
Educational establishment	AA
Place of worship	AA
Home occupation	X
Home office	X
Hospital	X
Nursing home	X
Residential building	X
Hotel	X
Motel	X
Tavern	AA
Serviced apartment	X
Massage rooms	X
Nightclub	AA
Office	AA
Restricted premises	X
Single bedroom dwelling	X
Shop	AA
Showroom	X
Aged or Dependent Persons Dwelling	X
Family Day Care	X

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<b>LAND USE PERMISSIBILITY</b>	Fast Food Outlet	AA
	Restaurant	AA
	Marina	X
	Private Recreation	P
	Stables	P
	Veterinary Hospital	P
	Recreation and Sports Centre	AA
	Club	AA
	Market	AA
	General Industry	X
	Transport Depot	X
	Light Industry	X
	Hazardous Industry	X
	Noxious Industry	X
	Motor Vehicle and Marine Sales Premises	X
	Open Air Sales and Display	AA
Warehouse	X	

The symbols used in the Land Use Table have the following meanings:

"P" means that the use is permitted by the Scheme.

"AA" means that the use is not permitted unless the Council has granted planning approval.

"X" means a use that is not permitted by the Scheme.

If the use of land for a particular purpose is not specifically listed in the structure plan and cannot reasonably be determined as falling within the interpretation of one of the listed uses, the Council may determine if the use is permitted consistent with Clause 16 of the Scheme.

**PRECINCT SPECIFIC GUIDING DESIGN PRINCIPLES**

The following additional guiding design principles apply to developments within Precinct C:

- Provide activation of the pedestrian route to the railway station.
- Developments to optimise potential for physical accessibility to racing amenity without compromising the security of its primary function.
- Optimize the size, location and function of the Grandstand and amenities.
- Provide an optimum amount of commercial/retail to the ground level of the Grandstand building.
- Provide public uses in the centre of the track and create an accessible and safe pedestrian underpass.
- Provide for pedestrian traffic through the precinct to the river and the adjacent precincts.
- Stables are to comply with the Town of Victoria Park Health Local Law 2003, the EPA Guidance Statement No. 3 and *Belmont Racecourse Review of Potential for Malodour Impacts Report* (Appendix 16).

**CAR PARKING REQUIREMENTS**

Parking requirement for the racing component is to include a minimum of 140 car bays and 31 trailer parking bays. In addition, a 1200 bay at-grade parking area is to be provided in the middle of the racecourse, accessed via a new road to be constructed under the race track itself, for race day event parking

**DETAILED  
AREA PLANS**

In addition to any general matters required to be included within a DAP under clause 29AB (15)(b) of the Scheme, DAPs for whole or part of Precinct A shall incorporate provisions and design elements addressing the following:

- Precinct Objectives
  - Integration with adjacent existing or planned development
  - Land use and location
  - Open Space
  - Streetscape
    - Lighting
    - Paving
    - Vegetation
    - Paths
    - Street furniture
    - Public art
  - CPTED principles (report to be provided prior to approval of DAP in accordance with WAPC Designing out Crime Planning Guidelines)
  - Built Form
    - Design Guidelines
    - Setbacks
    - Building heights
    - Building envelopes
    - Solar access to the public and private realm
    - Transport and Access
    - Parking
  - UWMP
  - Resource Efficiency
  - Servicing
  - Implementation of DAP.
-

## 14 TABLE D – PLANNING REQUIREMENTS FOR PRECINCT D

Precinct D objectives are to provide a mix of land uses appropriate for a Transit Oriented Development (TOD), including high density residential, office, commercial and retail, restaurants, a piazza, pedestrian thoroughfares and shared spaces for vehicles and pedestrians.

Sensitive land uses as defined by Department of Environment and Conservation (DEC) are to be located away from stables in accordance with the EPA Guidance Statement No. 3 and *Belmont Racecourse Review of Potential for Malodour Impacts Report* (Appendix 16).

Precinct D is to:

**PRECINCT OBJECTIVES**

- Optimise the land use efficiency responding to the site's strategic location within Perth, excellent transport connections and vast land resource in a dense urban centre.
- Allocate land uses to take advantage of the site's exposure to passing traffic (to and from the CBD) by road or rail
- Encourage access to community facilities (gardens, swimming pools and leisure facilities) to underline the shared benefits of city living.

The objectives for the foreshore are to:

- Stabilise foreshore areas to allow for a continued heavy recreation use.
- Provide public access.
- Maximise recreation opportunities.
- Acknowledge and celebrate the Indigenous connection to the Swan River.

<b>Land Use</b>	<b>Permissibility</b>
Single house	X
Grouped dwelling	X
Multiple dwelling	P
Day Care Centre	P
Consulting Rooms	P
Convenience store	P
Service station	X
Educational establishment	AA
Place of worship	AA
Home occupation	X
Home office	P
Hospital	AA
Nursing home	AA
Residential building	AA
Hotel	AA
Motel	AA
Tavern	AA
Serviced apartment	AA
Massage rooms	X
Nightclub	AA
Office	P
Restricted premises	X
Single bedroom dwelling	P
Shop	P
Showroom	AA
Aged or Dependent Persons Dwelling	P

**LAND USE PERMISSIBILITY**

**LAND USE PERMISSIBILITY**

Family Day Care	AA
Fast Food Outlet	AA
Restaurant	P
Marina	X
Private Recreation	AA
Stables	X
Veterinary Hospital	X
Recreation and Sports Centre	AA
Club	AA
Market	AA
General Industry	X
Transport Depot	X
Light Industry	X
Hazardous Industry	X
Noxious Industry	X
Motor Vehicle and Marine Sales Premises	X
Open Air Sales and Display	AA
Warehouse	X

The symbols used in the Land Use Table have the following meanings:

"P" means that the use is permitted by the Scheme.

"AA" means that the use is not permitted unless the Council has granted planning approval.

"X" means a use that is not permitted by the Scheme.

If the use of land for a particular purpose is not specifically listed in the structure plan and cannot reasonably be determined as falling within the interpretation of one of the listed uses, the Council may determine if the use is permitted consistent with Clause 16 of the Scheme.

**PRECINCT SPECIFIC GUIDING DESIGN PRINCIPLES**

The following additional guiding design principles apply to developments within Precinct D:

- The majority of the office spaces are to be located in closest proximity to Belmont Park Station, to encourage use of public transport, and along the southern boundary of the site, adjacent to the Freeway.
- The built form along the Freeway boundary should act as an acoustic barrier, protecting spaces to the north of these buildings.
- Mid-rise residential buildings (4-13 storeys) and high rise residential towers (up to 42 storeys) are to be located generally on the eastern edge of the Precinct facing the Swan River, to take advantage of views to the river and the race track.
- Development is to provide activation of the pedestrian route to the railway station.
- Development on land abutting the race track is to be undertaken in a manner that respects the geometry and function of the race track.
- Developments are to provide high quality building interface and level of surveillance to the foreshore, streets and podium decks.
- A boardwalk/pedestrian and cyclist access path is to be provided at the eastern edge of the site where the racecourse is located hard against the river's edge, to connect to Precinct A.

**RESIDENTIAL DENSITY**

RAC0

	R Code	Dwelling Type	Max plot ratio	Min open space (%) of site)	Min private open space on podium deck (m <sup>2</sup> per dwelling)	Min primary street boundary setback (m)	Secondary street setback (m)	Other /Rear/ Fore-shore
<b>SITE REQUIREMENTS</b>								
<b>MULTIPLE DWELLINGS</b>		Multiple dwelling	12	Nil	6	Nil	Nil	Nil
	*Secondary street includes communal street, private street							
<b>MINIMUM RESIDENTIAL DWELLING NUMBERS</b>	977							
<b>CAR PARKING REQUIREMENTS</b>	<p>Parking for the residential component to be provided as per the R Codes.</p> <p>For non residential land uses the parking provisions of Twon Planning Scheme No. 1 will apply, with the following exceptions:</p> <ul style="list-style-type: none"> <li>• Office parking to be provided at a rate of 1 bay per 57m<sup>2</sup> of net floor area (NFA), which is consistent with the transit-oriented focus of the proposed office development.</li> <li>• Retail parking to be provided at a rate of 5 bays per 100m<sup>2</sup> NFA.</li> </ul>							
<b>DETAILED AREA PLANS</b>	<p>In addition to any general matters required to be included within a DAP under clause 29AB (15)(b) of the Scheme, DAPs for whole or part of Precinct D shall incorporate provisions and design elements addressing the following:</p> <ul style="list-style-type: none"> <li>• Precinct Objectives</li> <li>• Integration with adjacent existing or planned development</li> <li>• Design Focussed Development Application Process</li> <li>• Land use and location</li> <li>• Open Space; Public Open Space</li> <li>• Streetscape <ul style="list-style-type: none"> <li>- Lighting</li> <li>- Paving</li> <li>- Vegetation</li> <li>- Paths</li> <li>- Street furniture</li> <li>- Public art</li> </ul> </li> <li>• CPTED principles (report to be provided prior to approval of DAP in accordance with WAPC Designing out Crime Planning Guidelines)</li> <li>• Built Form <ul style="list-style-type: none"> <li>- Setbacks</li> <li>- Building heights</li> <li>- Building envelopes</li> <li>- Location of towers</li> <li>- Design guidelines</li> <li>- Solar access to the public and private realm</li> <li>- Transport and Access</li> <li>- Parking</li> <li>- Plot Ratio</li> <li>- Communal open space</li> </ul> </li> </ul>							

**DETAILED  
AREA PLANS**

- UWMP
- Resource Efficiency
- Servicing
- Affordable Housing
- Implementation of DAP.

15 TABLE E - RETAIL / OFFICE FLOOR SPACE ALLOCATION

MAXIMUM NET LETTABLE AREA (NLA)*	
Office	60,000m <sup>2</sup>
Retail	31,000m <sup>2</sup>

\*The maximum NLA included in Table C may be exceeded through a Detailed Area Plan for the entire centre where the requirements of State Planning Policy 4.2 *Activity Centres for Perth and Peel* are met to the satisfaction of the WAPC and Town of Victoria Park.

## 16 OPERATION AND IMPLEMENTATION

The project will emerge over a number of years. The following items, responsibilities and triggers are to be undertaken at various stages of the project:

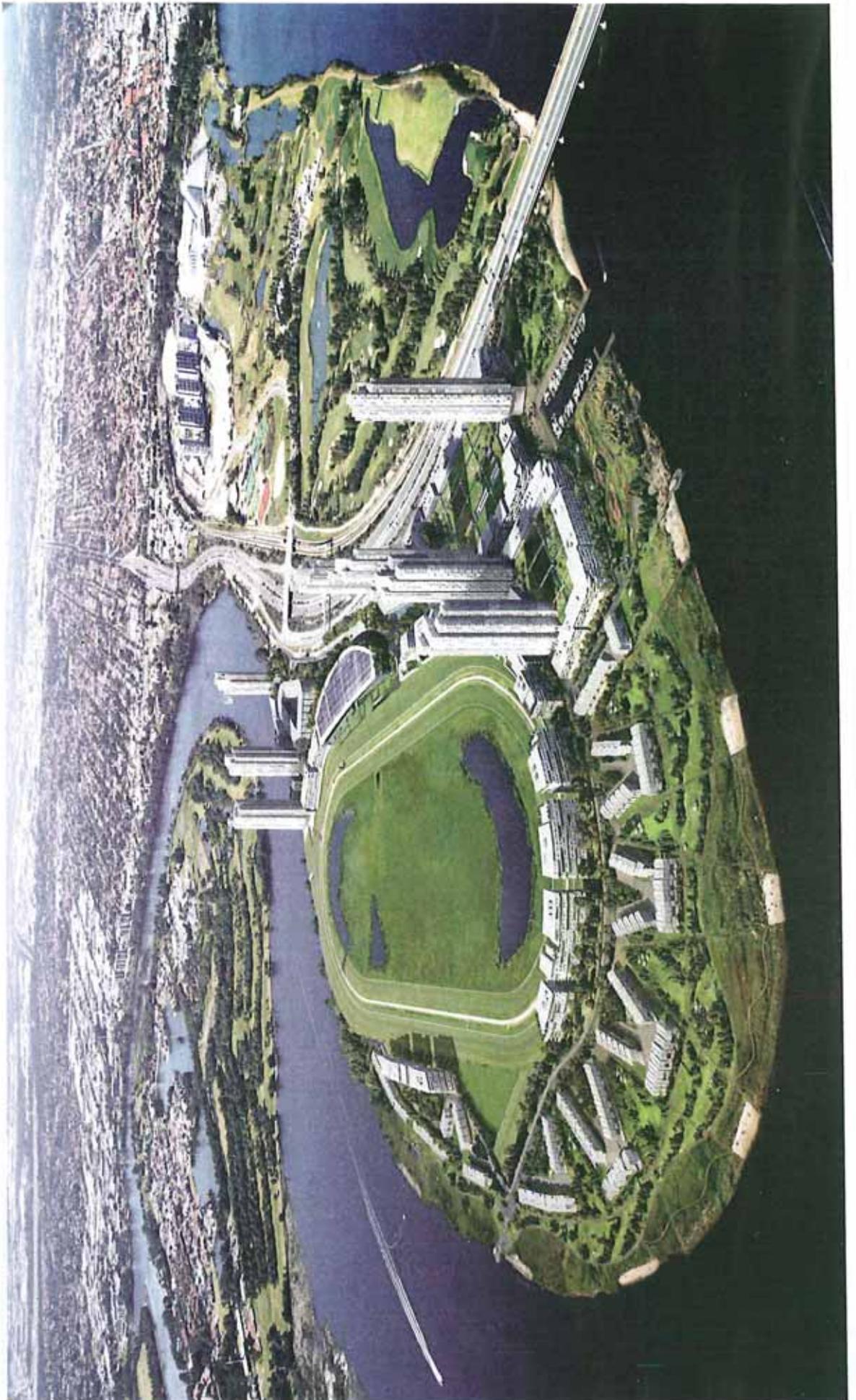
Item	Scope	Implementation/Timing	Implementation	Clearing Authority
1. CEDE FORESHORE RESERVE	Cede Foreshore to the State	<p>Developer progressively undertakes foreshore "management elements" aligned with the development of the specific BPRR Precincts. Developer retains management and maintenance responsibility for all infrastructure and other elements within the public realm of the foreshore reserve within the said precinct until two years after the sale of the last dwelling unit within the precinct.</p> <p>At the time of handover the developer is to provide to the Town a 20 Year Service and Asset Management Plan, developed in accordance with the Town's Asset Management Strategy, for all Parks, Buildings, Roads and Drainage and associated infrastructure within the relevant precinct of that part of the Foreshore Reserve.</p> <p><i>Note: This will not include the portion of foreshore reserve that is currently occupied by the racetrack within Lot 101.</i></p>	Developer	DoP
	2. FORESHORE WORKS	<p>Foreshore Management Strategy Guidance for landscape zones and rehabilitation works.</p> <p>Plan for the pedestrian, cyclist and maintenance vehicle and emergency access network.</p> <p>Will include the staged delivery of a 3.0m wide DUP (separate from raised boardwalks) within the foreshore reserve.</p>	<p>Local Structure Plan condition.</p> <p>The Foreshore Management Strategy (refer Emerge Associates document dated November 2011), forms part of the LSP and is incorporated in Part 1 of the LSP.</p> <p>A Foreshore Management Plan is required for each Precinct adjacent to the Foreshore Reserve, at the time of Detailed Area Plan, and must be consistent in-principle with the approved Foreshore Management Strategy.</p> <p>The Foreshore Management Plan is to be provided prior to the approval of the first Detailed Area Plan and is to include future tenure arrangements for the jetty/café and indigenous centre.</p>	Developer
<p>Foreshore Management Plan – to be implemented by precincts.</p> <ol style="list-style-type: none"> <li>1. Park North Precinct</li> <li>2. Park West Precinct</li> <li>3. TOD Precinct</li> <li>4. Adjacent to Racecourse</li> <li>5. Marina Precinct</li> </ol>		<p>Detailed subdivision condition</p> <p>"A Foreshore Management Plan must be prepared in accordance with the approved Foreshore Management Strategy"</p>	Developer	

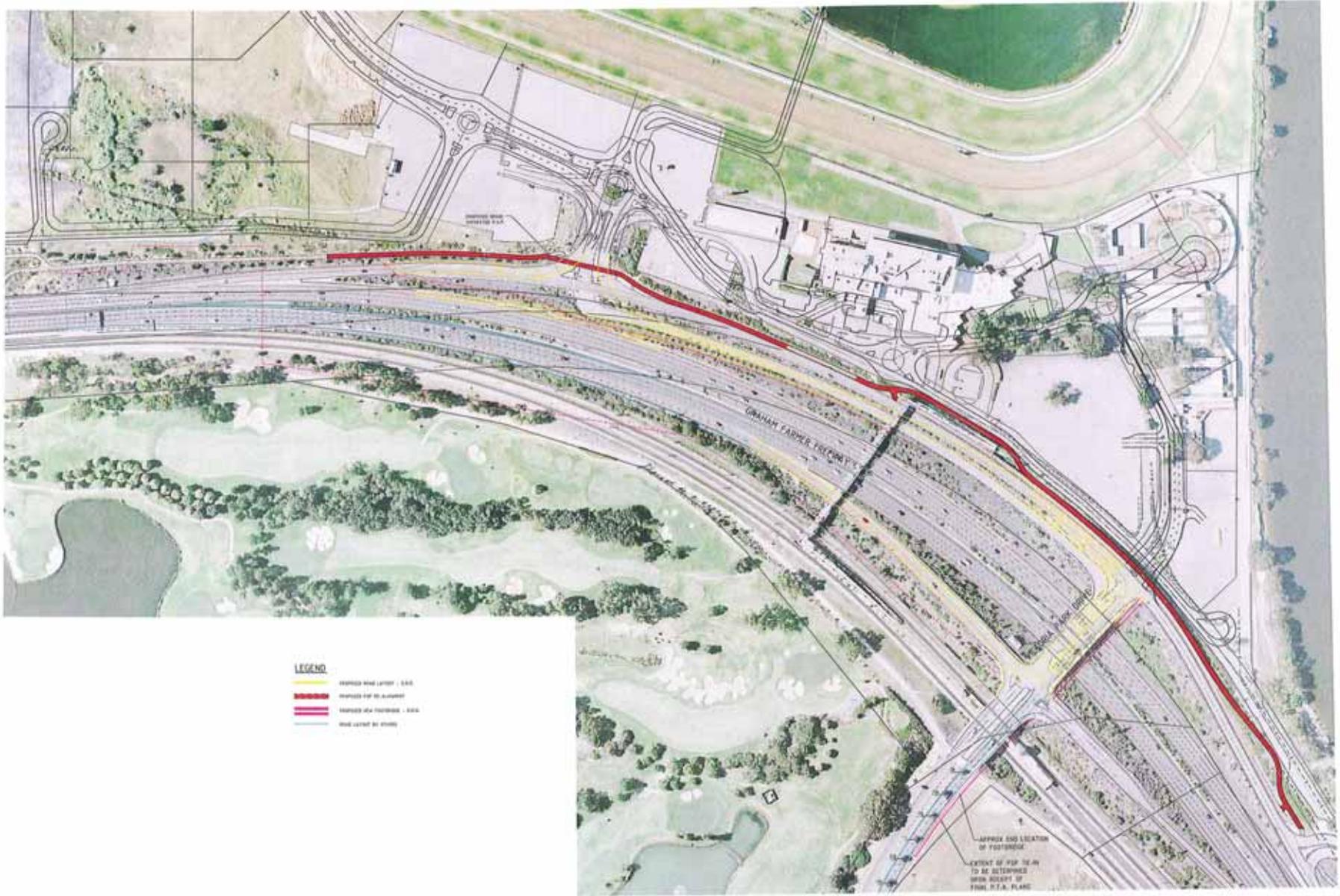
3. OPEN SPACE	Open Space Management Strategy	An Open Space Management Strategy is to be prepared prior to approval of each DAP	Developer	ToVP	
	Open Space Management Plan	An Open Space Management Plan is to be prepared prior to approval of each DAP	Developer	ToVP	
4. SITE ACCESS	Road modification works and/or associated developer contributions	Provision of a new pedestrian bridge, adjacent to the existing Victoria Park Drive overpass bridge, between the western direction GFF onramp to VPD Bridge, and the eastern onramp to the GFF.  Proportionate contribution to a new pedestrian/cycle lane (to merge with the existing pedestrian cycle lane) from the western direction GFF onramp to Victoria Park Drive bridge.  Revisions to existing carriageway at Belmont Park road entry, to integrate into the GFF off ramps.  Revisions to the existing carriageway at the intersection of the eastern onramp and Victoria Park Drive, including left in left out entry to Precinct D.  Revisions to the Principal Shared Path (PSP), to provide grade separated PSP and to construct a tunnel for the PSP at the key point of entry into Belmont Park. PSP to be revised to run at ground level adjacent to Precinct D and then to connect up through to existing Bulbuck Way PSP.  Construction of a second western bound GFF onramp lane (as indicated on figure 36, Part 2), using the breakdown lane, and providing a guard rail around the existing pedestrian overbridge pylon, but excluding any new carriageways plans for "ramp metered" onramp lanes, that may be constructed by MRWA in the future.  In order to minimise disruption to traffic, the works will be coordinated with MRWA works.	Developer	ToVP, Department of Transport & Main Roads	
	5. SERVICES INFRASTRUCTURE TO SITE	Site services strategy detailing layout of all service infrastructure, including backbone infrastructure	Part of the Local Structure Plan application, refer JDSi Consulting Engineers, Servicing Report, dated October 2011  <i>Services easement requirements, and road verge corridors to be provided throughout the project, including access to service corridor across the existing racetrack.</i>	Developer	ToVP
		Handover Strategy	Prior to approval of the first DAP to include the specification of a defects period  <i>Note: Condition may be cleared by a legal agreement &amp; bonding with appropriate authority. A detailed Implementation plan will need to be prepared to support the legal Agreement.</i>	Developer	ToVP & Respective Service Authorities.

6. SITE WORKS TO PRECINCTS	Earthworks and Pre-loading Strategy Earthworks and pre-loading plan	To be lodged with the first Detailed Area Plan for the development. This needs to include a traffic management plan. A Detailed Earthworks and Preloading Plan needs to be lodged with each subdivision application	Developer	DEC & SRT
7. MAINTENANCE	Outline Maintenance Strategy	The Maintenance Strategy for the foreshore reserve needs to be prepared prior to lodgement of the first Detailed Area Plan and the Maintenance Strategy for the other public open areas prior to each Detailed Area Plan. The Maintenance Strategy is to include the minimum standard of maintenance to be provided by the Town following handover	Developer	ToVP & SRT
	Prepare a detailed Maintenance Plan for open space, and foreshore reserve.	Lot subdivision clearance condition.	Developer	ToVP
	Carry out Maintenance in accordance with the Maintenance Strategy.	Post Construction	Developer	N/A
8. BOARD WALK & PROMENADE ADJACENT TO TOD PRECINCT	Concept design to outline a "holistic" approach to the boardwalk & promenade, in accordance with Foreshore Management Plan	Prior to the Detailed Area Plan for Precinct D	Developer	ToVP
	Detailed Design Construct 6m boardwalk plus 8m wide paved (& landscaped) promenade	Detailed subdivision clearance condition for Precinct D.	Developer	ToVP
9. PEDESTRIAN BOARDWALK ADJACENT TO THE TRACK	Preliminary concept design to outline a "holistic" approach to the boardwalk, tying it into the boardwalk and promenade to the South.	Prior to the Detailed Area Plan for Precinct 1 to ensure safe pedestrian connectivity along the racecourse.	Developer	ToVP
	Detailed design and Construction of pedestrian boardwalk along the race track edge to allow for pedestrian access.	Subdivision clearance for Precinct D .  <i>Note: Timing of Implementation is part of first phase of the TOD precinct.</i>	Developer	ToVP

<p><b>10. LOCAL WATER MANAGEMENT STRATEGY (LWMS)</b></p>	<p>Prepare LWMS in accordance with guidelines for approval by DOW.</p>	<p>LWMS prepared by Emerge Associates, submitted to DoW, and lodged as attachment to Local Structure Plan.  <i>Note: it is anticipated that the LWMS will remain valid for the lot subdivision approvals for each phase. A UWMP will not be required until detailed subdivision of each lot.</i></p>	<p>Developer</p>	<p>DoW</p>
<p><b>11. URBAN WATER MANAGEMENT PLAN (UWMP)</b></p>	<p>Prepare UWMP in accordance with guidelines for approval by DoW.</p>	<p>Detailed subdivision clearance condition.  <i>Note: to be implemented in accordance with the Better Urban Water Management Document, October 2008.</i></p>	<p>Developer</p>	<p>DoW</p>
<p><b>12. ACID SULPHATE SOILS (ASS)</b></p>	<p>Determine ASS management requirements and prepare a management plan for implementation during construction works</p>	<p>Subdivision approval condition  Preliminary ASS Investigations were completed by Emerge Associates and findings are contained in Environmental Assessment and Justification Report dated November 2011, which forms an attachment to the LSP.  Complete Detailed ASS Investigation prior to Subdivision DA to determine extent of ASS disturbance Develop ASS Management Plan for implementation during construction works</p>	<p>Developer</p>	<p>DEC</p>
<p><b>13. ADVANCED PRELOADING &amp; GROUND PRE-TREATMENT</b></p>	<p>Construction of site works outside of existing race tracks including excavation and removal of unsuitable fill materials, import clean fill and preload alluvial soils.</p>	<p>Timeframe is aligned to development phases and market demand Handling, relocation, re-use and /or otherwise any management of existing site soils to be undertaken in accordance with a Site Management Plan (if required) to be prepared as part of the contaminated sites investigation Preloading of alluvial soils and recovery of bore water should be undertaken in accordance with an appropriate ASS management strategy &amp; CEMP.</p>	<p>Developer</p>	
<p><b>14. GRANDSTAND SPORTING/ RECREATION CENTRE</b></p>	<p>Completion and Timing of additions to existing Belmont Park Grandstand to create Sporting and Recreation Centre</p>	<p>The Developer commits to commence construction, and complete in a continuous construction contract thereafter, the additions to the existing Belmont Park grandstand building, (as illustrated in Foster + Partners Concept Plan Report), at the latest, when 50% of the planned residential component of the Project is sold. The upgrading of the existing Grandstand Building footprint, is the separate responsibility of W.A.T.C.</p>	<p>Developer, W.A.T.C.</p>	<p>ToVP</p>



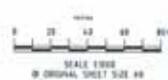




- LEGEND**
- PROPOSED ROAD LAYOUT - ROAD
  - PROPOSED RIGHT OF WAY
  - EXISTING ROAD LAYOUT - ROAD

**ATTACHMENT 12**

PLAN  
SCALE 1:1000



NO.	DATE	BY	DESCRIPTION
1	10/15/10	J.P.	ISSUED FOR PERMITTING
2	11/15/10	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
3	12/15/10	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
4	01/15/11	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
5	02/15/11	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
6	03/15/11	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
7	04/15/11	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
8	05/15/11	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
9	06/15/11	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
10	07/15/11	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
11	08/15/11	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
12	09/15/11	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
13	10/15/11	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
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16	01/15/12	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
17	02/15/12	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
18	03/15/12	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
19	04/15/12	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
20	05/15/12	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
21	06/15/12	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
22	07/15/12	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
23	08/15/12	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
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25	10/15/12	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
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29	02/15/13	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
30	03/15/13	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
31	04/15/13	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
32	05/15/13	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
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36	09/15/13	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
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40	01/15/14	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
41	02/15/14	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
42	03/15/14	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
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44	05/15/14	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
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49	10/15/14	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
50	11/15/14	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
51	12/15/14	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
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58	07/15/15	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
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60	09/15/15	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
61	10/15/15	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
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73	10/15/16	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
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75	12/15/16	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
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77	02/15/17	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
78	03/15/17	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
79	04/15/17	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
80	05/15/17	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
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95	08/15/18	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
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97	10/15/18	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
98	11/15/18	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
99	12/15/18	J.P.	REVISED TO REFLECT PERMITTING COMMENTS
100	01/15/19	J.P.	REVISED TO REFLECT PERMITTING COMMENTS



GOLDEN RIVER DEVELOPMENT PTY. LTD.

BELMONT PARK REDEVELOPMENT		DATE	10/15/10
GRAHAM FARMER FREEWAY		SCALE	1:1000
PROJECT NUMBER		NO.	1000
SHEET NUMBER		OF	10
SHEET TITLE		DATE	10/15/10
DRAWN BY		CHECKED BY	SKW
APPROVED BY		DATE	10/15/10

## ITEM NO: 9.4

### TOWN OF MOSMAN PARK LOCAL PLANNING STRATEGY - FOR FINAL ENDORSEMENT

<b>COMMITTEE:</b>	<b>Statutory Planning Committee</b>
REPORTING AGENCY:	Department of Planning
REPORTING OFFICER:	Senior Project Planner, Metropolitan South-East
AUTHORISING OFFICER:	A/Planning Director of Schemes, Strategies and Amendments
AGENDA PART:	D
FILE NO:	853/02/18/0006
DATE:	February 2013
ATTACHMENTS:	1. Location Plan 2. Local Planning Strategy Map 3. Schedule of submissions (including submitters) 4. Schedule of Council modifications 5. Schedule of Opportunities and Actions 6. Schedule of Commission recommended modifications
LOCAL GOVERNMENT:	Town of Mosman Park

#### RECOMMENDATION:

***That the Western Australian Planning Commission resolves to endorse the proposed Local Planning Strategy (dated 2 November 2012), subject to modifications as outlined in the Schedule of Modifications (refer Attachment 6).***

#### SUMMARY:

- The Town of Mosman Park has prepared a Local Planning Strategy (LPS) to guide the planning for the municipality over the next 20 years in accordance with Clause 12B of the *Town Planning Regulations 1967* (as amended).
- The LPS has been submitted to the Commission for final endorsement.
- The LPS is recommended for endorsement subject to modifications.

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## **BACKGROUND:**

The Town of Mosman Park Town Planning Scheme No. 2 (the Scheme) was gazetted on 9 October 1999 and since that date there have been 13 finalised amendments to the Scheme, and 2 amendments pending determination.

The Town has prepared an LPS in order to guide the new proposed Scheme and meet the statutory requirements outlined by Regulation 12A of the *Town Planning Regulations 1967*. In August 2010, the Commission (through the Statutory Planning Committee) resolved to certify that the draft LPS was consistent with the Regulations subject to modifications. In general terms, the modifications were in relation to improving the content and legibility of the document including the following:

1. The inclusion and brief description of all state planning strategies, policies, studies or similar which are relevant to the Town of Mosman Park and its LPS;
2. The inclusion of additional information relating to the Town's profile, particularly with regard to economy and employment;
3. The inclusion of additional information relating to the pattern and hierarchy of existing centres within the Town and a discussion of the current and future retail and commercial requirements of the Town.
4. The inclusion of additional information relating to transport network matters including the identification of movement generators, parking issues and end of trip facilities;
5. The inclusion of additional information relating to heritage and tourism sites within the Town;
6. The update and clarification of text and maps relating to SHACS; and
7. Some reorganisation and formatting of the document to provide clarity and ease of use.

The Town updated the LPS generally in accordance with the modifications required by the Commission and subsequently undertook consultation on the LPS from 12 November 2011 to 3 February 2012, with a total of 80 submissions being received. The advertising period identified a wide range of stakeholder views, which are discussed further in this report.

This report provides the Commission with the opportunity to consider the LPS for final endorsement. Once finalised, the LPS will inform future planning including amendments to the current town planning scheme and future preparation of a new planning scheme.

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## LEGISLATION / STRATEGIC PLAN / POLICY:

### Legislation

Section:

*Planning and Development Act 2005*  
*Town Planning Regulations 1967 (as amended)*  
Part 4 of the Act  
Part 12 of the Regulations

### 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 integration
- implement State and Regional Planning priorities

### Policy

Number and / or Name:

State Planning Policy 1 - State Planning Framework Policy (Variation No. 2);  
State Planning Policy 3 - Urban Growth and Settlement;  
State Planning Policy 3.1 - Residential Design Codes;  
State Planning Policy 4.2 - Activity Centres for Perth and Peel;  
State Planning Policy 5.4 - Road and rail transportation Noise;  
State Planning Policy 2.8 - Bushland Policy for the Perth Metropolitan Region;  
Liveable Neighbourhoods

### DETAILS:

The Town is located approximately 14 kilometres from the Perth CBD, a total area of 4.3 square kilometres and has a population of approximately 9,513 people as of the 2011 census. The Town is bounded by the Swan River to the south and east, the Shire of Peppermint Grove and Town of Cottesloe to the north, the City of Fremantle to the south and the Indian Ocean to the west (**Attachment 1 - Location Plan**).

The Town is characterised predominately by residential development. Major features of the Town include local commercial centres at Monument Street, Wellington Street and commercial development along Stirling Highway. The Town contains a number of educational establishments including the Iona Presentation Primary and Secondary Schools and St. Hilda's Anglican Primary and Secondary Schools.

A number of parks and recreational facilities exist within the Town as well as reserves along the Swan River foreshore and along the coast. The Victoria Street and Mosman Park train stations are located in the Town and Stirling Highway traverses through Mosman Park connecting with Fremantle to the South and Perth CBD to the north-east.

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The Town has prepared an LPS in order to guide the new proposed Scheme and meet the statutory requirements outlined by Regulation 12A of the *Town Planning Regulations 1967*.

The LPS uses current population, housing, employment and transport information amongst other things, to highlight sites suitable for redevelopment or increased development potential within the locality (**Attachment 2 - Local Planning Strategy Map**). The LPS investigates these sites and proposes a series of initiatives to be incorporated into the new Scheme in order to meet the local and State planning objectives whilst maintaining the vision and direction desired by the Town.

### **GOVERNMENT AND CORPORATE IMPLICATIONS:**

The LPS, once finalised, will provide a clear direction and framework for future land use planning in the Town and provide the opportunity for relevant agencies to consider future planning, including infrastructure provision.

### **CONSULTATION:**

The LPS was advertised for public comment for a period of 9 weeks from 12 November 2011 to 3 February 2012. A total of 80 submissions were received. A schedule of submissions is with the attachments (**Attachment 3 - Schedule of Submissions**).

From the submissions received during advertising, the Town identified a number of key issues, including but not limited to:

- the proposed increase in density in Development Investigation Area 6 (DIA6 - Caporn Street area),
- the adequacy of essential services and infrastructure (supply and wastewater capacity, roads, drainage, street lighting, and rubbish collection),
- concern regarding potential increases in traffic and parking demand associated with increased densities,
- the importance of protecting existing housing stock and vegetation, including substantial trees,
- the preference for small blocks, particularly near the river, and the lack of residential opportunities available to residents wanting to 'age in place'.
- the possibility of more incentives for affordable housing and/or aged care accommodation.
- the potential for more substantial areas of the Town to accommodate increased densities particularly close to Stirling Highway and in proximity to existing activity centres,
- Concerns expressed in response to the recommendations of Stirling Highway Activity Corridor Study (SHACS) and the associated Metropolitan Region Scheme (MRS) amendment process.

These issues are discussed through this report.

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In considering the submissions received during the advertising period and potential modifications to the LPS as part of the finalisation of the document, consideration should be given to whether any of the modifications have the effect of altering the material intent of the LPS, and therefore, whether further advertising should be undertaken prior to finalisation.

## **OFFICER'S COMMENTS:**

### Strategic Planning Context

There are a number of key state and regional planning policies relevant to the Town's LPS.

### **Draft State Planning Strategy (December 2012):**

The State Planning Strategy (SPS) provides the basis for long-term State and regional land use planning and coordinates a whole-of-government approach to planning. The SPS includes a set of principles and outlines the considerations that influence good decision-making. The Shire falls within the Perth Region which has the following vision:

*"A prosperous region with a diverse economic base, the South West sector provides a unique environment and lifestyle making it an attractive place to live, work and invest. Projections indicate that the South West sector will be the population centre of the State, housing at least three-quarters of the State's inhabitants. This means that the highest level and greatest range of health and education services, cultural activities and employment opportunities will continue to be available in the sector. Perth, the State's capital, will remain a main international gateway to Western Australia and will function as its financial, administrative and social centre..."*

The LPS is consistent with the draft State Planning Strategy with regard to the major planning aspects and objectives.

### **Directions 2031 and Beyond**

*Directions 2031 and Beyond* (Directions 2031), released by the Commission in August 2010, is a high level spatial framework and strategic plan for the Perth and Peel Metropolitan Region. The document provides direction on a number of matters, including how to provide for a growing population whilst ensuring that the population lives within the available natural resources. *Directions 2031* also outlines where development should be focused and what patterns of land use and transport will best support this development pattern.

### **Draft Central Metropolitan Perth and Peel Sub-Regional Strategy (August 2010)**

The draft *Central Metropolitan Perth and Peel Sub-regional Strategy* (Sub-Regional Strategy) was released in 2010 for public comment, providing a framework for delivering the objectives of *Directions 2031* and addresses strategic planning issues in the metropolitan area.

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The Sub-Regional Strategy identifies the areas surrounding Mosman Park train station, Victoria Street Train Station, and Buckland Hill Primary School as the locations that should accommodate the majority of the anticipated infill residential development (approximately 900 dwellings) by 2031. Buckland Hill received approval in late 2011 and is currently under construction with development almost complete. An 800 metre walkable catchment has been identified around each of the train stations as a 'Development Investigation Area (DIA)' within the LPS, thereby recognising and incorporating the requirements of *Directions 2031*.

The draft Strategy also identified that the central sub-region has a current employment self-sufficiency of 124%, which is proposed to reduce, albeit slightly, to 121% by 2031. Therefore, maintaining employment self-sufficiency within the Town via incremental, small-scale expansions and well-placed designation of retail and commercial areas.

The LPS proposes to increase residential densities in a number of established areas located close to public transport, services or areas of high amenity. In addition, the recognition of Stirling Highway as an activity corridor which is suitable for further growth both residentially and commercially reflects the objectives of *Directions 2031*.

### **State Planning Policies**

There are a substantial number of State Planning Policies (SPP's) applicable to the Town of Mosman Park. The LPS has had due regard for the SPP's and upholds the objectives of all relevant SPP's.

#### Other relevant planning documents

### **Liveable Neighbourhoods (LN)**

LN is an operational policy intended to guide the design and assessment of structure plans and subdivisions for (new) urban areas within the state. As the Town is predominately developed, there will be limited application of LN, however the LPS indicates that any redevelopment of larger sites within the Town, and other sites as deemed appropriate, shall have regard for the principles of LN.

### **Stirling Highway Activity Corridor Study (SHACS)**

In 2006, the Commission initiated the SHACS in order to progress the rationalisation of the Stirling Highway road reservation. The SHACS working group, consisting of state and local government stakeholder planners and engineers, have considered the road design and access along Stirling Highway and produced a series of draft plans which propose changes to the road reservation in an attempt to increase safety whilst meeting the needs of road users utilising the activity corridor. These concept design plans have informed the MRS Amendment (1210/41) which was advertised from March to July 2012 and anticipated to be determined by the Commission in mid-2013.

The LPS refers to SHACS and the associated map identifies the land within Mosman Park that is subject to SHACS as Development Investigation Area 1 (DIA1). The LPS identifies various requirements for implementing the recommendations of the study,

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including a possible review of zonings and densities along Stirling Highway and the resolution of any issues associated with the road widening and noise.

### **A Study of Land Use Patterns and Residential Densities in the Western Suburbs - WESROC (July 2008).**

This report was commissioned by the Western Suburbs Regional Organisation of Councils (WESROC) with the aim of gauging effectiveness of planning for the sub region with a focus on urban activity/employment locations, accommodating population growth and providing housing choice. The study asserted that due to community resistance, prevailing subdivision patterns and limited vacant and underutilised land, the capacity for the Western Suburbs to deliver significantly increased densities and more housing diversity is limited.

The LPS has considered the assertions of the report and identified several areas suitable for minor increases in density as opposed to a blanket increase across the municipality. It also focuses on providing housing diversity and additional dwellings in a sustainable manner which is consistent with the recommendations of WESROC's report.

#### Council Modifications

Following advertising, the Council undertook several modifications to the LPS which are outlined in **Attachment 4 - Schedule of Council Modifications**. All of the modifications, with exception of Number 1 which relates to Development Investigation Area 6 (DIA6), were corrections to the document to rectify labelling, locations on maps and errors. All modifications excluding DIA6 are acceptable. The proposed modification to DIA6 is discussed further in the report.

Notwithstanding further discussion in relation to DIA6, the majority of the content and the general intent of the LPS remains intact and as per the document that was advertised, and the modifications are not considered to alter the material intent of the LPS. Further advertising is not required.

#### Proposed Local Planning Strategy (LPS)

The LPS is a strategic document that offers a framework which is intended to provide direction for an extended period and in the case of the Town of Mosman Park, the intended period is 20 years. It is considered appropriate for the LPS, as an overarching strategic framework, to identify particular strategies and actions that will need to be investigated more comprehensively or progressed into the future to deliver a particular outcome.

The LPS has been completed using the best information available at this time, recognising that there are a number of strategic initiatives that may inform future planning including but not limited to the finalisation of the *Central Metropolitan Perth Sub-Regional Strategy* and the finalisation of Stage 2 of *Stirling Highway Activity Corridor Study* which will recommend urban design and form based codes for affected land.

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The LPS has been structured to provide observations and identify issues in relation to each of the major planning considerations within the Town of Mosman Park, being:

- population and housing,
- economy and employment,
- retail and commerce,
- heritage,
- tourism,
- community spaces and facilities,
- environment, and
- transport.

The LPS then provides a series of opportunities and/or actions in relation to each of the categories, which informs the desirable planning outcomes within of the LPS, as demonstrated via the Development Investigation Areas (DIA's) identified on the LPS Map. These categories, and the subsequent actions are discussed in **Attachment 5**.

The aims, strategies and actions of the LPS are aimed at responding to identified planning implications and focus on the following :

- Improving transportation infrastructure and land use and transport integration.
- Maintaining the range of goods and services available in the Town and providing employment opportunities, through development of existing activity centres and along Stirling Highway taking into account urban design outcomes.
- Maintaining the prevailing residential character and amenity of neighbourhoods while facilitating low-density infill opportunity and medium to higher density residential development in appropriate locations supported by transit opportunities and existing services.
- Building on tourism potential of the Town.
- Ensuring adequate recognition and protection of sites of heritage significance in the Town.
- Ensuring adequate provision and distribution of recreation and community facilities.
- Recognising places of heritage significant and ensuring their adequate protection in the Scheme and planning policies.

In summary, the content within the LPS demonstrate that the Town is generally cognisant of its current position, its likely future needs, and the preferred and/or necessary actions required to achieve the objectives of the LPS.

The LPS generally reflects the current and available state policy framework and the LPS is considered to be largely acceptable. However, a number of modifications to the LPS are proposed which require further discussion.

#### WAPC Modifications

The advertised version of the LPS the area bounded by Caporn Street, Bateman Street, Marshall Street and Blackwall Reach, which is known as DIA6, be upcoded

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from R12.5 to R25. Of the submissions received in relation to this matter, the breakdown was as follows:

- 47 individual submissions were received in support of the proposed increase in density, including one prepared by a planning consultant, who was commissioned by a group of landowners within the area to make a submission.
- 34 people listed in support via petition (of which many also made individual submissions).
- 5 individual submissions received in opposition to the proposed rezoning.
- 33 people listed in opposition via petition.

On balance, it appears from the submissions received that there is more support for the proposed increase in density in DIA6 to R25 than opposition.

DIA 6 was identified in the draft LPS as a suitable location for increased density as it is a high amenity area that is capable of supporting minor increases in residential density without unduly impacting the character and amenity of the area. However, following advertising the Town has modified the LPS to identify this area for R20 coding in response to the range of submissions.

A technical assessment of DIA6 reveals that if the density coding is retained as per the status quo (at R12.5), only 1 property of 35 has development potential. At a proposed density of Residential R20, 21 additional properties may be created, and at Residential R25, an additional 35 properties are possible.

Supporting an increase in density within DIA 6 will assist the Town in meeting the objectives outlined within the LPS which include providing an increased variety of housing options, providing affordable housing, and enabling residents to have the opportunity to 'age in place', which were also among the comments provided during consultation. In addition, the additional dwelling yields and housing variety which can be achieved via the application of a Residential R25 coding to DIA 6 will assist in achieving state planning objectives as outlined within documents such as *Direction 2031*.

Furthermore, the lots south of Bird Street were coded R10/R20 prior to the consolidation of the Town's Scheme in 1999. Advice received from the Town indicates that the lots were down-coded to R12.5 on the basis that reticulated sewerage was not available to these lots at that time. In view of the changed circumstances and time passed, if an upcoding to the area is supported, it would appear worthwhile upcoding to a density that is more substantial than what was available to a landowner almost 15 years ago.

Importantly, the proposed density of Residential R25 is still classified as low-density, and any redevelopment of DIA6 would be undertaken in an incremental manner based on the varied age of housing stock in the area which will assist in retaining the character and amenity of the area.

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On this basis, the LPS map and text should be modified to demonstrate a residential coding of R25 is applicable to DIA 6. The Town has been provided with an opportunity to comment on the proposed modified coding of DIA6 back to R25 and the Town's administration has advised that this modification is acceptable.

Seventeen further modifications are proposed to the LPS which involve the following:

- Updating the titles and dates relevant to State Planning documents,
- Correcting typographical and numerical errors, and
- Correcting mapping and labelling errors.

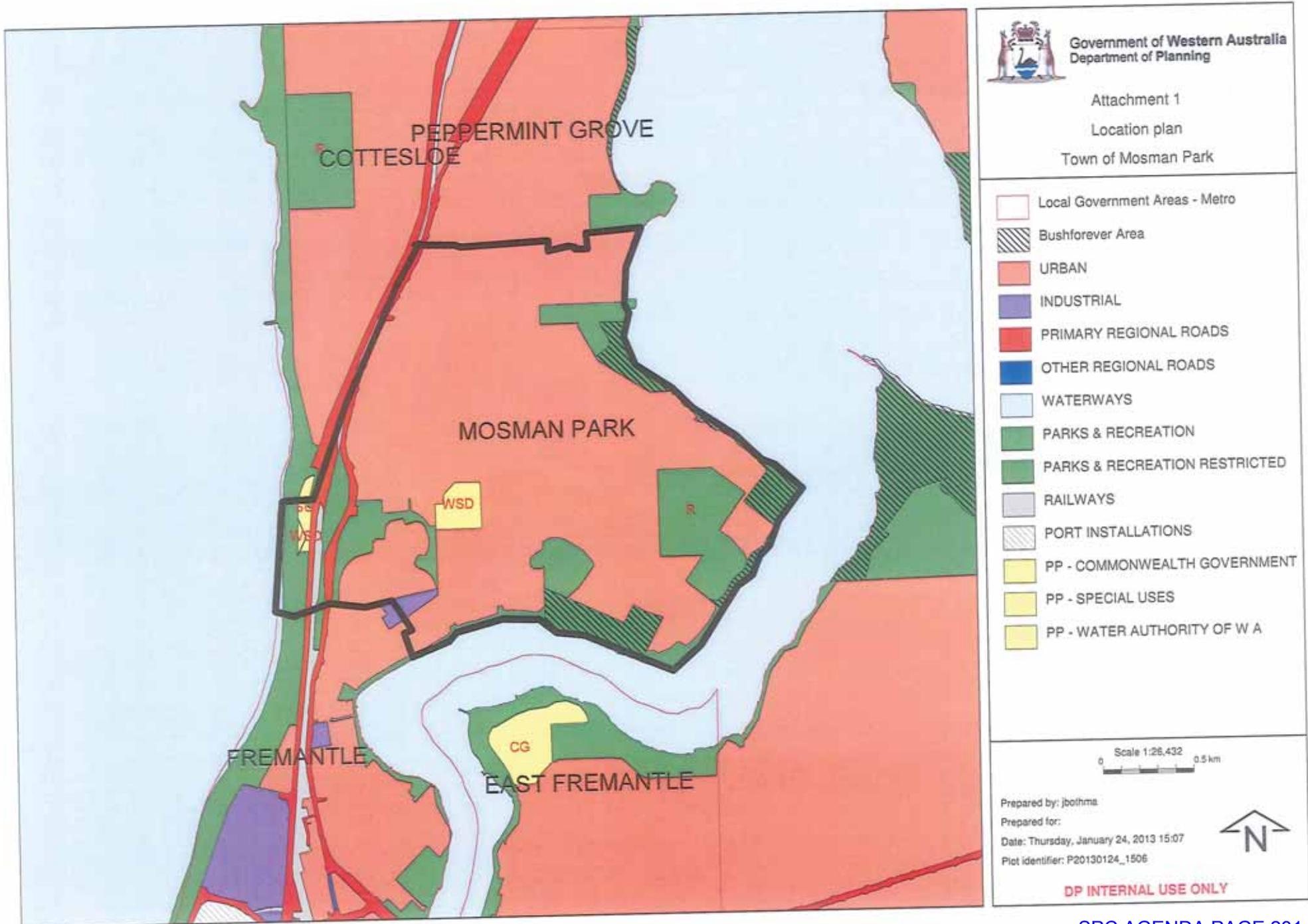
These modifications are considered minor and the Town has advised that the modifications are acceptable.

### **Conclusion**

The LPS provides broad based planning direction for the Town of Mosman Park and will assist the Town in planning for its likely future needs.

It is recommended the Commission endorse the LPS subject to the modifications set out in **Attachment 6 - Schedule of Commission Modifications**.

Once the modifications have been made to the documentation, the LPS is considered to have met the requirements set out in the *Town Planning Regulations 1967*.





- Existing Low Density (Single Residential)
- Existing Medium Density (Grouped Dwellings)
- Existing High / Medium Density (Apartments / Mixed Use / Grouped Dwellings)
- Existing Regional Public Open Space
- Existing Local Open Space
- Existing Public Purposes
- Existing Commercial Area / Activity Centre
- Existing Private Clubs / Institutions
- Development Investigation Area
- Proposed Greenway / Streetscape Enhancement (refer Western Suburbs Greening Plan 2007)
- Pumping Station (Buffer requirements and development implications to be confirmed with Water Corporation)
- Leighton Beach and Environs - MRS Amendment 1074/33 (effective 14 May 2009)

- Development Investigation Area**
- Stirling Highway Activity Corridor
  - Medium/High Density
  - Aged Persons
  - Low Density

- Commercial Centres Hierarchy**
- Stirling Highway Commercial Area
  - Monument Street Neighbourhood Centre
  - Wellington Street Neighbourhood Centre

- Reserve Names**
- Reserve Names Indicator
- |                          |                                    |
|--------------------------|------------------------------------|
| 1 Mosman Bay Park        | 16 Swansea Park                    |
| 2 Wight Park             | 17 Lucy Cressh                     |
| 3 Jabe Doid Park         | 18 MI Lyell Park                   |
| 4 Memorial Park          | 19 Garungup Park                   |
| 5 Bay View Park          | 20 Stringfellow Park               |
| 6 Certenary Park         | 21 Tom Perron Reserve              |
| 7 Federation Park        | 22 Minis Cove Park                 |
| 8 Three Boys Park        | 23 Point Roe Park                  |
| 9 Mann Oval              | 24 Mac Felly Park                  |
| 10 Davis Oval            | 25 Genders Park                    |
| 11 Gibbon Park           | 26 Mosman Park Golf Course         |
| 12 Brown Park            | 27 Chidley Point Reserve           |
| 13 Monument Park         | 28 Green Place Reserve             |
| 14 Rope Works Park       | 29 The Coombie Reserve             |
| 15 Buckland Hill Reserve | 30 Hash Field (Private Recreation) |



Figure 10 -  
**Town of Mosman Park**  
LOCAL PLANNING STRATEGY



**SCHEDULE OF SUBMISSIONS**  
**TOWN OF MOSMAN PARK DRAFT LOCAL PLANNING STRATEGY**  
**MAY 2012**

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
1.	Concern regarding rubbish and verge collection; traffic congestion and street lighting if residential density increased in Ellershaw Mews.	There will be increased demand incrementally over time as development takes place that will need to be serviced.  Traffic will also increase incrementally but this is anticipated to be within the capacity of the local road system (Liveable Neighbourhoods Element 2 - Movement Network identifies that 6-6.4m wide laneways can accommodate up to 300 vehicle trips per day).	None.
	Believes subdivision would encourage the destruction of trees and significant vegetation on resulting small blocks.	Depends on the positioning of vegetation. Likely that some will be lost to accommodate need for increased densities but this will be compensated to a degree by new vegetation plantings, as well as other initiatives such as the proposed Greenway. The "Leafiness" of the suburb will not be lost – the Town's high proportion of public parkland, wide verges and vegetation in public realm will be retained. The Town is very well serviced by public parks evidenced by Figure 7 in the Strategy.	None.
	Concern about the loss of existing housing stock with subdivision existing lots (in DIA5).	These can already be demolished, as this is a matter of landowner choice. The double frontage requirement will assist with retention in many instances. Not all houses are in a condition suitable for retention.	None.

**SCHEDULE OF SUBMISSIONS  
TOWN OF MOSMAN PARK DRAFT LOCAL PLANNING STRATEGY  
MAY 2012**

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
1.	Concern regarding rubbish and verge collection; traffic congestion and street lighting if residential density increased in Ellershaw Mews.	<p>There will be increased demand incrementally over time as development takes place that will need to be serviced.</p> <p>Traffic will also increase incrementally but this is anticipated to be within the capacity of the local road system (Liveable Neighbourhoods Element 2 - Movement Network identifies that 6-6.4m wide laneways can accommodate up to 300 vehicle trips per day).</p>	None.
	Believes subdivision would encourage the destruction of trees and significant vegetation on resulting small blocks.	Depends on the positioning of vegetation. Likely that some will be lost to accommodate need for increased densities but this will be compensated to a degree by new vegetation plantings, as well as other initiatives such as the proposed Greenway. The "Leafiness" of the suburb will not be lost – the Town's high proportion of public parkland, wide verges and vegetation in public realm will be retained. The Town is very well serviced by public parks evidenced by Figure 7 in the Strategy.	None.
	Concern about the loss of existing housing stock with subdivision existing lots (in DIA5).	These can already be demolished, as this is a matter of landowner choice. The double frontage requirement will assist with retention in many instances. Not all houses are in a condition suitable for retention.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	Concern regarding under width roads, e.g. Ellershaw Mews, Sanctuary Lane, in terms of "Street Spaces"; parking; traffic congestion; traffic safety; and "Urban Services".	<p>The Town's Policy No. 3.2.8 – <i>Subdivision and Development of Lots Adjoining Underwidth Roads</i> stipulates that "Council will not support a subdivision or development of a lot that proposes the creation of a lot with frontage only to a rear underwidth road, unless acceptable vehicle access and egress in both directions from the underwidth road can be adequately demonstrated". The Policy also has provisions for land to be ceded for the purpose of road widening in such instances.</p> <p>Minor increases in traffic and parking demand are expected and can be accommodated. Development will be required to meet onsite parking requirements of the R Codes. The amenity of underwidth roads should also be increased with development frontage and removal of back fences.</p> <p>The capacity of essential services to accommodate additional densities is a matter that will need to be resolved with the relevant service authorities at the time of subdivision or development. The Town will also need to consider upgrades to local authority controlled services such as rubbish collection, drainage and street lighting.</p>	None.
	No guide to acceptable streetscapes.	This is not the role of a Local Planning Strategy and will be dealt with through Local Planning Scheme No. 3 (the Scheme) and applicable planning policies.	None.
	Concern that existing parking problems in DIA would be exacerbated by subdivision. Suggests road widening in Ellershaw Mews for street parking.	Only a minor and incremental increase in dwelling density is expected. Building processes will need to be managed. Road widening can be considered if appropriate.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	Concerns about increased traffic congestion with sub-division, compounded by builders and tradesmen's vehicles.	Minor and temporary increases are anticipated. May require management by the Town if issues arise during dwelling construction phase in accordance with normal processes.	None.
	Concerns about traffic and pedestrian safety.	Only minor increases in traffic are anticipated. May require management by the Town if issues arise.	None.
	Concerns regarding "urban services": suggests street widening to permit better rubbish/verge collection in Ellershaw Mews and Sanctuary Lane. Also: <ul style="list-style-type: none"> <li>• water pressure</li> <li>• road conditions/repairs</li> <li>• road drainage</li> </ul> States that sub-division would require these concerns to be addressed.	The capacity of essential services to accommodate additional densities is a matter that will need to be resolved with the relevant service authorities at the time of subdivision or development. The Town will also need to consider upgrades to local authority controlled services such as rubbish collection, drainage and street lighting.	None.
	Agrees with many of the items set out in the Strategy, particularly the increase in dwellings using the R25 code.	Upheld	None.
	Major concern with the lack of apparent direction and enforcement applying to existing situations that will be compounded with further sub-division if the 'status-quo' remains.	Noted. Whilst not the role of the Strategy to respond to these issues they will be noted for further consideration by the Town.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
2.	DIA 6 - "I am sure that I can speak on behalf of the signatures to the petition in thanking you for your quick response to our concerns and hope that the matter can be resolved by the full council in the same manner".	Noted.	None.
3.	In full support of the changing of the zoning on our lot to R25 (or greater).	Upheld	None.
	Would like the minimum setback to be brought in line with the R Codes, from 7.5m (TPS2) to 6.0m as part of the LPS.	Noted. This is a detailed consideration that will be considered as part of the preparation of the Scheme.	None.
4.	Has received no acknowledgement of letter; requests to be informed of next stage and what can be expected in regards to consultation.	Letter received. Will be advised when Strategy is further considered by Council. Further consultation will occur on the draft Scheme.	None.
	Requests advice on options available to strata holders if the Strategy is adopted.	Tenure not affected. Subdivision potential will be based on land area and pre-requisite requirements contained in the Strategy and ultimately the Scheme.	None.
5.	Suggests that DIAs could be expanded, e.g. whole area between Victoria and Glyde Streets "is well placed to accommodate more intensive development".	DIA2 extends up these streets and is based on accessibility to public transport in accordance with relevant State Planning Policy. No indication of broad based community support has been provided for increased densities outside of identified DIAs. Maintenance of existing building stock and streetscape character needs to be balanced with increased densities across the Town. Additional higher density areas are also unlikely to be required to achieve stipulated dwelling targets.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	<p>Suggests performance based approach whereby density can be considered anywhere provided it is designed to ensure adequate parking, minimal impact on neighbours and retention of streetscape values; or higher density development within 800m of local shopping or major transport route.</p>	<p>May be threshold issues in terms of traffic volumes, urban services, etc whereby across the board density increases result in unacceptable impacts. Most other issues are already requirements of the R Codes.</p> <p>No indication of community support for across the board density increases has been in evidence during pre-consultation processes or the formal consultation period.</p> <p>Mixed use opportunities are available in existing activity centres. Areas identified are believed to be adequate to meet dwelling targets. Focus is on DIAs 1 and 2 due to public transport accessibility.</p>	None.
	<p>Requests further consideration be given to accommodating aged persons within the Town. Suggests more flexible approach to allow for existing dwellings to be retrofitted to accommodate more units, and that the size and number of unit criteria (6.11.2 (i) and (ii) of the R Codes) be relaxed.</p>	<p>R Codes already permit flexibility and considerable discretion in the provision of aged persons housing. Future innovations can be considered for aged persons housing in due course based on their specific merits.</p>	None.
6.	<p>Encouraging to see a strong consideration of heritage, such as the inclusion of implications, aims, strategies and actions relating to cultural heritage, and the references to SPP3.5</p>	Noted.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	Particularly supportive of the consideration given to the provision of incentives, as this will inform the development of a planning scheme with appropriate mechanisms to support heritage conservation.	Agreed. Mechanisms to support heritage conservation are best dealt with through the development of an appropriate planning policy framework.	None.
	In addition to review of sites in MHI, suggests consideration be given to the development of a policy or process to determine which MHI places will be included in the Heritage List.	Upheld. This will need to be considered as part of further planning processes.	No change to Strategy required.
7.	Expressed concern at the concept of increased residential density in DIA 6.	Noted.	None.
	"Whilst it is accepted as an integral element of the locale, the concept of increasing that [the existing] traffic flow [from Caporn into Chidley Way] by increasing the density of the area is extremely concerning."	Level of dwelling increase in DIA 6 will be minor and incremental over time. Full potential yields are unlikely to be achieved, as this would rely on the development intent of individual landowners. Traffic will also increase incrementally but this is anticipated to be within the capacity of the local road system.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	<p>"deeply concerning that only a late submission has the potential to radically change the ambience of the area. This is particularly so when it is stated that the area was not originally identified for upcoding. Thus it may be assumed that someone will profit from the change in coding, at the expense of the balance of residents, who always assumed the area would retain its ambience".</p>	<p>As stated above, level of dwelling increase will be minor and incremental, and is considered unlikely to have any major impact upon the ambience and/or character of the area.</p> <p>It is noted that the ability to achieve desired dwelling targets is unlikely to be reliant on DIA 6.</p>	None.
8.	<p>Iona is highly constrained (2.7ha), and the development controls on the site are identified as "generally inadequate: the use of mechanisms such as plot ratio and site cover does not provide effective guidance for development, or the manner in which the school relates to the surrounding community".</p>	<p>Noted and agreed. The primary issues associated with private school sites within the Town relate to the intensity of development causing parking issues and traffic congestion during peak periods.</p>	None.
	<p>"alternative means of control should be considered to guide future development of Iona. In particular, a site-specific control, which meets the future needs of Iona while responding to the sensitivities of the local community, would be beneficial".</p>	<p>Noted and agreed. Support the principle of planning requirements and considerations applicable to the school site.</p>	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	Notes that the development of Perth College is controlled primarily through a site specific Detailed Area Plan. A DAP can stipulate controls on access, parking, streetscape design and articulation, height, open space, site cover and any other relevant matters.	Noted and agreed.	None.
	Consider the DAP initiative as an effective alternative means of control and an opportunity to develop a site-specific response to the challenges facing Iona in regard to addressing its future development needs. Also provides an appropriate mechanism and process for addressing matters of concern that may be raised by the surrounding community in the consideration of future development proposals for the college.	Noted and generally agreed. The use of an Area Specific Plan (in effect the current terminology for what was previously referred to as a detailed area plan) is a potential mechanism to provide site-specific development controls for private school development sites. Equally, the key issues of car parking, student drop off points, traffic generation and access can be addressed through an appropriate local planning policy framework. This is the preferred model at this stage but can be considered by Council again as part of the preparation of the new Scheme.	None.
	Advocate the Town consider this form of development control for Iona as part of the preparation of the LPS.	Noted. See previous comment.	None.
9.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
10.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
11.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
12.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
13.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
14.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
15.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
16.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
17.	Supports rezoning DIA6 to R25.	Noted.	None.
18.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
19.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
20.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
21.	Supports rezoning DIA6 to R25.	Noted.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
22.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
23.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
24.	Rescind and revoke inclusion on the rezoning opposition petition circulated by Mrs Norburn, which was signed in error.	Noted.	None.
	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
25.	Rescind and revoke inclusion on the rezoning opposition petition circulated by Mrs Norburn, which was signed in error.	Noted.	None.
	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
26.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
27.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
28.	Fully support the rezoning of the subject areas be increased to R25.	Noted.	None.
29.	Fully supports the proposed amendment (of the zoning of DIA 6 to R25).	Noted.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
30.	Supports slight increases in residential density in small pockets close to the river is an ideal way to achieve the Town's dwelling target as set out in Directions 2031. Fully support the contents of the proposed amendment.	Upheld. However, it is noted that the focus for increased density and achieving the dwelling target set out in Directions 2031 is in DIAs 1 and 2, adjacent to Stirling Highway and will not be reliant on DIA6.	None.
31.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
32.	In support of Strategy and rezoning of DIA6.	Noted.	None.
33.	Endorse proposition of investigation into rezoning DIA6 to R25.	Noted.	None.
34.	Fully support the zoning in the subject area (DIA6) be increased to R25.	Noted.	None.
35.	Supports the proposed rezoning of DIA6 to R25. Believes "this would allow more dwellings and in turn help to keep our rates at an acceptable level".	Opinion noted. However, there is no direct link between density increases and rates.	None.
36.	Fully supports the proposed amendment in raising the density within the subject area (DIA 6) to R25.	Noted.	None.
	Believe "some of the people objecting already live on smaller subdivided blocks which are under the currently R 12.5 zoning" (previously R20 zoning).	Noted.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
37.	Fully supports the zoning in the subject area (DIA 6) be increased to R25.	Noted.	None.
38.	Landowner in DIA 5 and has been involved in subdivisions within DIA 6.	Noted.	None.
	Believes the proposed R 25 zoning provides greater efficiency and utilisation of existing infrastructure without any detrimental effect to the existing amenity of the area. Accordingly supports the proposal to rezone these areas (DIA5 & 6) to R 25 density.	Upheld.	None.
39.	Fully supports the zoning in the subject area (DIA6) be increased to R25.	Noted.	None.
40.	Fully supports the zoning in the subject area (DIA6) be increased to R25.	Noted.	None.
41.	Fully supports the zoning in the subject area (DIA6) be increased to R25.	Noted.	None.
42.	Fully supports the zoning in the subject area (DIA6) be increased to R25.	Noted.	None.
	Fully supports the zoning in the subject area (DIA6) be increased to R25.	Noted.	None.
43.	Fully supports the zoning in the subject area (DIA6) be increased to R25.	Noted.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
44.	Fully supports the contents of the Greg Rowe & Assoc. submission.	Noted.	None.
45.	Fully supports the zoning in the subject area (DIA6) be increased to R25.	Noted.	None.
46.	DIA 6 letter with 19 signatures. Whilst not specifically clear it is understood that this list relates to landowners who support the zoning of DIA6 be increased to R25.	Noted.	None.
47.	Fully support the proposal to rezone DIA6 to R25.	Noted.	None.
48.	Support for the area bounded by Marshall St, Bateman St, Caporn St and the Swan River to have the residential zoning density increased to R25.	Noted.	None.
49.	Submission of various landowners in support of the proposal of the Town of Mosman park for the R25 rezoning of DIA6.	Noted.	None.
	Support the area's (DIA6) identification as a DIA and agree that an increase in residential density from R12.5 to R25 is both reasonable and appropriate having regard to a number of considerations, listed below.	Noted.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	A submission in support of the subject area's inclusion within the R25 density code under the draft Strategy was previously submitted on behalf of the same group of landowners in 2009.	Noted.	None.
	The draft Strategy assists in achieving the Town's dwelling targets as set by Directions 2031.	Upheld.	None.
	Infill development in areas of high amenity is promoted by WAPC policy.	Upheld.	None.
	The existing road pattern and lot layout in this area supports infill development and ensures attractive streetscapes are maintained.	Upheld.	None.
	There are no known servicing or infrastructure constraints in the area.	Upheld. If servicing or infrastructure constraints are later identified, they will be addressed as an element of any future subdivision and/or development application.	None.
	The proposed increase in residential density at this location will not compromise the area's low density character and high amenity.	Upheld. Residential R25 is at the upper end of the low density range, however, the area is highly unlikely to achieve the maximum possible yield.	None.
	An increase in residential density will facilitate diversity and choice in the local housing market thereby responding to changing community needs and improving housing affordability.	Upheld.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	The draft Strategy provides an outcome, which is equitable for all landowners within DIA6.	Upheld. Landowners within DIA6 can choose whether or not they wish to develop their land to the higher density.	None.
	An increase in residential density at this location is consistent with the aim of the draft Strategy in terms of population and housing.	Upheld.	None.
50.	Attached a petition signed by "a substantial majority of the property owners in the DIA 6 precinct stating that they do not wish for any change to the existing zoning for this area of R12.5".	Noted. See further comments below.	None.
	"The overwhelming view of the residents is that they wish for the precinct to retain the current zoning and retain the very pleasant character and environment of the neighbourhood".	Noted within the context of the submissions that have been received in support of the increase in density.  The increase in dwelling density will be relatively small and incremental over time, and importantly will still be within the low-density range. It is not considered that the incremental development of a limited number of residential dwellings over time will have an undue impact upon the character of the area.  See earlier comment in relation to support or otherwise.	None.
	"The residents consider that any change to the zoning would radically change the ambience of the area and would be extremely detrimental to the enjoyment of living in this very special precinct.	Refer above. The view on any potential change to the 'ambience' of the area is highly subjective, as evidenced by the broad spectrum of comments received on the proposed density increase.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	29 Signatures on petition (landowners).	Noted.	None.
51.	Approves of the plan's proposal to concentrate new development on the Stirling Highway transport corridor, and surrounding areas.	Upheld. This approach accords with State and WAPC policy and strategy.	None.
	Cannot understand "the desire to water down this aim by also encouraging additional development outside of such sustainable locations. In particular, it does not seem logical, given the acceptance of the above policy approach [sustainable development], to permit increases in density within the eastern part of the Mosman Park area, closest to the river, where existing households are already too reliant on the use of the private car to access services." Subdivision would exacerbate existing problem.	DIAs 4, 5 and 6 have been identified as suitable locations for increased densities as they are high amenity areas that are believed to be capable of supporting minor increases in residential density within the low density range, without unduly impacting upon the character and amenity of the area. The proposals are also a response to landowner requests where a level of comfort and support for minor increases in density have been expressed.  The density increases in these areas, coupled with the potential for additional development at the Wellington Street Neighbourhood Centre may also lead to an improvement to public transport services to the area with any additional private vehicle traffic being within the carrying capacity of the local road system.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	<p>"These generally unsustainable areas [e.g. Eastern Mosman Park] should be permitted to develop <u>only</u> through extensions/alteration and not by way of sub-division, or amalgamation of existing plots to create additional households, either within the same plot, or by combination. ...sub-division of existing plots in these areas should have to be specially justified and only granted permission against a strict set of planning principles aimed at preventing intensification".</p>	<p>The whole of the Town is well serviced by road infrastructure, shops, schools, parks and particularly the eastern part of the Town also benefits from high amenity associated with proximity to the Swan River. Minor increases in residential density are seen as sustainable in this context, and an appropriate response to the intentions of State policy direction to increase residential densities in existing urban areas.</p> <p>Directions 2031 "<i>has set a target of 47 per cent or 154,000 of the required 328,000 dwellings as infill development.</i>" (p.4)</p> <p>Given the Town's proximity to Claremont, Fremantle, the river and the beach, it is very well positioned to capitalise on its location and amenities and accommodate infill development.</p> <p>A significant proportion of the community do not seem concerned about the potential loss of character caused by demolition of existing houses or subdivision of blocks.</p>	None.
	<p>Identifies that part of the attraction of Mosman Park is due to lower density, older houses near the river with a quiet "almost rural" setting.</p>	<p>Mosman Park is located within the Central Metropolitan Sub-region of Perth as defined by Directions 2031.</p> <p>Residential R25 is a low-density coding, and given the existing pattern of development and the onus on landowner development intent, the area is unlikely to achieve the maximum density permissible. Controls on demolition of older houses are not proposed to be modified.</p>	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	Concerned that an increased density of buildings will impact on the important established 'green' vegetation so valuable to enhance the aesthetics for locals and visitor[s].	<p>It is likely that some vegetation will be lost to accommodate increased densities but this will be compensated to a degree by new vegetation plantings, as well as other initiatives such as the proposed Greenway. "Leafiness" of the suburb will not be lost – the Town's high proportion of public parkland, wide verges and vegetation in public realm, including the extensive distribution of public parks, as evidenced by Figure 7 of the Strategy will be retained.</p> <p>The building of a large house on a single lot as is currently permitted by the Scheme could cause equivalent loss of vegetation without the benefit of increased densities.</p>	None.
	"The increase in private vehicles would also be a very large negative, especially in an area so popular with cyclists in part as it is away from main roads".	Increase in traffic as a result of residential density increase is likely to be minor. The existing road system is capable of supporting such increases.	None.
	"re-zoning of Area 6 is not popular with the majority of local residents and has been suggested by a vocal minority keen to make a quick profit".	Considerable resident and landowner support has been shown for increased densities in DIA6, which will be weighed on balance with submissions made in opposition. It is noted that the achievement of dwelling targets is unlikely to be reliant on the inclusion of DIA6.	None.
52.	Support the Strategy to increase the residential density to R25 as in DIA6.	Noted.	None.
	Identifies that there are a shortage of small riverside blocks for those wishing to downsize and others who find a small block is more acceptable for their lifestyle.	Upheld. There are very few small riverside blocks within the Town.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
53.	Strongly object to the Strategy identifying the residential enclave bounded by Caporn, Bateman, Marshall Streets and Blackwall Reach as a DIA forecasting potential R25 development density.	<p>Noted. It is noted that the Mayor provided a response to this submission that indicated his point of view at the time.</p> <p>The Town has received a broad spectrum of views both in support of and opposed to the Strategy in relation to DIA6, all of which will be considered by the Town before a determination of inclusion or otherwise is made in respect of DIA6.</p>	None.
	Strategy presents rationale for DIAs referencing proximity to Stirling Hwy, railway line, commercial development, higher density residential development and transport hubs. Similar rationale cannot be employed in relations to DIA6.	Dismissed. DIA6 has been identified as having an increased development potential within the low density range of the R-Codes as a result of landowner submissions, the high amenity of the area, and the suitability of the land to support minor increases in dwelling density.	None.
	"There does not seem to be any planning rationale for this increase in density [to R25 in DIA6] other than one person sees a financial benefit in a higher density. The apparent wishes of the remaining landowners/residents of this area are pushed to one side as a result of one person's late submission".	Refer above comments.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	<p>"A doubling of densities will radically change the ambience of the area. These changes cannot be reasonably mitigated by design guidelines or other techniques".</p>	<p>The increase in dwelling density will be minor and incremental, and will still be within the low-density range. It is not considered likely to unduly impact upon the character of the area.</p> <p>The increase in density will result in the subject area being able to accommodate a maximum of approximately 30 additional dwellings, however, it would not be expected that the full yield would be achieved (evidenced by the existing gap between planned and actual density illustrated in Figure 3 of the Strategy)</p>	None.
	<p>"The subject enclave is remote from local shopping, public schools, bus routes and railway stations. Mention is made of lots with dual frontages to laneways however, there are only 4 such lots. Riverside Drive is extremely narrow and increased densities will make it highly problematic, particularly in relation to increased demand for visitor parking and increased traffic".</p>	<p>As stated above, the increase in dwelling density will be minor and incremental, and will still be low-density.</p> <p>Minor increases in traffic and parking demand are expected. Development will be required to meet onsite parking requirements. There is an expectation that the amenity of under width roads would be increased with development frontage and removal of back fences.</p> <p>Notwithstanding this, the success or otherwise of the Strategy is not contingent on DIA6.</p>	None.
	<p>"In accordance with the above comments, it is submitted that DIA 6 should be deleted from the Local Planning Strategy and density retained at R12.5".</p>	<p>Noted. The Town has received a broad spectrum of views both in support of and opposed to the Strategy in relation to DIA6, all of which will be considered by the Town before a determination of inclusion or otherwise is made in respect of DIA6.</p>	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
54.	In relation to proposed high-density residential and mixed-use development in DIA1: "...request that any development in the area be planned with the utmost sensitivity to the existing residents and their wishes".	Every development application is required to be assessed on its merits within the applicable planning framework, including consultation with neighbours in respect to requested variations to normal development standards.	None.
	Given that the submitter and her husband live next to an eight storey residential development "...we know first hand how this sort of sardine packing of residences is detrimental to the natural enjoyment of less crowded lifestyles".	Noted.	None.
	Believes that "high density housing dehumanizes and denatures, and I would like to see high rise developments pulled down rather than more of these rabbit warren monsters being constructed".	Noted. However, this is a subjective opinion as preferable housing types are a matter of personal preference, affordability and the population demands on any given location.	None.
55.	Since his earlier email he made further enquiries amongst some of the more experienced planners working in other local authorities and it would seem that their opinions of the implications re the kind of infill development as proposed in Mosman Park are similar to my own".	Noted.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	<p>"...thought [the CEO] might be interested in "the option of dual zoning, i.e. retaining the existing zoning for that half of each lot that fronts the street and having a separate higher zoning for the other half fronting the laneway / ROW at the rear of the lot. The main benefit of this arrangement is the retention of the existing streetscape character".</p>	<p>Zones preferably follow lot boundaries or otherwise defined clear boundaries, otherwise they become difficult to define and problematic to implement. This would also result in non-compliant blocks sizes on the front portions of the lot.</p> <p>Given the prerequisites that are required to achieve an additional dwelling on a lot, the same outcome in terms of character retention will be achieved.</p>	None.
	<p>"I also ascertained from those planners, some of whom had spent several years investigating the implications of this approach, that it was important to zone the rear half of the lot at least R50. This will help retain a small portion of the private open space that will inevitably be lost by such densification, by forcing a two storey outcome at the rear of each property. Apparently anything less than R50 would still allow a single storey development which will have a much more detrimental impact on the loss of this private open space".</p>	<p>Higher dwelling densities do not mandate two storey dwellings and the resultant dwellings may take up more site space than a development at an R25 coding, resulting in a greater loss of private vegetation. Any development would be subject to the open space provisions of the R-Codes – which for R25 is greater than R50.</p> <p>Densities of R50 also may lead to over densification implications in terms of traffic, parking etc.</p> <p>Broader based community support to this stage has also only been expressed for the upper end of the low-density range.</p>	None.
56.	Wishes to apply for an extension to 9 February for submission.	Extension to submission date granted.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
57.	Support the objectives and the delivery of Directions 2031, which calls for an increase in the density of dwellings in established suburbs of Perth where infrastructure and amenity exists. Keen to see Mosman Park take up this imperative.	Noted. The Strategy is obligated to provide an appropriate response to the requirements of Directions 2031.	None.
	No longer need the size of property they currently occupy. As their block is in excess of 700m <sup>2</sup> they feel it highly suitable to redevelopment to a duplex block. Current planning regulation does not allow this option.	Noted.	None.
	Feel there would be benefit to their own circumstance and assist in a broader social imperative of increasing access to housing in desirable locations.	<p>The DIAs proposed by the Strategy have been identified as a result of their proximity to public transport, infrastructure and services, and as a result of multiple landowner requests. Broader based zoning changes have not been proposed and any proposal to do so would necessitate further public consultation.</p> <p>If support is demonstrated for increased density by a consolidated group of landowners in an area not identified in the existing DIAs, this could be considered with appropriate justification as a future amendment to the Scheme.</p>	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	Accept that some may feel it desirable to keep large residential blocks to maximise privacy. They feel privacy can be maintained while using a smaller land footprint by adopting good design principles.	Upheld. The Strategy identifies prerequisites for achieving higher densities aimed at retaining amenity and character. All new development would also be required to comply with overlooking and overshadowing criteria in the R Codes.	None.
	In favour of rezoning eastern Mosman Park to R25 or R30.	Noted. No indication of broad based community support has been provided for increased densities outside of identified DIAs. Maintenance of existing building stock and streetscape character needs to be balanced with increased densities across the Town. Additional higher density areas are also unlikely to be required to achieve stipulated dwelling targets. Refer to additional comments above.	None.
58.	Fully supports the zoning in the subject area (DIA6) be increased to R25.	Noted.	None.
59.	Fully supports the proposed amendment (of the zoning of DIA 6 to R25).	Noted.	None.
60.	No comments to offer at this stage due to the broad nature of the strategies and actions recommended by the document.	Noted.	None.
	Look forward to ongoing collaboration and early consultation with the Town as more specific investigations and strategies are developed as a result of this document.	Noted.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	Would encourage the Town to identify areas of priority and specific geographic objectives as early as possible in this process so more specific advice and guidance can be provided.	The Strategy has been prepared in accordance with Department of Planning requirements and specifications. It sets out aims, strategies and actions for each of the various matters normally dealt with by a Strategy. Any other or more specific matters will be dealt with in due course and the Trust consulted where necessary or appropriate.	None.
61.	Have been informed that the land requirements for future road widening in accordance with the current preferred profile design criteria is now defined as a 'Seriously Entertained Proposition' and will be the subject of a MRS amendment during 2012.	Noted. This process is taking place separately to the Town's local planning scheme review and may be the subject of separate submission by the Town.	None.
	Also have been advised that they will be detrimentally affected more than any other landowner in the Stirling Highway Activity Corridor Study, 812m <sup>2</sup> or 37% of their property.	Noted. See above comments.	None.
	The interference of SHACS in the orderly adoption of TPS2 Amendment 36 has now led to a state where the most strategic land at the entry to the Town will be reduced to a parcel that will not justify Council's intentions of 6 years ago.	As indicated above, SHACS and the associated MRS Amendment are WAPC controlled processes that sit outside of the Town's control.  The Town and landowners are able to make separate submissions on the MRS Amendment and are encouraged to do so.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	"Council's view as stated in para. 2 on page 69 of the LPS is fully supported. The WAPC continues to ignore the obvious alternative of utilising government land to the west of the road reserve and it is our understanding that they haven't even bothered to undertake economic assessment of the alternative nor carefully considered the planning implications that the intended slip road will have on the amenity of the precinct".	Upheld. The view that the rail reserve should be considered for resumption prior to private landholdings is strongly supported by the Strategy. This is likely to be an issue that will be raised by the Town in a submission on the MRS amendment proposal.	None.
62.	No objections in principle, however offers the following comments.	Noted.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	<p>Regarding water and wastewater servicing for the DIAs: Water Corp servicing planning for this area was conducted using the known zonings at the time some time ago and the area is well settled and the existing infrastructure capacity it largely taken up. Therefore in relation to DIAs 1, 2 &amp; 3 indications are that the proposed level of development for these areas will exceed the planned level of development envisaged and produce a higher demand than the existing infrastructure can serve and exceed any spare capacity that will may be available.</p>	<p>Noted. Water and waste water servicing capacity is a significant issue that is being confronted across the Perth Metropolitan Region where substantial infill development and increased densities are being proposed in response to Directions 2031 and other State Government and WAPC strategic planning initiatives. Due to complex land tenure arrangements (such as multiple land ownership) and the need for significant and costly infrastructure upgrades, these issues are often beyond the capacity of landowners and local authorities to resolve and are likely to require State Government intervention in order to arrive at an appropriate solution.</p>	<p>None.</p>
	<p>Therefore at some stage the water and wastewater reticulation mains will need to be upgraded at the developers cost to cater for any proposed new development in these areas that will exceed the current capacity. Some of these upgrades will be costly, especially given the costs of restoration in these built up areas and may only be economically viable for large scale development.</p>	<p>Noted. Whilst a legitimate concerns these issues are beyond the capacity of individual landowners and the Town to resolve and are likely to require State level assistance. See above comments.</p>	<p>None.</p>

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	<p>As the area has fragmented ownership, it is recommended that a guided development scheme managed by the local authority be instigated to facilitate orderly equitable development of this area. The absence of such a scheme may frustrate development. From the Corporations previous experience, single lot developers may elect not to fund extensive and costly upgrades once the system capacity is reached.</p>	<p>Noted. A guided development scheme is not considered appropriate in this instance due to the large number of landowners involved and the inability of a small local government authority, such as the Town, to resource the development, and implementation of a guided development scheme of this complexity. As indicated above, the servicing issue will require WAPC and State Government involvement in order to find appropriate solutions.</p>	<p>None.</p>
	<p>Since redevelopment on such a large scale requires case by case assessment, there may be land servicing and funding concepts that also need review. A servicing example is possible reduction in peak demand by temporary storage tanks on site. The overall cost of capital works would also need to be evaluated to assess headworks funding required and responsible parties for such upgrades to the existing system.</p>	<p>Noted. All options should be considered by the Town, WAPC and the State Government in arriving at potential solutions to servicing issues.</p>	<p>None.</p>

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	If any of the existing road reserve, Public Open Space or other land containing existing Corporation infrastructure are changed to other types of land use, new infrastructure may need to be constructed to replace the existing, and appropriate land acquired to accommodate it.	Noted and potential future requirements acknowledged.	None.
	<p>In order to provide more detailed planning advice, the following would be required:</p> <ul style="list-style-type: none"> <li>- proposed land use changes (land zonings) &amp; structure plans for review areas.</li> <li>- Any other land use changed in the vicinity of, or within the influence of the DIAs.</li> <li>- Timing of implementing the changed land use, land development program and anticipate take-up of developments.</li> </ul>	Noted. Highly detailed information is not available at the Strategy stage of the local planning scheme review process. Further information will become available upon the release of the draft Scheme for public and service authority comment and as structure plans (or the equivalent) become available for future development areas. Timing of development and take up rates will be a response to local market conditions and demands and are not practical to pre-empt at this stage in the strategic planning process. Further consultation will be required with the Water Corporation on these issues in due course in conjunction with the WAPC and State Government.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	<p>The approach to funding greenfields development is the developer funds reticulation size works and the Corporation funds headworks through its capital program. The developer may be required to prefund headworks if funds are not available on the Corporations capital program. Should the funding requirements exceed those of a typical greenfields development, the Corporation may levy a surcharge on the development area to cover the additional cost.</p>	<p>Noted. The proposed increases in density within the DIAs are not considered to be greenfields development and with the fragmented ownership there are likely to be issues with developers prefunding significant headworks, particularly given the additional costs that may be applicable due to the area being an established urban environment. As indicated above, a guided development scheme is not considered to be appropriate in the Town and on this basis the servicing issue will require WAPC and State Government involvement in order to find appropriate solutions.</p>	<p>None.</p>
	<p>Buckland Hill is shown in the wrong location.</p>	<p>Noted.</p>	<p>Strategy will be modified to reflect the appropriate location of Buckland Hill.</p>

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	Figure 5 – Heritage Places has a number of discrepancies: <ul style="list-style-type: none"> <li>- No. 5 Obelisk (relocated) – not shown</li> <li>- No. 6 Mosman Park Primary School – shown in wrong location</li> <li>- No. 7 Mosman Park Kindergarten – shown in wrong location</li> <li>- No. 8 Grand View House – shown as No. 4 on plan</li> <li>- No. 48 Minim Cove Reserve – wrong area shown</li> <li>- No. 57 Pine Trees at Buckland Hill – shown in wrong position</li> <li>- No. 58 The Boys Park – should read “Three Boys Park”</li> </ul>	Noted.	These will be checked and the Strategy amended where required.
63.	Current property is a large block for them to maintain and the possibility of subdividing in the future could be of interest to them.	Noted. This property is located in DIA4.	None.
	If this did occur the rear block could be accessed from Kuser Mews.	Noted.	None.
	Request to be advised of any imminent change to the existing Council laws re subdivision.	Any changes to zoning and therefore opportunities for subdivision will come into effect with the new Scheme. This will undergo a consultation process at which point residents will be advised.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
64.	Supports, in principle, the DoP's endeavours to address the need for Perth to achieve higher densities.	Noted.	None.
	Believes that the principles outlined in D2031 and in particular those focusing on increasing density adjacent to major transport infrastructure are sound and should take highest priority in the implementation of these goals.	Upheld. These initiatives are considered with current State level strategic planning policy.	None.
	Readily serviceable areas close to areas of high amenity should take next priority.	Upheld. This is the approach recommended by the Strategy.	None.
	Why have the nominated areas (DIA 4 & 5) been chosen over other areas that are closer to high amenity features?	DIAs 4, 5 and 6 have been identified as a result of landowner submissions received as a result of preliminary consultation, the high amenity of the areas, and the suitability of the land to support minor increases in dwelling density, particularly in terms of access opportunities.	None.
	Questions the number of additional dwellings suggested possible in DIA 4 due to the current house configuration on most of the lots.	For the maximum yield some existing houses may require demolition in order to achieve the minimum lot size for subdivision, however, this will only occur as a result of landowner development intent.	None.
	Would like to see further detail as to how this strategy can be incorporated without a major loss of "significant vegetation" and examples of where similar strategies have been implemented without such loss occurring.	It is likely that some vegetation will be lost to accommodate the need for increased densities but this will be compensated to a degree by new vegetation plantings, as well as other initiatives such as the proposed Greenway. "Leafiness" of the suburb will not be lost – the Town's high proportion of public parkland, wide verges and vegetation in the public realm will be retained.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	The parts of Mosman Park being considered for 'up-coding' (i.e. DIA's 4-6) will as a result "no longer have the distinctly leafy green character that is a large part of their current beauty and appeal".	Refer comment above. It is also noted that site open space requirements (50%) are the same under the Residential R15, R20 and R25 codings, meaning that the same amount of site cover could occur under pre-existing zonings with a consequential loss of vegetation. In order to retain the leafy character of the area Council will need to carefully consider any proposal to vary open space requirements.	None.
	"The fact that Council ... has not planned for this outcome nor taken any pro-active planning such as implementing a comprehensive policy of undergrounding the power in these areas so that, as some compensation, the trees within the <i>public domain</i> at least can be allowed to grow ... and the fact that none of this has been mentioned in the TPG Report, is a significant concern to me".	It is acknowledged that undergrounding of power can have a significant beneficial effect on streetscapes. The Town has a Policy on the undergrounding of power, however, this relies primarily on landowner contributions. Undergrounding of power is not a matter that is readily dealt with in a planning framework that relates primarily to private land and broader based development control.	None.
	"...can you please advise what measures Council has taken over the last 15 years or so ... to actively apply for funding for the undergrounding of power, specifically in the affected areas, i.e. DIA's 4-6?".	The DIAs were identified as part of the Strategy preparation and initial public consultation processes. Undergrounding of power is not a consideration directly relevant to the preparation and finalisation of the Strategy but has been a matter raised with Council for separate consideration.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	"what percentage of the affected properties are likely to take advantage of the changes in zoning and over what period of time and hence is this likely to effectively meet the needs of Directions 2031?".	The timing of any redevelopment will depend on individual landowner development intent and on this basis it is not possible or practical to provide projected timings. The role of the Strategy is to put in place the framework that will allow densities to increase over time in accordance with current State level planning policy.	None.
	"given the diversity of age in the housing stock in the affected areas, (DIA's 4-6) what percentage of those older properties, i.e. the ones most likely to be redeveloped, will go down the path of sub-division with a second residential unit out the back, as opposed to a complete redevelopment which would surely look to be the more attractive option?".	As per the previous comment, this will depend on individual landowner development intent. Development controls that will be enforced by the Town will be intended to ensure an appropriate development outcome in either of the circumstances identified.	None.
	"what impact will this have on existing residents during transition, in particular re overlooking and over-shadowing?"	Any new development will need to comply with R Code requirements in relation to overlooking and overshadowing.	None.
	"are street alignments the best boundaries for such transition?".	Yes. See previous comments.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	Suggests allowing significant increase in densities "in such areas, if indeed they do prove to be the most appropriate areas for 'densification', notwithstanding some of the issues mentioned as a possible hindrance to this approach, e.g. 'lack of supporting public transport services'?"	There is a requirement to balance increased density with retention of character and landowner support and development intent.  No broad based support has currently been identified for significantly increased densities within DIAs 4, 5, and 6 and is not proposed due to potential impacts on character and in terms of other considerations such as traffic levels and car parking requirements.	None.
65.	Fully supports the proposal to rezone DIA 6 to R25.	Noted.	None.
	Believes smaller blocks in Mosman Park near the river would be appealing.	Noted. This is likely to be the case.	None.
66.	Supports residential infill development.	Noted.	None.
	Believes DIA6 is particularly suitable for rezoning to R25. "wholeheartedly" supports this.	Noted.	None.
	Believes this will create smaller and more manageable lots for people of all ages and lifestyles.	Noted. This is likely to be an outcome of a more diverse range of lot sizes and associated housing types.	None.
67.	Supports the R25 density for DIA6.	Noted.	None.
	Identifies there is a lack of "smaller manageable blocks adjacent to the river for those of us wishing to downsize and to remain within our preferred river location".	Noted.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
68.	Expresses her "support of the proposal for the draft local planning strategy".	Noted.	None.
	Supports the rezoning (within DIA5) as the property has 2 street frontages; the rear of the property has never been utilized being "too large to garden and the water costs would be excessive"; and she and her husband would like the opportunity to stay in the area in "manageable accommodation" so that they may "take advantage of the amenities available to which they have made a considerable contribution".	Noted. These comments mirror many of those landowners within DIA6 who support the proposed increase in density.	None.
	Believes encouraging more dwellings in the town is a benefit to the overall environment as the town is well serviced with infrastructure.	Noted. There are however concerns associated with the capacity of existing infrastructure to support significantly increased densities in DIAs 1 and 2. These will need to be resolved in due course.	None.
69.	Object to the rezoning of DIA5.	Noted.	None.
	Believe that along Stirling Highway is a more appropriate location for infill, and that the State Government's target of 900 additional dwellings can be met in that location alone.	DIAs 1 and 2 are the focus of increased residential densities. Increases in other DIAs will be minor and incremental and are a response to landowner submissions and the attributes of these areas being suitable to accommodate a minor increase in density within the low density range.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	Made significant investment in house in Beagle St due to the low density of the area.	The increase in dwelling density will be minor and incremental, and will still be within the low-density range. It is unlikely to unduly impact upon the character of the area. Full potential yields are unlikely to be achieved, as this would rely on the development intent of individual landowners.	None.
	Believes there has not been sufficient warning of the proposed zoning change ("should be warned of years ahead").	The WAPC and State Government have made the wider community aware of the need to accommodate increased densities for many years, including through initiatives such as Network City and Directions 2031. The Strategy preparation process has been the subject of significant pre-consultation and formal consultation that are significantly more than the Town's statutory obligations. Furthermore, the Strategy only identifies Development Investigation. Actual rezoning of the land will occur with the adoption of the new Scheme (not yet prepared), at which time there will be further opportunities for comment.	None.
	Believe that increasing the housing density will lower the amenity of the neighbourhood. Have not provided any evidence to the contrary.	The increase in dwelling density will be minor and incremental, and will still be within the low-density range. It is unlikely to unduly impact upon the character of the area.	None.
	Doesn't believe the Town has the resources to police the problems they experienced (increased crime, traffic and rubbish) in Beaconsfield where density was increased.	As stated above, the increase in dwelling density will be minor and incremental, and will not place unacceptable demands on the Town's resources.	None.
	Believes that increased density will cause overlooking.	In the same manner as any current development proposals, any new development will be required to comply with overlooking and overshadowing requirements stipulated in the R Codes.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	Lanes are not wide enough to handle added pressure.	<p>Any additional dwelling increase will be minor and incremental and is anticipated to be well within the carrying capacity of the local road system (see previous comments in respect of Liveable Neighbourhoods).</p> <p>The Town's Policy No. 3.2.8 – <i>Subdivision and Development of Lots Adjoining Underwidth Roads</i> stipulates that "Council will not support a subdivision or development of a lot that proposes the creation of a lot with frontage only to a rear underwidth road, unless acceptable vehicle access and egress in both directions from the underwidth road can be adequately demonstrated". The Policy also has provisions for land to be ceded for the purpose of road widening in such instances.</p>	None.
	Do not believe that "any significant number of people in the area (DIA5) will realise any potential economic gain from the proposal".	<p>Economic considerations are not a consideration for the development of the Strategy which is intended to:</p> <ol style="list-style-type: none"> <li>1. Set out the long term directions for local government;</li> <li>2. Apply State and regional planning policies; and</li> <li>3. Provide the rationale for the zones or the provisions of the town planning scheme.</li> </ol>	None.
70.	Fully supports the proposed amendment (of the zoning of DIA 6 to R25).	Noted.	None.
71.	Express their full support for the recommendations outlined in the draft Strategy and in particular DIA5.	Noted.	None.
72.	Strongly disagrees with the inclusion of DIA5 in the Strategy.	Noted.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	Bought into Arthur St because of low density living.	The increase in dwelling density will be minor and incremental, and will still be within the low-density range. It is unlikely to unduly impact upon the character of the area. Full potential yields are unlikely to be achieved, as this would rely on the development intent of individual landowners.	None.
	Had to comply with strict R15 guidelines from Council.	Noted. This was the requirement of the planning framework at the time.	None.
	Strongly believes that increasing the housing density will "lower the overall feel of the neighbourhood and potentially bring unwanted influences related to high density living".	Refer above comments. The proposed densities within DIA5 are not high density in any case.	None.
	Asserts that the roads and lanes are not wide enough to handle the proposed added pressure.	As stated above, any increase in residential density, and therefore traffic, will be minor and incremental. It is believed that the existing roads are capable of accommodating such minor increases in accordance with Liveable Neighbourhoods specifications.  <i>The Town's Policy No. 3.2.8 – Subdivision and Development of Lots Adjoining Underwidth Roads stipulates that "Council will not support a subdivision or development of a lot that proposes the creation of a lot with frontage only to a rear underwidth road, unless acceptable vehicle access and egress in both directions from the underwidth road can be adequately demonstrated". The Policy also has provisions for land to be ceded for the purpose of road widening in such instances.</i>	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	Cannot see that many people in the area (DIA5) want this change nor will realise any potential economic gain from the proposal.	<p>There have been a number of submissions made in support of and against the proposed minor increases in density in DIAs 4, 5 and 6.</p> <p>Economic considerations are not a consideration for the development of the Strategy which is intended to:</p> <ol style="list-style-type: none"> <li>1. Set out the long term directions for local government;</li> <li>2. Apply State and regional planning policies; and</li> <li>3. Provide the rationale for the zones or the provisions of the town planning scheme.</li> </ol>	None.
73.	Agree with the Strategy and support Scheme No. 3.	Noted.	None.
74.	Repeat of ICR33226 above.	Noted.	None.
75.	In favour of increasing density in DIA2 to Residential R40.	Noted. The Strategy suggests that residential development in DIA2 should aim for a minimum of 25 dwellings per hectare, in accordance with the principles of Transit Oriented Development. The residential coding necessary to achieve this will be established through the preparation of the Scheme, however this is expected to be Residential R40 in any case.	None.
	Would like to build second dwelling, which fronts Harvey Rd and borders 2 lanes with a big expanse of back yard. Is adjacent to shopping centre and has good access to schools, transport, parks, river and ocean. Would require rezoning.	Noted. This property is located within DIA2 where there is proposed to be an increase in permissible density that will support the development aspirations of the landowner. The full development potential of the site will become apparent upon finalization of the draft Scheme and assessment of the sites specific characteristics.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
76.	Supports the strategic and transport oriented design approach to increasing dwelling density and diversity. The proposed approach is consistent with the State Affordable Housing Strategy.	Noted.	None.
	To encourage a diverse community, recommends that the adequate provision of affordable housing within the Town also be considered, recommending that the Town consider the following policy solutions that drive market innovation:	Noted. See comments below.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	Offering height bonuses and planning concessions for development that meet or exceed affordable housing development criteria.	The objective of accommodating more affordable housing within the Town is supported and in this regard the Strategy encourages more smaller/alternative dwelling types. However, substantial variations to normally applicable development standards to accommodate affordable housing are not supported as there is a community expectation that planning framework requirements will be met. An affordable housing planning policy that identified bonuses within the normal capacity of the planning framework would be appropriate and such a policy may also guide future scheme amendments that seek to achieve specific development outcomes on identified sites.	None.
	Identifying lots suitable for joint venture development, with the aim of delivering affordable housing outcomes through attracting private sector capital.	Noted. This is an appropriate response to identifying opportunity sites and potential partners for delivery of affordable housing, but sits outside the scope of the Strategy.	None.
77.	"if this is the strategic plan which enables residents who live in the particular zones to subdivide their blocks then we would like to support the proposal".	Noted. This outcome is proposed in identified DIAs.	None.

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
78.	Requests that a deputation representing the signatures of the petition from DIA 6 address the Committee of Development Services meeting scheduled for 21 February.	Noted. This meeting has already occurred.	None.
79.	<p>On behalf of the Chidley Point Precinct Committee implores Councillors to support the "new Town Planning Scheme".</p> <p>"The committee recognises the need for a higher density in the area and regards it as essential in allowing us, as we age, to downsize".</p> <p>"It is our strong view that the new zoning regulation will not adversely affect the amenity or feel of the area. Our position is that it will actually enhance it".</p>	<p>Noted.</p> <p>Noted. Possibilities to allow landowners to age in place are a relevant consideration of the Strategy.</p> <p>Noted. However, it should be noted that there has been a broad spectrum of views expressed in submissions, both in favour and opposing increased densities. See previous comments in respect to this issue.</p>	<p>None.</p> <p>None.</p> <p>None.</p>
80.	<p>"I have been in favor of slightly increased densities for Mosman Park and all inner city suburbs for many years".</p> <p>"I know the Council has increased the zoning density near the highway... however... there are many people who want to live in a small house on a small block, town house or in a unit... not near the highway".</p>	<p>Noted.</p> <p>Noted. This preference is addressed in the Strategy through the allowance of limited additional density in DIAs 4, 5 and 6.</p>	<p>None.</p> <p>None.</p>

Submission No.	Summary of Submission	Dismiss or Uphold/Comment	Changes Required to Strategy
	"In my opinion, Council should be looking at higher zoning densities throughout Mosman Park on a block by block situation. It would also be prudent for the council to look at changing the zoning from R12 to R20 and R20 to R30 etc".	Noted. However, there is no evidence of broad based support for increased densities throughout the community. This would also have implications in relation to servicing, traffic, parking and character, which need to be balanced with increased residential densities.	None.
	Would appreciate the appropriate person getting back to him with the Council's views on future zoning changes.	This is an issue that will be determined by Council in due course and the submitter is able to attend meetings, access documentation, comment during applicable periods and contact Town staff at any time to get an update on the local planning scheme review process.	None.

**Schedule of Modifications**  
**Town of Mosman Park Local Planning Strategy**

Number	Modification	Location
1.	Amendment of the proposed coding of Development Investigation Area 6 (DIA6) to Residential R20 in lieu of Residential R25.	Section 6.5.3 – Development Investigation Area 6
2.	Amendments to Figure 5 – Heritage Places, to identify correct locations of the following places: <ul style="list-style-type: none"> <li>- 6 – Mosman Park Primary School and Fig Tree</li> <li>- 7- Mosman Park Kindergarten</li> <li>- 8 – Grand View House</li> <li>- 57 – Pine Trees at Buckland Hill</li> </ul>	Section 4.6 – Heritage and Tourism Figure 5
3.	Amendment to legend of Figure 5 – Heritage Places, with a modification to the reference for place 58 from 'The Boys Park' to 'Three Boys Park'.	Section 4.7 – Community Spaces, Facilities and the Environment Figure 5
4.	Amendment to Figure 7 – Open Space and Walkable Catchments, with the removal of unnecessary number '15' reference.	Section 4.7 – Community Spaces, Facilities and the Environment Figure 7
5.	Amendments to Local Planning Strategy Map with: <ul style="list-style-type: none"> <li>- removal of unnecessary number '15' reference.</li> </ul>	Part 6 – Local Planning Strategy

	- Correct identification of the location of DIA3 (Riversea Village located at Lot 50 Wallace Lane).	Figure 10 and at end of Strategy
6.	Amendment to Section 3.3 – Local Planning Policies with the removal of CEO policies identified below on the basis that they are not local planning policies: <ul style="list-style-type: none"> <li>- 12.1.1 – Standard Conditions for Planning Approvals</li> <li>- 12.2.1 – Application for Planning Approval</li> </ul>	Section 3.3 – Local Planning Policies Page 22
7.	Correction of minor typographical errors within document.	General

## Town of Mosman Park Local Planning Strategy

## Opportunities and Actions

## Population and Housing

Objective:

The Town seeks to provide an increase in housing choice, particularly with regard to the provision of smaller housing options which will enable the ageing population to 'age in place' and will contribute to housing affordability. The housing should also be located in close proximity to readily accessible goods and services, and public transport connections.

Issue:

The LPS acknowledges that the majority of sites in close proximity to Stirling Highway have been developed to their full current density or potential, and elsewhere, any increased densities would need to be undertaken in a limited, sensitive and appropriate manner given the existing low-density throughout the majority of the suburb.

Action:

The LPS makes provision for the actioning of SHACS, which is anticipated will facilitate new opportunities for intensified development along the Stirling Highway corridor. Three other small DIA's have been identified for modest density increases, which supports the viewpoint of sensitive and incremental density changes in the Town.

## Economy and Employment

Objective:

The Town seeks to maintain or improve upon its 70% service sector employment rate, and foresees that the future employment trend will be fewer full-time jobs, more part-time jobs, more specialised consulting services and more home-based employment, and purports to cater for these demands.

Issue:

A key issue will be responding to the future employment demands of the Town in an efficient, fair and sustainable manner.

Action:

The LPS makes provision for the continued economic development of and small-scale expansion of its existing activity centres. Specialised consulting businesses and local offices will be encouraged to locate adjacent to Stirling Highway. It intends to introduce provisions

into the new Scheme which provide increased flexibility and home-based business and alternative locations for small business premises.

#### Retail and Commerce

Objective:

To continue to provide and respond to the daily service needs of the population, encourage more high end retail, and enhance main street development opportunities.

Issue:

Retail floorspace growth is likely to be limited (based on population growth), and retail activity along Stirling Highway is likely to diminish due to SHACS. High quality health and medical support services to support an ageing population will need to be accommodated.

Action:

The LPS makes provision for the incremental expansion of the Monument and Wellington Street neighbourhood centres, and opportunities for local shops and corner stores will be encouraged. Main street development along Glyde and Stuart Streets is desirable and should be explored in the new Scheme as should the development of shared office suites to accommodate boutique users.

#### Heritage

Objective:

To maintain a current and relevant Municipal Heritage Inventory (MHI).

Issue:

Sites may warrant possible inclusion on the MHI.

Action:

To review, update and include possible new sites on the MHI which will form the basis of the Heritage List that will be attached to the new Scheme.

#### Tourism

Objective:

To investigate or consider the potential for low-scale tourism accommodation in the Town, and additional dining and recreation facilities along the rivers edge.

Issue:

Any tourism accommodation would be most suited to locating near Stirling Highway or Leighton Beach. It is noted that SHACS has not identified opportunities for such accommodation to date and the majority of Leighton Beach is subject to additional approvals processes.

Action:

No specific action identified.

**Community Spaces and Facilities**

Objective:

To provide adequate levels of aged care, childcare and nursing home facilities.

Issue:

Maintaining adequate levels of provision of community spaces and facilities which match the demographics and needs of the community.

Action:

Review the facilities and services within the Town to ensure that adequate provision of facilities is achieved.

**Environment**

Objective:

To provide an increased range of facilities on existing parks and recreation reserves for both active and passive recreation. Increasing biodiversity and networks between different areas is important.

Issue:

Undertaking additional works and plantings whilst maintaining the character and amenity of the Town.

Action:

Compile a strategy to promote additional plantings in parks, reserves and public spaces to

enhance ecological links. Align the Town's works programs to deliver on the objectives of the LPS.

## Transport

Objective:

Align transport systems and land use to optimise accessibility and sustainability.

Issue:

Encouraging a form of urban development that maintains the character and amenity of the Town whilst catering for the needs and demographics of the suburb.

Action:

To locate more people in proximity to public transport services and employment for greater public transport uptake and reduced vehicle use.

## Schedule of WAPC Proposed Modifications

## Town of Mosman Park Local Planning Strategy

#	Section	Modification
1.	Section 1.2 - Regulatory Framework (paragraph 1, pg 1)	Remove 'an' from the sentence between 'of' and 'the Strategy'.
2.	Section 2.2 - State Planning Strategy (Italicised quote - paragraph 2, pg 3)	Remove 'the' from between 'next' and 'three decades'.
3.	Section 2.3.1 - Network City (pg 5)	Delete Section 2.3.1 - Network City (superseded by Directions 2031 which is in the 'Regional Strategies' section).
4.	Section 2.3 - State Planning Framework (paragraph 9, pg 6)	Replace 'LSP' with 'Strategy'.
5.	Section 2.3.3 - SPP 2.6 (pg 7)	Refer to current review of SPP 2.6 (which proposes to remove height limits) - a footnote will suffice.
6.	Section 2.3.4 (pg 8)	Insert new material at Section 2.3.4 (and all sections renumbered accordingly) stating: <i>State Planning Policy 2.8 - Bushland Policy for the Perth Metropolitan Region (June 2010)</i> Section to refer to Bush Forever Site Number 335 being located within the Town of Mosman Park.
7.	Section 2.3.7 (pg 10)	Insert '(November 2010)' behind heading 2.3.7 - SPP 3.1 - Residential Design Codes.
8.	Section 2.3.8 (pg 10)	Insert '(May 2007)' behind heading 2.3.8 - SPP 3.5 - Historic Heritage Conservation.

9.	Section 2.3.12 (pg 13)	Insert '(September 2009)' behind heading 2.3.12 - SPP 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning.
10.	Section 2.3.14 (pg 14)	Remove 2.3.14 - Draft SPP Metropolitan Freight Network (superseded by SPP 5.4).
11.	Section 2.4.3 (pg 17)	Remove 'Draft' from 2.4.3 and insert '(May 2011)' behind heading - Perth Coastal Planning Strategy.
12.	Section 4.6.1 - Tourism in the Town of Mosman Park (paragraph 4, pg 44)	Replace 'with' with 'within' in front of 'the new Scheme'.
13.	Section 4.7 - Subtitle (pg 46)	Replace '7.7.1' with '4.7.1'.
14.	Figure 8 - Transport Corridors and Public Transport Routes (pg 55)	Relabel 'Wellington Station' as 'Victoria Station'.
15.	Section 6.1 - Preamble (paragraph 1, pg 66)	Remove 'below'.
16.	Section 6.1 - Preamble (paragraph 2, pg 66)	Replace 'SPP2.4' with 'SPP 4.2'.
17.	Section 6.5.3 - Development Investigation Area 6 (paragraph 3, pg 72) and Local Planning Strategy Map - Figure 10 and Appendix 3	Modify coding of DIA 6 from 'R20' to 'R25'.
18.	Local Planning Strategy Map - Figure 10 and Appendix 3	Relocate 'Aged Persons' hatching to Lot 50 Wallace Lane to reflect existing aged persons development (error on map).

## ITEM NO: 9.5

### CITY OF GREATER GERALDTON COMMERCIAL ACTIVITY CENTRES STRATEGY - CONSENT TO ADVERTISE

**WAPC OR COMMITTEE:** Statutory Planning Committee

REPORTING AGENCY: Department of Planning  
REPORTING OFFICER: Planning Manager  
AUTHORISING OFFICER: A/Executive Director  
AGENDA PART: E  
FILE NO: DP/12/01202/1  
DATE: 22/11/2012  
ATTACHMENTS: 1: Location Map  
2: Draft Commercial Activity Centres Strategy Map  
3: Draft Residential Development Strategy Map  
4: Greater Geraldton Structure Plan

**RECOMMENDATION:**

*That the Western Australian Planning Commission resolves to:*

- 1. certify that the draft City of Greater Geraldton Commercial Activity Centres Strategy is consistent with regulation 12A(3) of the Town Planning Regulations, 1967 (as amended);*
- 2. grant consent to advertise the draft Commercial Activity Centres Strategy in accordance with regulation 12B of the Town Planning Regulations, 1967 (as amended) for a period not less than 21 days.*

**SUMMARY:**

The City of Greater Geraldton has prepared a draft Commercial Activity Centres Strategy (CACS) in order to coordinate future commercial development within the urban area of Geraldton. The CACS is consistent with WAPC policy and legislative requirements and it is recommended that consent to advertise be granted.

**BACKGROUND:**

The City of Greater Geraldton ("the City") is located in the Mid West region, approximately 430km north of Perth (**Attachment 1: Location Map**). The City was formed by the amalgamation of 3 local government areas and subsequently the current WAPC endorsed local planning framework includes a total of 4 local planning schemes; two local planning strategies (Greenough and Mullewa); a rural strategy (Greenough); and a number of district and local level structure plans. A draft regional

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Planning and Infrastructure Framework (PIF) has been prepared for the Mid West Region. The PIF was advertised for 76 days from 5 November 2011 to 20 January 2012. The CACS is consistent with the principles and objectives contained within the PIF, in particular the proposed role of the City as a primary activity centre for the Mid West region.

The CACS has been jointly prepared with a draft Residential Development Strategy (RDS) which was granted consent to advertise by the WAPC in December 2012. (**Attachment 2: CACS Map & Attachment 3: RDS Map**). The documents are closely aligned and share an accompanying Background Report. It is intended that the indicative pattern of residential development identified by the RDS be used to estimate the demand for commercial floor space requirements in the Geraldton Urban Area (GUA).

The CACS aims to guide future commercial development within the City and the GUA in particular, spurred by potential economic and population growth in the region. Three population growth scenarios are identified, based on low, medium and high growth projections. An aspiration of up to 100,000 residents by 2021 is at the heart of the City's vision, which is dependent on high economic growth due to increased mining activity in the region and the commencement of major construction projects such as the Oakajee Port. Council resolved to adopt the CACS for advertising on 23 October 2012, subject to the consent of the WAPC in accordance with the *Town Planning Regulations 1967*.

## **LEGISLATION / STRATEGIC PLAN / POLICY:**

### **Legislation**

Section:

*Town Planning Regulations 1967*  
Regulations 12A and 12B  
Appendix B - Model Scheme Text

### **Strategic Plan**

Strategic Goal:

Planning

Outcomes:

Effective Delivery of Integrated Plans  
Planned Local Communities developing a sense of place

Strategies:

- Implement State and Regional Planning priorities
- Improve local planning service capability

### **Policy**

Number and / or Name:

Local Planning Manual (LPM)  
State Planning Policy 3 - Urban Growth and Settlement (SPP 3)  
State Planning Policy 4.2 - Activity Centres for Perth and Peel (SPP 4.2)  
Liveable Neighbourhoods (LN)  
Greater Geraldton Structure Plan 2011 (GGSP)  
City of Greater Geraldton Local Planning Scheme No. 5 (LPS 5)  
Draft Mid West Planning and Infrastructure Framework (MWPIF)

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## DETAILS:

The City has sought consent to advertise in accordance with regulation 12B of the *Town Planning Regulations 1967* (Regulations) which requires all Local Planning Strategies to be in accordance with regulation 12A(3), stating that a Strategy is to set out the long term planning directions for a local government; apply State and regional policies; and provide the rationale for the zones and other provisions of the Scheme.

The City has prepared an overarching *Background Report* containing social, economic and environmental data for the GUA and providing a foundation for the development of the CACS and RDS. The CACS report contains 9 sections, which can be split into 4 distinguished parts.

Part 1 provides an introductory brief on the economic aims of the City while section 2 sets out the primary objectives to be achieved by the CACS. The objectives seek to identify the amount of additional commercial space needed as a result of population growth and subsequently develop a hierarchical strategy to promote the development of integrated and effective activity centres.

Section 3 outlines eight guiding principles which have been established to respond to the perceived activity centre challenges facing the City. Achievement of the principles in every activity centre throughout the City is the CACS' primary objective. The principles are:

1. efficient, intense and compact centres;
2. optimise the frequency and quality of transactions within the City;
3. support the maturation of Geraldton CBD into a diverse, intense and highly connected activity centre;
4. optimise access to and within centres to residents, workers and visitors;
5. place identity, amenity and integrity;
6. place equity;
7. meet the needs of future as well as current users; and
8. appropriate configuration of land inside and outside of activity centres.

In Part 2, the CACS expands on the population scenarios contained in the Background Report, taking into the consideration how the perceived growth areas will affect commercial centres. Like the Background Report, in order to plan for maximum development potential, the aspirational figure of 100 000 residents by 2031 (growth rate of 5% per annum) is used as the principal figure throughout the Strategy. The CACS takes into account the planned residential growth (contained in the RDS) as well as current socio-economic data in order to determine perceived future economic demand for goods and services.

Section 5 analyses current trends of commercial activity, including the following factors; retail trading hours, online retail, large format retail, technological innovation and liquor licensing reforms. All these matters will continue to influence commercial activity throughout the GUA in the future.

Part 3, section 6 contains an activity centres hierarchy for the GUA (**Attachment 2**). The hierarchy establishes a structure outlining the current centres and their roles, and provides a strategic document to guide future commercial development. The

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hierarchy includes a Regional Centre (Geraldton); two proposed District Centres (Glenfield Beach and Southgates); four Large Neighbourhood Centres (Bluff Point, Rangeway, Sunset Beach and Wonthella); eight Neighbourhood Centres (three developed, five proposed) and six Local Centres (four developed, two proposed). The hierarchy also identifies six Specialised Centres, three Highway Commercial centres and the three regional towns of Central Greenough, Mullewa and Walkaway.

Section 7 considers the relative merit of the proposed uses within each activity centre based upon the assumptions of population expenditure and commercial turnover. The result is a set of graphs which determine the minimum and maximum levels of productivity per square metre of net lettable area (NLA) required to ensure economic viability. The graphs show levels for three types of floor space (retail, other retail and entertainment) and are shown in five year increments up to 2031.

Geraldton CBD is the only centre identified as having retail floor space which is currently above the maximum level required for economic viability. It is envisaged that with no additional floor space, improved use of current space will cater for demand up to the minimum level prescribed for 2031. Current *Other Retail* floor space and *Entertainment* floor space levels are substantially over the maximum required levels for 2031.

The District Centres are proposed developments and the floor space levels predicted do not substantially rise until 2016. The largest rise in floor space demand for all three retail factors is predicted to occur in 2021. The graphs provide a guide to enhance commercial centre development to meet required levels in the future.

Due to the establishment of the additional District Centres, the existing Large Neighbourhood centres are expected to have a small and steady increase in the requirement for additional floor space, with the largest increases predicted in 2031. Current estimated floor space for Bulky Goods and Large Format Retail is at the minimum level prescribed for 2011 and is expected to rise gradually until 2031.

Part 4 sets out the measures to successfully implement the CACS. Section 8 outlines the flow-on of the Strategy to statutory planning decisions and the triggers required to stimulate a level of assessment for a proposed commercial development. Section 9 lists a number of recommendations obligatory to the successful application of the CACS, which include; using the Strategy to guide future strategic planning; changing to performance based decision making; and merging the City's existing Local Planning Schemes. Other initiatives include the development of efficient commercial centres through planning principles which include the use of public transport, accessibility and parking options; using activity centres as community focal points, and promoting a variety of different types of centres.

#### **GOVERNMENT AND CORPORATE IMPLICATIONS:**

The CACS has the potential to implement WAPC state planning policy through the local planning framework and guide activity centre land use and development in the City of Greater Geraldton. Granting consent to advertise the Strategy will provide the opportunity for further input from stakeholders, government and the community.

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## CONSULTATION:

A 3 day workshop was held in August 2011 to develop potential plans and design options for how the city will look in the future - "2029 and Beyond - Designing our City". The CACS reflects the 'Preferred/Consolidated Scenario' for the future growth pattern of the City generated at the workshop.

Further detailed consultation with relevant stakeholders, government agencies and the community will occur once consent to advertise is granted.

## OFFICER'S COMMENTS:

The CACS aims to establish a hierarchy of the existing commercial centres in the GUA; analyse current demographic, social and economic trends and subsequently develop a framework to encourage the further development of the centres into efficient and sustainable activity centres. The objectives identified in Part 1 of the CACS are closely aligned with those contained in Clause 4 - *Policy Objectives* of SPP 4.2 and provide suitable intentions to guide the development of the Strategy.

The City has prepared its own demographic analysis, with population estimates that are substantially greater than those in the WAPC's *WA Tomorrow 2012* document, which, at the highest growth rate, estimates a population of 58 200 by 2026. The City's estimated population (100 000 residents by 2031) is considered an 'aspirational' figure and will ensure that planning has been undertaken to respond to a large variety of possible population figures.

Clause 5.1 - *Activity Centre Hierarchy* of SPP 4.2 establishes a hierarchical order, providing a strategic planning framework to guide authorities in long-term capital investment and development of activity centres. The hierarchy contained in the CACS follows the same directive as Table 2 - *Activity Centres Hierarchy* of SPP 4.2, providing a logical classification of commercial activity centres in the GUA. The hierarchy is in accordance with the planned urban development areas in **Attachment 4 - Greater Geraldton Structure Plan**.

Section 7 - *Future Distribution of Commercial Activity* of the CACS provides an analysis for three retail markets (retail, other retail and entertainment), using current trends to determine the amount of minimum - maximum NLA floor space required to ensure economic viability. The graphs show current and future trend predictions for the Geraldton CBD, proposed district centres and large neighbourhood centres. While the analysis is based on the aspirational population growth and a stable economic situation, it provides strategic direction to guide future development decisions regarding commercial activity centres.

Part 4 - *Implementation* sets out the actions required in order to effectively implement the CACS. The City has gone through a number of changes recently merging with surrounding local governments in order to further establish itself as the Mid-West's regional centre. The CACS proposes to merge the existing local planning schemes in order to create a consistent local planning scheme framework over the entire local government. The CACS also proposes the preparation of assessment triggers to ensure the appropriate consideration of commercial centre developments, as well as developing a guidance document to allow for performance based decision making, in

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line with State Planning Policy 3.1 - *Residential Design Codes* and the WAPC's *Liveable Neighbourhoods* document.

### Conclusion

The CACS develops a hierarchical structure and a set of general objectives in order to provide a planning framework to guide commercial activity centre development in the GUA. The information contained within complies with Local and State Policy, with further consultation to be undertaken during the advertising process. The CACS sets out the long term activity-centre planning directions for the City, applies State and regional policy and can provide the rationale for zoning in the current and future Schemes and therefore addresses the requirements of regulation 12A(3) of the Regulations.

The CACS is consistent with Part 2 of the LPM, and it is recommended that the proposal be supported for advertising in accordance with regulation 12B of the *Town Planning Regulations 1967*.



Figure 1 – Location of the City of Greater Geraldton in Western Australia

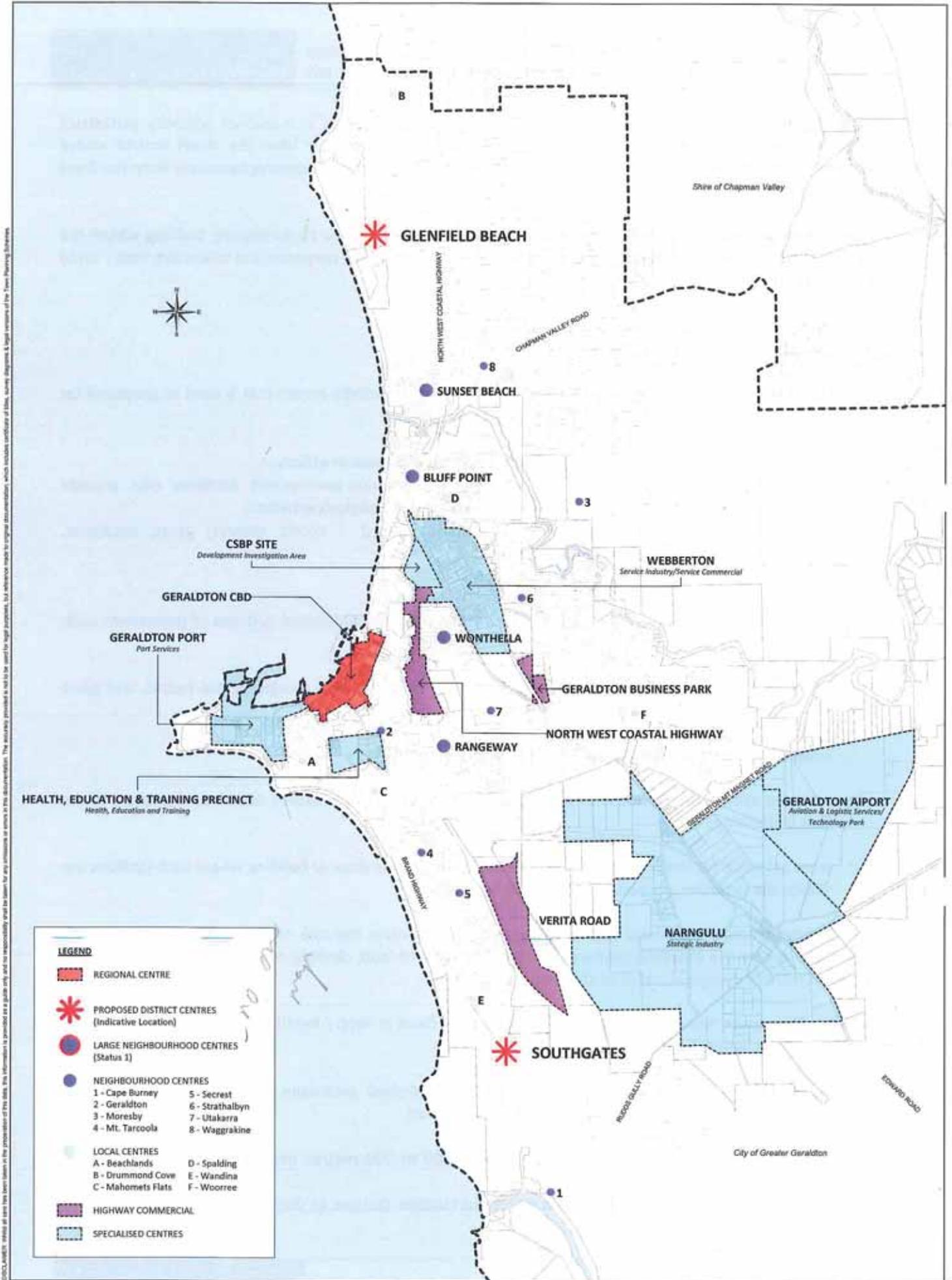


Figure 1: Commercial Activity Centres Strategy Map (Geraldton Urban Area)

Operator	RJT
Department	Town Planning
Drawing No.	LPS/0014
Date: 28/09/12	Scale: 1:10,000

DISCLAIMER: Whilst all care has been taken in the preparation of this data, the information is provided as a guide only, and no responsibility is taken for any omissions or errors in this documentation. The accuracy provided is not to be used for legal purposes, but reference made to original documentation which includes verification of files, survey diagrams & legal documents of the Town Planning Division.

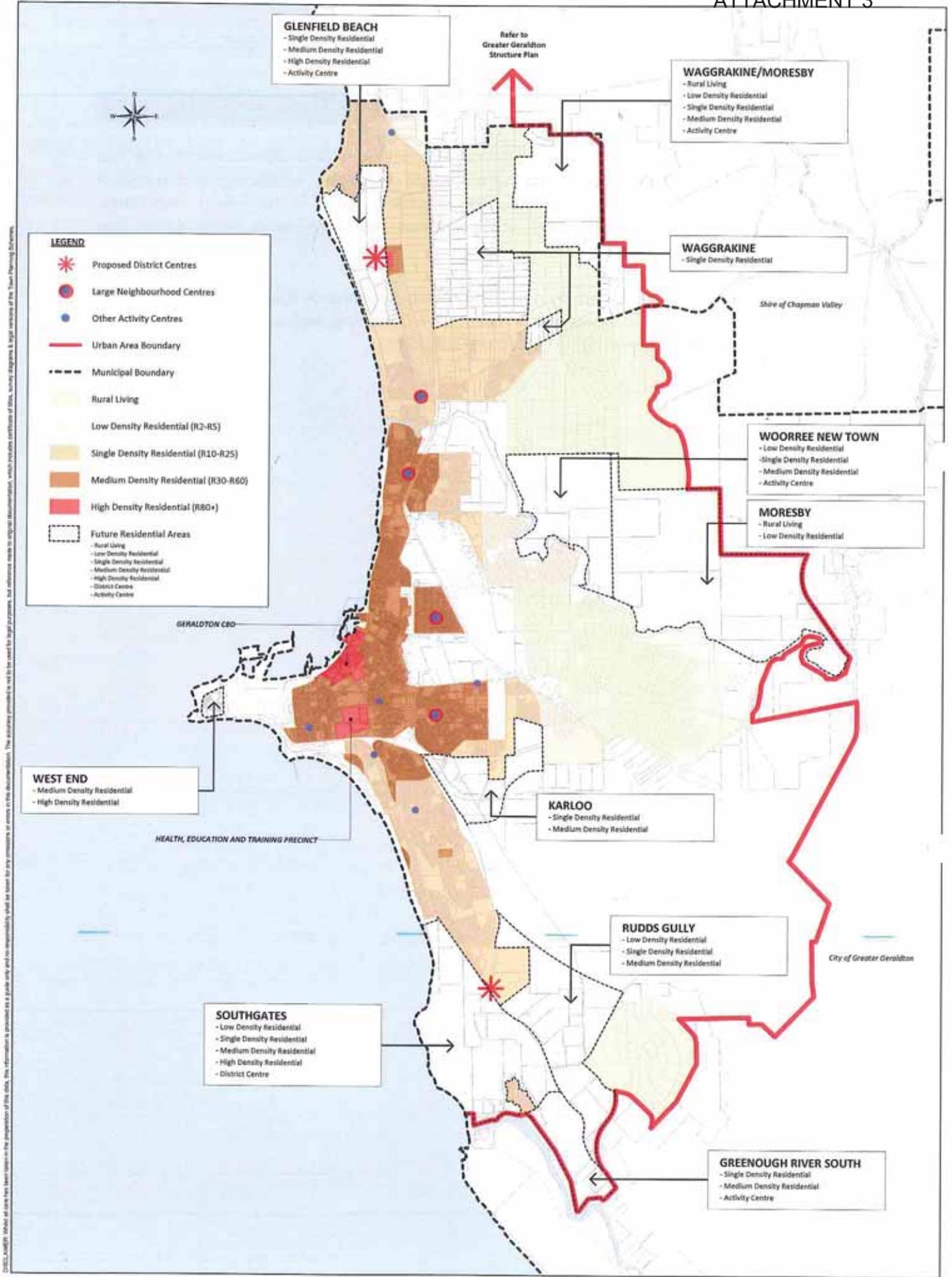


Figure 4: Residential Development Strategy Map (Geraldton Urban Area)

Operator:	RLT
Department:	Town Planning
Drawing No:	LP19/0063
Date:	16/09/12 (Scale: 1:10000)



## ITEM NO: 9.6

### SUBDIVISION OF LOT 343 SECOND AVENUE, ONSLOW TO CREATE TWO SURVEY STRATA LOTS AND A COMMON PROPERTY ACCESS LEG - SHIRE OF ASHBURTON

**WAPC OR COMMITTEE:** Statutory Planning Committee

REPORTING AGENCY: Department of Planning  
REPORTING OFFICER: Senior Planning Officer  
AUTHORISING OFFICER: Executive Director  
AGENDA PART: G  
FILE NO: 83-12/1  
DATE: 20 February 2013  
ATTACHMENTS: 1- Subdivision Proposal  
2- TPS Zoning  
3- Development Approval

REGION SCHEME ZONING:  
LOCAL GOVERNMENT: Shire of Ashburton  
LOCAL SCHEME ZONING: Commercial and Civic  
LGA RECOMMENDATION(S): Refusal of initial application. Support of  
reconsideration.  
REGION DESCRIPTOR:  
RECEIPT DATE: 1 February 2012  
PROCESS DAYS: 86  
APPLICATION TYPE: Survey Strata  
CADASTRAL REFERENCE: Lot 343 Second Avenue ONSLOW

#### **RECOMMENDATION:**

***That the Western Australian Planning Commission resolves to approve the application for survey-strata of Second Avenue, Onslow subject to the following conditions and advice:***

#### **CONDITIONS:**

- 1. All buildings and effluent disposal systems having the necessary clearance from the new boundaries as required under the relevant legislation including the Local Planning Scheme and Building Regulations of Australia. (Local Government)***
- 2. Other than buildings, outbuildings and/or structures shown on the approved plan for retention, all buildings, outbuildings and/or structures***

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**present on the proposed lots at the time of subdivision approval being demolished and materials removed from the lot(s). (Local Government)**

- 3. 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 diagram or plan of survey (deposited plan). The notification is to state as follows:**

**'VULNERABLE COASTAL AREA - This lot is located in an area likely to be subject to coastal erosion and/or inundation over the next 100 years.'**

**(Western Australian Planning Commission)**

- 4. Arrangements being made with the Water Corporation so that provision of a suitable water supply service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)**
- 5. Arrangements being made with the Water Corporation so that provision of a sewerage service will be available to the lots shown on the approved plan of subdivision. (Water Corporation)**
- 6. The provision of easements pursuant to Section 167 of the Planning and Development Act 2005 for existing or planned power infrastructure being granted free of cost to that body. (Horizon Power)**

**ADVICE:**

- 1. In regard to Condition 1, the Western Australian Planning Commission will accept building clearance requirements as specified in the relevant local planning scheme operative at the time the subdivision approval was granted by the Western Australian Planning Commission.**
- 2. In regard to Condition 2, planning approval and/or a demolition licence may be required to be obtained from the local government prior to the commencement of demolition works.**
- 3. In regard to Conditions 4 and 5, the landowner/applicant shall make arrangements with the Water Corporation for the provision of the necessary services. On receipt of a request from the landowner/applicant, a Land Development Agreement under Section 67 of the Water Agencies (Powers) Act 1984 will be prepared by the Water Corporation to document the specific requirements for the proposed subdivision.**
- 4. The Department of Fire and Emergency Services (DFES) advises that historical research has revealed that during the past 100 years, former elements of the Australian Defence Forces may have conducted training and/or operational activities within or close to the area of the proposed subdivision. It is possible that as a result of these activities, the subject area may contain unexploded ordnance (UXO). Whilst it is considered that the possible risk from UXO on the land subject to this approval is minimal, an absolute guarantee that the area is free from UXO cannot be given.**

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***Should, during subdivisional works, or at any other time, a form or suspected form of UXO be located, DFES has advised that the following process should be initiated:***

- a) do not disturb the site of the known or suspected UXO;***
- b) without disturbing the immediate vicinity, clearly mark the site of the UXO;***
- c) notify Police of the circumstances/situation as quickly as possible; and***
- d) maintain a presence near the site until advised to the contrary by a member of the WA Police Service or Defence Forces.***

***Further advice on this issue may be obtained by contacting the Unexploded Ordnance Unit, Department of Fire and Emergency Services.***

- 5. *A strata plan of subdivision under Section 25(3) of the Strata Titles Act 1985 would be required to create separate titles for each of the dwellings and the existing shop in the development approval.***

#### **SUMMARY:**

An application for the survey strata subdivision of a 1012m<sup>2</sup> lot in the Onslow townsite was refused by Western Australian Planning Commission (the Commission) on 12 June 2012. The applicant requests reconsideration on the grounds that a development application over the subject land was approved by the Shire of Ashburton in December 2012. The Shire's planning officer advises that the Shire now supports the survey strata application on the basis that the development approval demonstrates that the proposed lots are capable of being developed in accordance with draft SPP 2.6 and TPS 7. Conditional approval of the proposed survey strata application is recommended.

#### **LEGISLATION / STRATEGIC PLAN / POLICY:**

##### **Legislation**

Section:

*Planning and Development Act 2005*

Section 144(2)

##### **Strategic Plan**

Strategic Goal:

Planning

Outcomes:

Effective Delivery of Integrated Plans, Planned Local Communities developing a sense of place

Strategies:

- Develop integrated infrastructure and land use plans for the State
- Implement State and Regional Planning priorities
- Encourage innovation in the design of our communities

##### **Policy**

Number and / or Name:

State Planning Policy 1 - State Planning Framework Policy

State Planning Policy 2.6 - State Coastal Planning Policy

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## INTRODUCTION:

The application proposes to subdivide a 1012m<sup>2</sup> lot into two survey strata lots of 405m<sup>2</sup> and 506m<sup>2</sup> and a common property access leg of 101m<sup>2</sup>. An existing building on the proposed front lot is to be retained. (**Attachment 1-** Proposed Subdivision)

The subject land is zoned 'Commercial and Civic' under the Shire of Ashburton Town Planning Scheme No.7 (TPS 7). The site is also located within the 'Onslow Coastal Hazard' Special Control Area established by TPS 7. (**Attachment 2-** TPS Zoning)

The application was refused by the Commission on 12 June 2012. The Commission's refusal reasons were as follows:

1. *The subdivision is premature as draft State Planning Policy 2.6- State Coastal Planning Policy (draft SPP2.6) requires that coastal hazard risk management and adaptation planning measures be implemented. The proposal does not propose coastal hazard risk management and adaptation planning measures.*
2. *The proposed subdivision is contrary to the Shire of Ashburton's Town Planning Scheme 7 as it does not demonstrate that future development on the subdivided lots is able to comply with requirements under Town Planning Scheme 7 including; assessment of the impact of potential flood and storm surge events on proposed development on the site and car parking.*
3. *Further fragmentation of lots does not allow for coastal hazard risk management adaptation measures to be implemented.*
4. *Approval to the subdivision would set an undesirable precedent for the further subdivision of surrounding lots.*

The applicant subsequently lodged a request for reconsideration on the grounds that a development application over the subject site was being progressed with the Shire of Ashburton. A development application for two multiple dwellings and two grouped dwellings on the subject site was approved by the Shire on 12 December 2012. (**Attachment 3-** Development Approval)

The applicant contends that approval of this development application demonstrates that the proposed lots are capable of being developed in compliance with the requirements of draft SPP 2.6 and TPS 7, thereby addressing the Commission's refusal reasons for the subdivision application.

## CONSULTATION:

### Shire of Ashburton - Initial Application

The Shire of Ashburton did not support the initial subdivision application for the following reason: *"Due to issues associated with future access, parking, filling, land use, potential negative impacts on adjoining land and the overall development of the land, the subdivision is premature."*

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The Shire also advised that subdivision of the subject land would not be supported until a development application for the subject land is approved by the Shire, demonstrating that the proposed survey strata is capable of being developed in accordance with relevant policies.

#### Shire of Ashburton - Request for Reconsideration

In responding to the request for reconsideration, the Shire reiterated its opposition to the proposed survey strata until such time as a development application for the subject land has been approved by the Shire.

On 21 December 2012 the Shire advised that a planning approval for two multiple dwellings and two grouped dwellings over the subject land had been issued by Council on 12 December 2012. The Shire subsequently provided a list of recommended conditions for the survey strata application.

#### Other Referral Agencies

The initial subdivision application was referred to Horizon Power and Water Corporation, with standard servicing conditions being recommended by these agencies. Referral of the request for reconsideration to these agencies was not considered necessary.

#### **COMMENTS:**

#### Draft State Planning Policy 2.6 - State Coastal Planning Policy

In December 2012 the Commission endorsed draft *State Planning Policy 2.6 - Coastal Planning* (draft SPP 2.6) and forwarded it to the Minister for final approval. Draft SPP 2.6 is a seriously entertained planning document, and is to replace the previous version of the policy last amended in 2006.

Regarding infill development, Clause 5.6 of draft SPP 2.6 states:

*"Where development is likely to be subject to coastal hazards over the planning timeframe, coastal hazard risk management and adaptation measures should be implemented to reduce the risk from coastal hazards over the full planning timeframe to an acceptable level."*

The hierarchy of coastal hazard risk management and adaptation planning (CHRMAP) principles, in order of preferential basis, is as follows: avoidance; planned or managed retreat; accommodation adaptation measures; protection works.

#### Shire of Ashburton Town Planning Scheme No.7

Under Clause TPS 7.3.8 of TPS 7, development within the 'Onslow Coastal Hazard' Special Control Area is permitted subject to floor levels being raised above 5m AHD.

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On 16 May 2012 the Shire of Ashburton initiated Amendment 24 to TPS 7. This amendment seeks to introduce development levels within an expanded 'Onslow Coastal Hazard' Special Control Area to provide practical means for the development of the town centre. For residential development the minimum finished floor level is to be 5.9m AHD, with discretion for Council to approve other land uses at less than 5.9m AHD. Amendment 24 incorporates the findings of 'Onslow Townsite Planning - Coastal Setbacks and Development Levels Report' (MP Rogers & Associates 2011), which recommends development levels based on the requirements of draft SPP 2.6.

Amendment 24 is currently being advertised for public comment.

### Development Approval

On 12 December 2012, the Shire of Ashburton issued a development approval over the subject land. The development approval involves retaining the existing shop and developing two multiple dwellings, through use of a suspended slab with undercroft parking, on the front portion of the site. Two elevated grouped dwellings with undercroft parking are proposed for the rear of the site. The finished floor level of the new development is 6.24m AHD.

The development approval includes the construction of multiple dwellings, including in the airspace above the common access way. A strata plan of subdivision under Section 25(3) of the *Strata Titles Act 1985* would be necessary to create separate titles for each of the dwellings and the existing shop in the development approval. It is therefore acknowledged that the survey strata application and the development approval do not relate to each other. However, the survey strata application proposes a lot configuration that broadly reflects the development approval. The proposed lots are therefore able to accommodate a form of development that is broadly similar to the development approval.

The applicant requests the Commission to reconsider its refusal of the survey strata application on the basis that the development approval demonstrates that the proposed lots are capable of development in accordance with draft SPP 2.6 and TPS 7. This is discussed further in the following sections.

### Reconsideration of Refusal Reasons

At present CHRMAP has not been undertaken for the Onslow townsite and there are no plans for this to occur in the immediate future. As the majority of Onslow is affected by coastal hazards, CHRMAP should be undertaken for the entire townsite by the local government.

In this instance, it is considered onerous for the applicant to undertake CHRMAP at a townsite-level due to the small scale of the application. Subdivision of the subject land and its subsequent development would not impede the preparation and implementation of CHRMAP by the local government over the broader Onslow townsite. It is therefore considered unreasonable to refuse the survey strata application on the basis that CHRMAP has yet to be undertaken.

The development approval incorporates the CHRMAP principle of 'accommodation adaptation measures' by raising buildings to ensure the lowest floor elevation should be sufficient to prevent stormwaters from entering the elevated building envelope

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during the design event. It has been demonstrated that the proposed lots are capable of being developed with finished floor levels of 6.24m AHD, which complies with the requirements of draft SPP 2.6, TPS 7 and draft Amendment 24.

In light of the development approval, the Shire now supports the survey strata application. It is no longer considered that approval of the subdivision would set an undesirable precedent.

#### Conditions of Approval

The Commission's refusal reasons have been reconsidered and it is recommended that the application be approved subject to conditions requested by the referral agencies.

Draft SPP 2.6 states that *"where a coastal hazard risk is identified it should be disclosed to those likely to be affected."* A condition requiring a notification on the title of the proposed lots, advising that the lot is in a vulnerable coastal area, is recommended.

The Shire was consulted about a condition requiring the subject land to be filled in accordance with Clause 7.3.8 of TPS 7. The Shire advised that the intent of this clause is for buildings to have a finished floor level at or greater than 5m, and not for the whole site to be filled to this height.

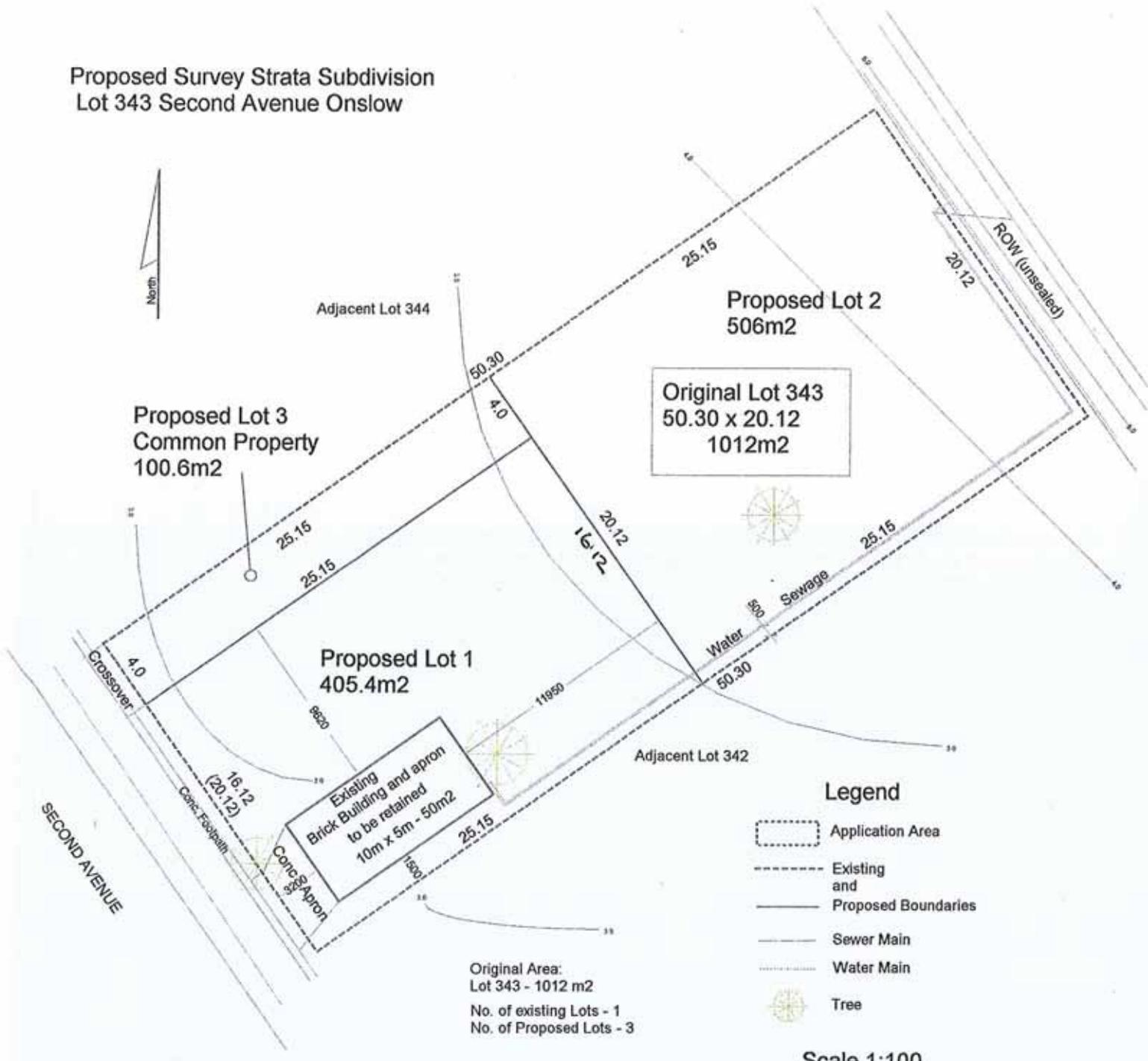
#### **CONCLUSION:**

The Commission has reconsidered its decision to refuse the application based on the following:

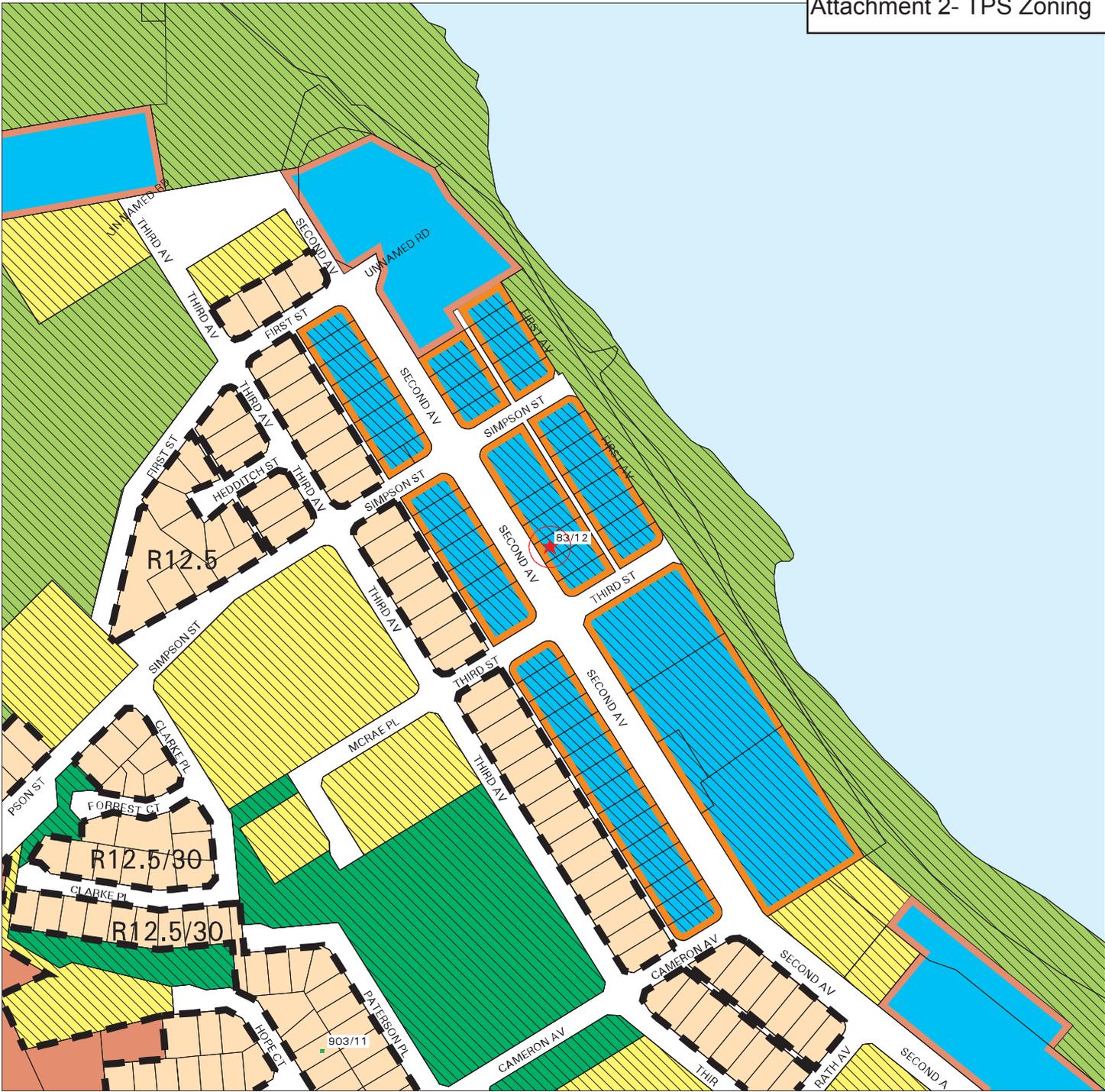
- A review of the requirements of draft SPP 2.6 indicates that it is unreasonable for the applicant to undertake CHRMAP over the entire Onslow townsite.
- The development approval demonstrates that the proposed lots are capable of development in accordance with draft SPP 2.6 and TPS 7.
- The Shire now supports the proposed survey strata.

The Commission's refusal reasons have been reconsidered and are no longer necessary. Conditional approval of the application is recommended.

Proposed Survey Strata Subdivision  
 Lot 343 Second Avenue Onslow



DEPARTMENT OF PLANNING	
DATE	FILE
1 FEB 2012	83 - 121

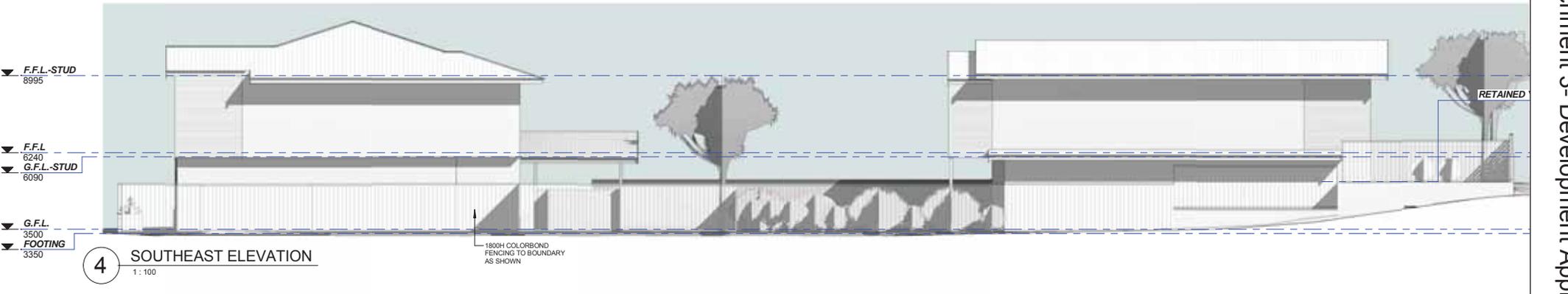
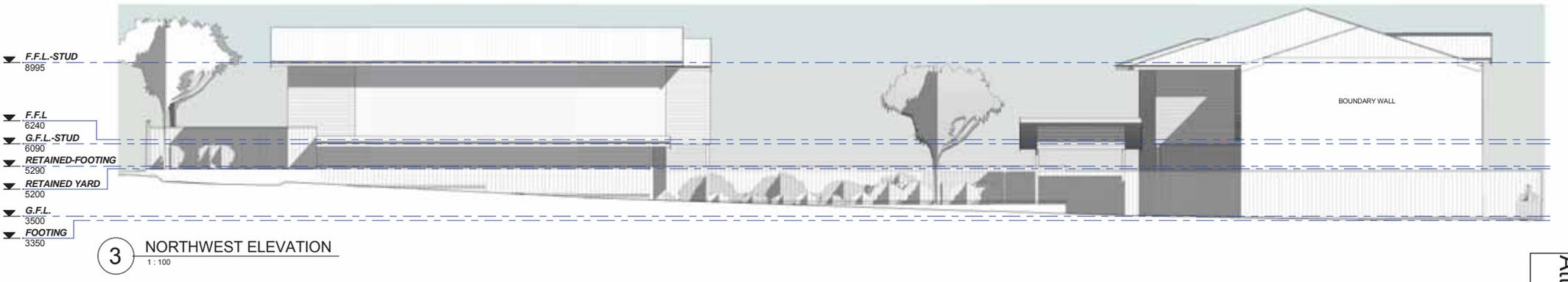
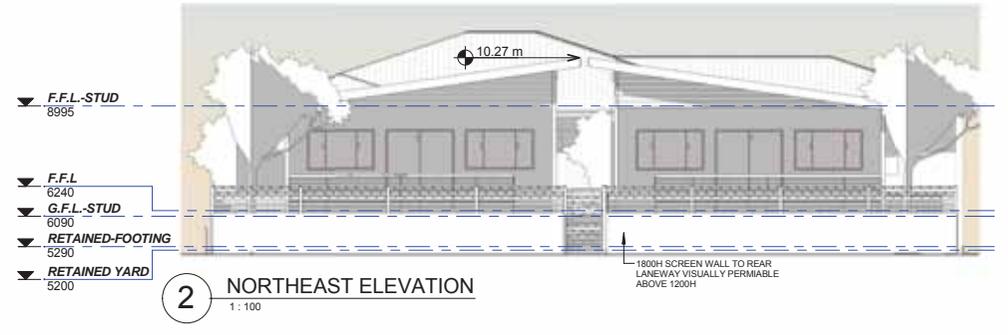
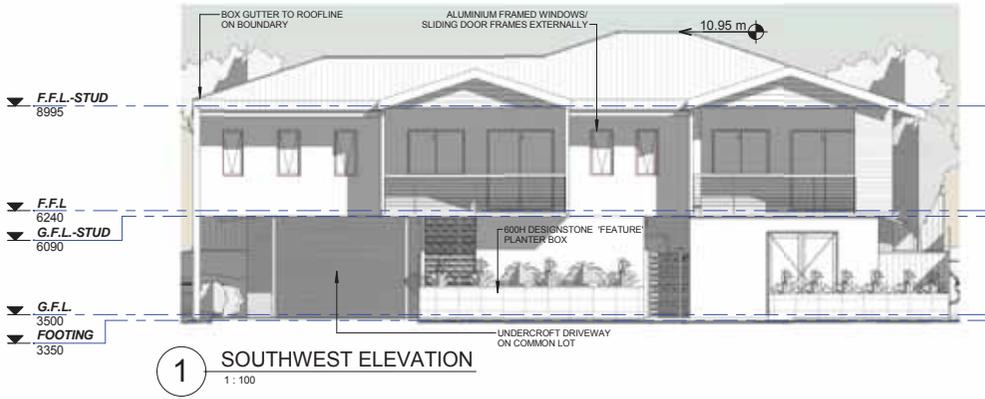


**Strata Application 83/12 (MGA ref 304725mE 61606159mN Zone 50)**

**This data is to be used for the processing of subdivision applications only.**

-  CADASTRAL BOUNDARY
-  WESTNET ENERGY GAS PIPELINE
-  STRATA APPLICATION
-  R CODE BOUNDARY
-  PUBLIC PURPOSES WATER AND DRAINAGE
-  TOURISM
-  PUBLIC PURPOSES COMMUNITY
-  LOCAL ROAD
-  RESIDENTIAL
-  COMMERCIAL AND CIVIC
-  PUBLIC PURPOSES EDUCATION
-  PARKS, RECREATION AND DRAINAGE
-  URBAN DEVELOPMENT
-  PUBLIC PURPOSES HEALTH
-  OCEAN
-  CONSERVATION, RECREATION & NATURE LANDSCAPE

136342A.eps



Attachment 3 - Development Approval

DESIGN	REVISIONS
DATE	DESCRIPTION

**DESIGNSTONE**  
 PH: 0895229877  
 Web: www.designstone.com.au  
 Email: designstone@bigpond.com  
 PROPERTY DESIGNSTONE 2012©

PROPOSED MULTI DWELLING  
  
 PAUL THOMAS  
 LOT 343 #32 SECOND AVENUE  
 ONSLOW, 6710

**ELEVATIONS**

Project number	1067
Date	15-10-12
Drawn by	PSN
Checked by	PA BURKE
Scale	S-4

15/10/2012 7:28:04 AM

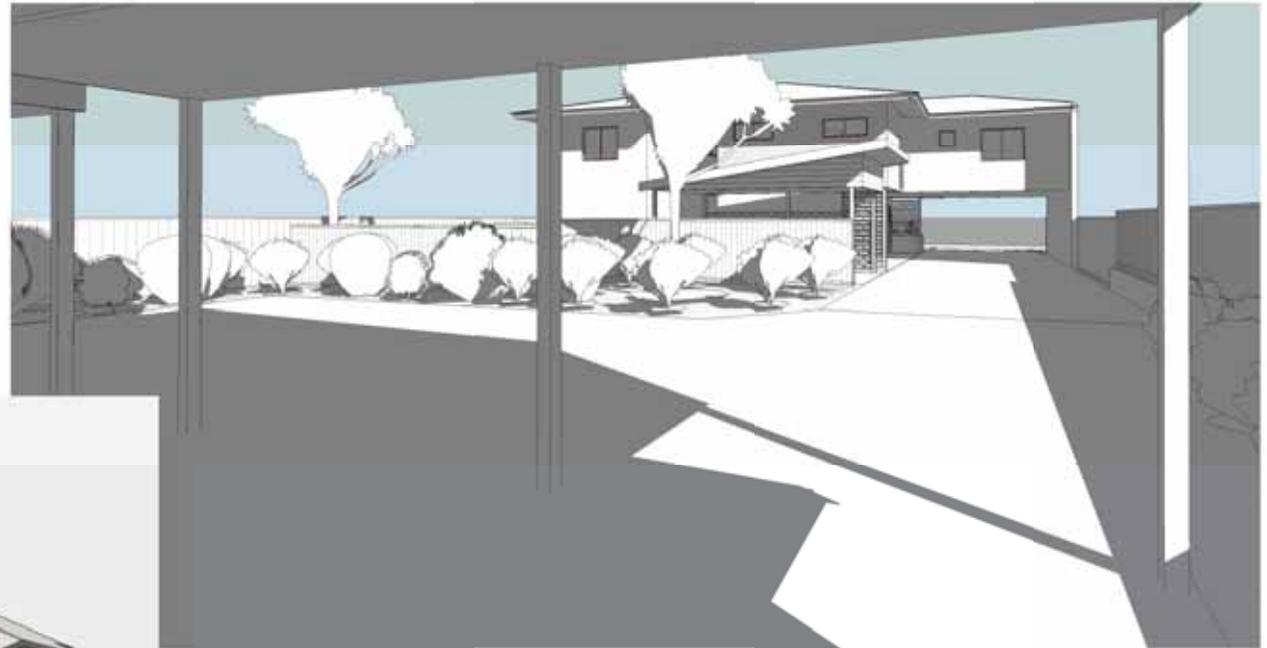
**SPC AGENDA PAGE 305**



1 FRONT LEFT PERSPECTIVE



3 CROSSOVER PERSPECTIVE



4 REAR DRIVEWAY PERSPECTIVE



2 SITE PERSPECTIVE

REVISIONS	
NO.	DESCRIPTION



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 Email: designstone@bigpond.com  
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PROPOSED MULTI DWELLING  
 PAUL THOMAS  
 LOT 343 #32 SECOND AVENUE  
 ONSLOW, 6710

PERSPECTIVES

Project number 1067  
 Date 15-10-12



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