

---

## PS04-02/12 Local Planning Policy 3.8: Marmion Avenue Arterial Road Access

---

File Ref: 4605 – 11/124708  
Responsible Officer: Director, Planning and Sustainability  
Disclosure of Interest: Nil  
Attachments: 3

### Issue

To consider the final adoption of draft Local Planning Policy 3.8: Marmion Avenue Arterial Road Access (LPP 3.8), following public advertising.

### Background

LPP 3.8 prescribes acceptable standards for the type and location of vehicular access points, provisional standards for cycling infrastructure, and operational procedures for all new planning proposals that have not yet been lodged with or approved by the City, including:

- structure plans and structure plan amendments;
- detailed area plans;
- applications for planning approval; and
- subdivision applications.

If adopted, LPP 3.8 will be applied to the area bordered by, and inclusive of, Toreopango Avenue to the north, the proposed Mitchell Freeway to the east, Kingsbridge Boulevard to the south, and Marmion Avenue to the west.

Draft LPP 3.8 was presented to Council at its meeting of 19 October 2010. At that meeting, Council determined the draft LPP 3.8 was satisfactory for the purposes of advertising. The advertised version of the Policy is included as **Attachment 1**. Details of the advertising that was undertaken are included under the 'Consultation' section later in this report.

Following advertising of draft LPP 3.8, submissions were collated and a report on the matter was listed for discussion at the 10 August 2011 Council Briefing Session, but was withdrawn by the Director Planning and Sustainability in order to further address submitters' comments. Administration has since undertaken further consultation with affected developers and Main Roads WA to arrive at a revised Policy that now has the support of key stakeholders.

### Detail

A total of six submissions were received during the advertising period, five from developers and planning consultants active in the City of Wanneroo and one from Main Roads WA. A summary of the issues raised in the submissions and Administration's responses and recommendations to each are provided in the Schedule of Submissions included as **Attachment 2**.

Administration has prepared a revised LPP 3.8 included as **Attachment 3**, which responds to the issues raised in recent discussions with the relevant landowners and consultants operating in the Policy area. The majority of submitters indicated general support for the advertised LPP 3.8, with the five main issues that arose during consultation and through subsequent discussions listed as follows:

- Agreed Structure Plans
- Road Design Requirements
- Operating Speeds and Junction Spacing

- Future Amendments to the Policy
- Structural Modifications

Each of these issues is discussed in the 'Comment' section later in this report.

## **Consultation**

LPP 3.8 was advertised for public comment for a period of 42 days from 9 November to 21 December 2010 by way of:

- an advertisement in a local newspaper for two consecutive weeks;
- display at the City Administration Building, City Libraries and on the City's website; and
- referral to major developers and planning consultants operating in the northern coastal development corridor and affected by the proposed Policy.

Following the end of the formal consultation period, a number of meetings and discussions took place with affected developers and Main Roads WA to resolve outstanding issues.

## **Comment**

If adopted by Council, LPP 3.8 will be used by applicants, Administration and Council to guide future planning proposals in terms of the type and location of vehicular access points, provisional standards for cycling infrastructure, and operational procedures for the area covered by the Policy. LPP 3.8 is consistent with relevant guidelines and Policy documents such as the Austroads Guide to Road Design and Liveable Neighbourhoods and will add certainty provide consistency in dealing with major road access issues in the City's northern coastal growth corridor.

### ***Agreed Structure Plans***

While LPP 3.8 currently accords with all agreed structure plans in the Policy area, the revised LPP 3.8 includes new text under the heading '*Application and Purpose*' to clarify that where any inconsistency arises between LPP 3.8 and the requirements of an existing structure plan (or any development or subdivision application that accords with such plan), then the provisions of the agreed structure plan will prevail.

### ***Road Design Requirements***

While LPP 3.8 currently accords with various road planning and design guidelines and standards, it is accepted that those guidelines and standards could change in future, thereby creating an inconsistency with LPP 3.8. To address this, the revised LPP 3.8 includes a new Clause 2 under Part 2 to clarify that if in future, any inconsistency arises between LPP 3.8 and a future amendment to either the Austroads Guide to Road Design, Main Roads WA Guidelines, or the Western Australian Planning Commission's 'Liveable Neighbourhoods' policy then the provisions of those documents will prevail.

### ***Operating Speeds and Junction Spacing***

The ultimate target operating speeds and minimum junction spacing in Tables 1 and 2 of the advertised draft LPP 3.8, were considered too low (in terms of operating speeds) and too large (in terms of junction spacing).

These two tables have been consolidated into Table 2 in the revised LPP 3.8 and have been amended to reflect the submissions made by reducing minimum junction spacings along all roads (except along Marmion Avenue outside of town centre zones) and by adding a note that the ultimate target operating speed would not come into effect until development reaches a stage where it is deemed necessary and would, in any event, be determined by Main Roads WA.

### ***Future Amendments to the Policy***

The revised LPP 3.8 includes a new Clause 6 added under Part 2 that prescribes the procedure to be followed in order for the City to entertain any departure from the Policy if it can be demonstrated that a better outcome would be achieved. This Clause states that any such departure from the Policy will need to be dealt with as a policy amendment, be supported by a Traffic Assessment and approved by Council in consultation with Main Roads WA.

### ***Structural Modifications***

The advertised draft LPP 3.8 has been revised in response to the comments received. The main changes between the advertised LPP 3.8 (refer **Attachment 1**) and the revised LPP 3.8 (refer **Attachment 3**), are as follows:

- Superfluous Clauses 2, 4 and 5 have been removed;
- Clauses 7, 8 and 9 have been consolidated into Clause 4;
- The application area has been modified to extend to Kingsbridge Boulevard and now includes all roads, not just east-west connectors;
- Some provisions relating to cycling and operational procedures have been modified by including further details and clarifying how the provisions are to be applied; and
- Figure 1 has been modified to reflect agreed structure plans and submissions as well as now showing the proposed rail network.

### **Statutory Compliance**

In accordance with the City's District Planning Scheme No. 2, Council is required to review the draft LPP 3.8 in light of any submissions made and must then resolve to either finally adopt the draft Policy with or without modifications, or not to proceed with the draft Policy. If Council adopts the draft Policy, then notification of its decision must be published once in a newspaper circulating in the City and a copy of the Policy forwarded to the Western Australian Planning Commission.

### **Strategic Implications**

The proposal accords with the following Outcome Objective of the City's Strategic Plan 2006 – 2021:

“2 *Social*

2.5 *Improve transport options and connections”*

### **Policy Implications**

The draft Policy will form part of the City's Local Planning Policy Framework and is to be used by applicants, Administration and Council in the design, assessment and determination of future planning proposals within the application area of the Policy.

## Financial Implications

Nil

## Voting Requirements

Simple Majority

## Recommendation

That Council:

1. **NOTES** the submissions received in respect of draft Local Planning Policy 3.8: Marmion Avenue Arterial Road Access and Administration's responses and recommendations on those submissions, as included in Attachment 2;
2. Pursuant to Clause 8.11.3.1 (c) of District Planning Scheme No. 2, **ADOPTS** the revised draft Local Planning Policy 3.8: Marmion Avenue Arterial Road Access included in Attachment 3; and
3. Pursuant to Clauses 8.11.3.1 (d) and (e) of District Planning Scheme No. 2, **PUBLISHES** notice of its adoption of Local Planning Policy 3.8: Marmion Avenue Arterial Road Access in the Wanneroo Times and North Coast Times Community Newspapers, **NOTIFIES** those persons who made submissions on the Policy of Council's decision and **FORWARDS** a copy of the adopted Policy to the Western Australian Planning Commission for its information.

### *Attachments:*

- |  |           |                |
|--|-----------|----------------|
| 1. <i>Advertised Local Planning Policy 3.8 Marmion Avenue Arterial Road Access</i> | 11/9332   |                |
| 2. <i>Schedule of Submissions</i>  | 11/126991 | <i>Minuted</i> |
| 3. <i>Revised Local Planning Policy 3.8 Marmion Avenue Arterial Road Access</i>    | 11/125110 | <i>Minuted</i> |

Planning and Sustainability  
**Local Planning Policy 3.8:**  
**Marmion Avenue Arterial Road Access**



Owner	Planning and Sustainability
Implementation	2010
Reviewed	Biannual
Next Review	2012

### Part 1

#### **POLICY OPERATION**

##### Policy development

This Policy has been prepared under the provisions of Section 8.11 of the City of Wanneroo District Planning Scheme No. 2.

##### Application and purpose

This Policy applies to all new planning proposals that involve the creation of vehicular access to Marmion Avenue between Brighton Boulevard in the south and Toreopango Avenue in the north and east west roads linking Marmion Avenue with the proposed Mitchell Freeway.

The Policy prescribes Council's standards for the type and location of vehicular access points for Marmion Avenue and the specified east west roads.

##### Objectives

The objectives of this Policy are to:

1. Recognise Marmion Avenue is a major north south transport route serving the north west corridor, but accept it is a lower classification road than the proposed Mitchell Freeway, which will run parallel, approximately two kilometres to the east;
2. Ensure adequate pedestrian and bicycle movement (within the road reservation) along and across Marmion Avenue;
3. Strike a balance between the safe movement and flow of traffic on Marmion Avenue and the need for traffic to enter, leave and cross Marmion Avenue;
4. Create sufficient access opportunities to regional and district centres, which includes crossing points for all modes of transport (including pedestrians) and safe access for vehicles accessing the centres.

##### Structure

This Policy is divided into three parts:

- Part 1: Policy Operation, which includes the Policy context and objectives;  
 Part 2: Sets out general provisions and includes Table 1 which prescribes standards for the creation of new vehicular access points; and  
 Part 3: Figure 1 depicting application of the access standards to this section of Marmion Avenue.

Planning and Sustainability  
Local Planning Policy 3.8:  
Marmion Avenue Arterial Road Access



Part 2  
GENERAL PROVISION

1. No direct property access will be permitted to the Integrator Arterial roads (A) & (B) depicted in Figure 1 except where the access meets the requirements of this Policy and Liveable Neighbourhoods and is for one of the following:
  - a) For the purposes of super lots; or
  - b) Where a commercial development creates rationalised access, equivalent to a public road, via an easement in gross over the private property.
2. Controlled intersections are depicted in Figure 1. Controlled Intersection (A) are those included in an agreed or adopted structure plan. Controlled Intersections (B) are those not included in an agreed or adopted structure plan.
3. It is a requirement that both sides of the entire length of Marmion Avenue provide footpaths and cycle-ways that are physically separated from traffic lanes. An on-road cycle lane is required for all other roads depicted in Figure 1.
4. A safe network of pedestrian and bicycle crossing points will be provided to link communities across major roads and provide safe access to regional and district centres. Major pedestrian crossing points will generally be provided under traffic signal control, but grade separated crossings will also be considered where the geometry is supportive and traffic signals are considered to be inappropriate.
5. To compensate for restricted access onto Marmion Avenue, more road access will be permitted to Integrator Arterial roads (A) & (B) shown on Figure 1, with junction spacing permitted as per Liveable Neighbourhoods Table 5. However, the intersections permitted may not necessarily be full junction movements.
6. In all instances the requirements of Main Roads WA Guidelines and the Austroads Design Manuals will apply.
7. The following design parameters apply to the roads within and adjoining the Yanchep Regional Centre and Eglinton, Alkimos and Brighton District Centres, as depicted on Figure 1.

Long Term Operating Speed	Minimum Junction Spacing	Comment
60 kph	Major: 500m *	Traffic signal 3 or 4 way intersection. Traffic signals will define start and finish of the Activity Centre Zone.
	Minor: 165m *	Left in left out only.

Planning and Sustainability  
 Local Planning Policy 3.8:  
 Marmion Avenue Arterial Road Access



\* The spacing of intersections in centre zones is flexible, but will need to be justified on planning grounds, supported by traffic management strategies and road safety audits.

8. The following design parameters apply to all other areas beyond those specified in clause 7.

Long Term Operating Speed	Minimum Junction Spacing	Comment
80 kph	Major: 1 km	Signals or roundabout as appropriate.
	Minor: 500m	Left in left out only, non-signalised junction.

9. In clauses 7 and 8, the terms 'major' and 'minor' have the following meanings:

'Major' junctions involve more than two intersecting roads and are controlled by either signals or a roundabout.

'Minor' junctions involve two intersecting roads, with vehicle movements restricted to left in, left out.



ATTACHMENT 1 - SUMMARY OF SUBMISSIONS				
	Submitter	Issue	Response	Recommended Modification
<b>1. Speed Limits</b>				
1.1	Cossill & Webley  Taylor Burrell Barnett on behalf of Yanchep Beach Joint Venture  Taylor Burrell Barnett on behalf of Peet Alkimos Pty Ltd	Speed limits be set at 70km/h.	The 80km/h speed limit is intended to move traffic efficiently between town centre zones. In consideration of the town centre zones, it is intended that speed limits be reduced to 60km/h. A uniform speed limit of 70km/h would not assist in the definition of town centre zones, however it is acknowledged that 60km/h would not need to apply until the town centre zones reach a level of development where it is warranted.	It is recommended that the following modification be made to the Policy by inserting a note to Provision 5 stating: "Ultimate target operating speeds are a forecasted requirement only. Future urban growth will dictate whether these speeds are needed or if they require review. Until then, interim speeds will be in effect. Existing roads already have these interim speeds applied by Main Roads WA policy. Future roads' interim speed zoning will be decided by Main Roads WA when required."
1.2	Taylor Burrell Barnett on behalf of Yanchep Beach Joint Venture	Speed limit transition on Marmion Avenue should be relocated to Blackwood Meander (South of Yanchep Regional Centre)	Agreed, however, as discussed in comment 1.1, this speed zoning will not be final until a time when the level of development warrants it. The final decision on all speed zoning is made by Main Roads WA. The speeds identified in the Policy will only be used as a guide by Main Roads WA when determining location of speed transitions and speed limits.	On Figure 1, relocate speed limit transition on Marmion Avenue further south to Blackwood Meander (south of Yanchep Regional Centre).
<b>2. Intersections</b>				
2.1	Delfin	Should include 'Left-in-left-out' (LILO) on the north and south side of Romeo Road to the west of the two existing LILOs to the far east.	The Policy currently prescribes that additional junctions within the area designated for the Alkimos Regional Centre may be permitted in accordance with the recommended spacing in Liveable Neighbourhoods and therefore it is considered appropriate to reflect this on Figure 1.	Insert additional LILO intersections to Figure 1 on the north and south side of Romeo Road 700m west of the proposed Mitchell Freeway.

<b>ATTACHMENT 1 - SUMMARY OF SUBMISSIONS</b>				
	<b>Submitter</b>	<b>Issue</b>	<b>Response</b>	<b>Recommended Modification</b>
2.2	Chappell Lambert Everett on behalf of Satterley Property Group	Access onto Marmion Avenue around the Butler District Centre has been rationalised. The LILO shown immediately south of the Camborne Parkway lights has been removed. This is to allow for a LILO intersection north of the Butler Boulevard, signalised intersection.	Agreed.	Add a LILO intersection on the east side of Marmion Ave 200m north of Butler Boulevard on Figure 1.
2.3	Taylor Burrell Barnett on behalf of Yanchep Beach Joint Venture	Toreopango Avenue (south side 700m east of Marmion) should be identified as a left-in/left-out/right-out	Figure 1 reflects the intersection design in Agreed Structure Plans. In this case, the agreed position is that this intersection is a LILO.	No change.
2.4	Taylor Burrell Barnett on behalf of Yanchep Beach Joint Venture	Toreopango Avenue (south side 350m east of Marmion Ave) should be identified as a left-in/left-out/right-in	Agreed, this is the identified design in the Agreed Structure Plan and should be reflected in Figure 1.	Modify intersection design from T-intersection to left-in/left-out/right-in on Figure 1.
2.5	Taylor Burrell Barnett on behalf of Yanchep Beach Joint Venture	Toreopango Avenue (south side 1000m east of Marmion Ave) should be identified as a left-in/left-out/right-in	Figure 1 reflects the intersection design in Agreed Structure Plans. In this case, the agreed position is that this intersection is identified as a LILO.	No change.
2.6	Taylor Burrell Barnett on behalf of Yanchep Beach Joint Venture	No access shown for PTA park and ride facility.	Agreed that access should be provided.	On Figure 1, add left-in/left-out/right-in intersection on Yanchep Beach Road (south side 100m east of proposed rail line).
2.7	Taylor Burrell Barnett on behalf of Yanchep Beach Joint Venture	No access shown for an approved crossover for Lot 608 Yanchep Beach Road located on the north side of the road, 400m east of Marmion Avenue.	Agree that this should be shown on Figure 1.	Modify Figure 1 to add a LILO access to Lot 608 Yanchep Beach Road (north side 400m east of Marmion Avenue).
<b>3. Cycle-ways and Footpaths</b>				
3.1	Taylor Burrell Barnett on behalf of Peet Alkimos Pty Ltd  Taylor Burrell Barnett on behalf of Yanchep	Clarification is sought outlining the requirements for the installation of footpaths and cycle-ways on both sides of the entire length of Marmion Avenue.  There is an agreement between Tokyu Corporation and the WAPC that specifies that the landowner is only responsible for	In addition to a physically separated dual use path along Marmion Avenue, on street cycle lanes will be required on each side of Marmion Avenue. However, the developer can also opt to construct a dedicated cycle path and a dedicated pedestrian path instead.	No change.

ATTACHMENT 1 - SUMMARY OF SUBMISSIONS				
	Submitter	Issue	Response	Recommended Modification
	Beach Joint Venture	the construction of a dual use path along one side of Marmion Avenue between Torepango Avenue and Yanchep Beach Road.		
3.2	Taylor Burrell Barnett on behalf of Yanchep Beach Joint Venture	Provision 2 states that "all roads" require an on-road cycle lane. Clarification is sought as to the necessity of this provision as many roads are not likely to require on-road cycle lanes.	Agreed. The Policy should only apply to major roads, which will be subject to a more detailed design outcome in Provision 4 and Table 1. Also, as in 3.1, developers have a choice for providing either on-road cycle lanes or dedicated, physically separated cycle paths.	Remove Provision 2 from the advertised version of LPP 3.8. Add Provision 4, which sets out a more detailed design outcome for Integrator Arterial and Neighbourhood Connector roads.
<b>4. Marmion Avenue and Arterial Roads</b>				
4.1	Chappell Lambert Everett on behalf of Satterley Property Group	Clarification is sought in the Policy to distinguish and avoid confusion with issues concerning Integrator Arterials A & B.	Agreed.  Provision 5 in the advertised version of LPP 3.8 states: "To compensate for restricted access onto Marmion Avenue, more road access will be permitted to Integrator Arterial roads (A) & (B) shown on Figure 1" It is recommended to remove this provision. Also, the Provision 4 and 5 in the revised LPP 3.8 more clearly explain what design outcomes are required for each type of road.	Remove Provision 5.
4.2	Chappell Lambert Everett on behalf of Satterley Property Group  Taylor Burrell Barnett on behalf of Peet Alkimos Pty Ltd  Delfin Lend Lease	The Policy needs to be made clearer concerning intersections along Marmion Avenue within the designated town centre zones.	Agreed. The Policy should be revised to more clearly outline which roads it is referring to when discussing intersection treatments in order to address uncertainty when planning areas with varying speed zones and road hierarchies.  Provision 7 and 8 in the advertised LPP 3.8 should be consolidated into one, more clear provision.	Consolidate Provision 7 and 8 from the advertised LPP 3.8 into Provision 5 in the revised LPP 3.8. Administration recommends Provision 5 outline ultimate target operating speeds and minimum junction spacing for Marmion Avenue, Integrator Arterial A, Integrator Arterial B, and Neighbourhood Connector roads.

<b>ATTACHMENT 1 - SUMMARY OF SUBMISSIONS</b>				
	<b>Submitter</b>	<b>Issue</b>	<b>Response</b>	<b>Recommended Modification</b>
	Taylor Burrell Barnett on behalf of Yanchep Beach Joint Venture			
4.2	Taylor Burrell Barnett on behalf of Yanchep Beach Joint Venture	Figure 1 should include detailed Neighbourhood Connector roads south of Yanchep Beach Road.	Agreed.	Neighbourhood Connector roads be added south of Yanchep Beach Road.
<b>5. Alkimos-Eglinton Rail Crossing</b>				
5.1	Taylor Burrell Barnett on behalf of Peet Alkimos Pty Ltd	The Policy does not reflect the road network outlined in the Alkimos-Eglinton District Structure Plan (DSP).	Agreed.	It is recommended that Figure 1 be amended to reflect the Alkimos-Eglinton DSP.
<b>6. Map definitions</b>				
6.1	Delfin Lend Lease  Taylor Burrell Barnett on behalf of Yanchep Beach Joint Venture	Further subcategories in map legend for T- intersections and LILO provide definition but the corresponding numbers are not included on the actual plan. PTA Park and Ride Entrance, Yanchep Beach Rd. (south)	Agreed.	Modify map legend and plan to include: "T – Intersection (Full Movement) T – Intersection (No Right Out)"
<b>7. Marmion Avenue Intersection Treatments</b>				
7.1	Main Roads WA	Requests removal of the intersection Westside - 100m north of Kingsbridge Boulevard.	This intersection is identified in an Agreed Structure Plan and will, therefore, be included in the Policy.	No change.
7.2	Main Roads WA	Supports a Left-in only for the intersection Eastside - 200m south of Butler Boulevard - due to the close proximity of the opposite T-intersection 100m to the south and the potential for left/right movement which will create conflicts and compromise road safety.	Agreed as a result of further discussions with Main Roads WA and the proponents (Chappell Lambert Everett).	Amend this intersection to Left-in only on Figure 1.
7.3	Main Roads WA	Requests removal of the LILO intersection Westside - 150m south of Butler Boulevard - due to the close proximity of adjacent signals 150m to the north.	This intersection is identified in an Agreed Structure Plan and will be reflected in the Policy as it is designed in the Structure Plan.	No change.

ATTACHMENT 1 - SUMMARY OF SUBMISSIONS				
	Submitter	Issue	Response	Recommended Modification
7.4	Main Roads WA	Request removal of the LILO intersection Westside - 150m north of Butler Boulevard - due to the close proximity of adjacent signals 150m to the south.	This intersection is identified in an Agreed Structure Plan and will be reflected in the Policy as it is designed in the Structure Plan.	No change.
7.5	Main Roads WA	Requests removal of the LILO intersection Eastside - 200m north of Butler Boulevard - Access should be developed from a finer grained Butler Boulevard, rather than from Marmion Avenue.	This intersection is identified in an Agreed Structure Plan and will be reflected in the Policy as it is designed in the Structure Plan.	No change.
7.6	Main Roads WA	Requests a LILO replaces the full access T-intersection Westside - 400m north of Butler Boulevard - as local traffic should be encouraged to use the adjacent under-utilised traffic signal infrastructure 200m to the north to gain access onto Marmion Avenue.	This intersection is identified in an Agreed Structure Plan and will be reflected in the Policy as it is designed in the Structure Plan.	No change.
7.7	Main Roads WA	Westside - 500m south of Romeo Road - Main Roads' previous comments queried the need for signals at this location as Romeo Rd had been realigned northwards. Signals were not considered in the Alkimos - Eglinton District Structure Plan (DSP) and the eastern leg is not planned to connect to either the Alkimos Regional Centre or the Lot 1001 road network. Signalisation may depend upon the ultimate location of the DSP's public transport route, which may be better served by utilising a portion of Romeo Road west of Marmion Avenue.	Following further discussions with Main Roads WA and the proponent for this area it is recommended that this location should remain as a signalised intersection to help create a clear transition between the town centre and residential zones.	No change.
7.8	Main Roads WA	Recommends a LILO replace the full access T-intersection Eastside - 280m south of Lagoon Drive - due to ultimately high traffic volumes on Marmion Avenue, the under-utilised traffic signals 280m to the north and potential future traffic issues posed by the forecast high volume of 4100vpd and the 80km/h speed zone. This	This intersection is identified in an Agreed Structure Plan and will be reflected in the Policy as it is designed in the Structure Plan.	No change.

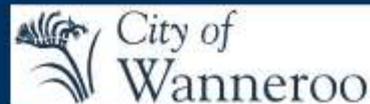
<b>ATTACHMENT 1 - SUMMARY OF SUBMISSIONS</b>				
	<b>Submitter</b>	<b>Issue</b>	<b>Response</b>	<b>Recommended Modification</b>
		intersection also does not conform to Main Roads 450m minimum junction spacing requirement for 80Km/h roads.		
7.9	Main Roads WA	Westside - 590m north of Yanchep Beach Rd - may require signalisation, subject to traffic assessment and proposed R code changes under the Wanneroo Local Housing Strategy. Main Roads supports rationalising the intersection into a 4-way with the adjacent traffic signals 230m to the south.	Following further discussions with Main Roads WA and the proponents, this modification was agreed by all parties.	Recommend to identify this intersection as a signalised intersection on Figure 1 in preparation for future requirements.
7.10	Main Roads WA	Recommends a LILO replace the full access T-intersection Westside - 220m south of Yanchep Beach Rd - due to conflicts with the opposite LILO servicing the District Centre, future very high ultimate traffic volumes on Marmion Avenue, and the proposed R60 coding under the Wanneroo Local Housing strategy.	As a result of further discussions with Main Roads WA and the proponents, this modification was agreed by all parties.	Recommend to modify this intersection from a full access T to a LILO on Figure 1.
7.11	Main Roads WA	Recommends a LILO Eastside - 830m south of Toreopango Avenue - due to the potential demand posed by the Regional Centre's University/TAFE zone. Traffic should be encouraged to use adjacent traffic signal infrastructure, 240m to the north and south to gain access onto Marmion Avenue.	This intersection is identified in an Agreed Structure Plan and will, therefore, be included in the Policy.	No change.
<b>8. Butler Boulevard Intersection Treatments</b>				
8.1	Main Roads WA	The number of traffic signal installations appears excessive (6) for the traffic volumes where alternative treatments may be possible. Signal separation distances appear to be much smaller than Main	Agreed. Following further planning of the area since advertisement of this Policy, it has been identified that six signalised intersections are no longer required.	It is recommended that Figure 1 be modified to reflect the current Agreed Structure Plan 87.

ATTACHMENT 1 - SUMMARY OF SUBMISSIONS				
	Submitter	Issue	Response	Recommended Modification
		Roads WA's absolute minimum requirement of 300m, WAPC Policy DC1.4 section 3.2.1 states that road traffic should first join a Local Distributor, then a District Distributor which then connects to a Primary Distributor standard road.		
<b>9. Yanchep Beach Road Intersection Treatments</b>				
9.1	Main Roads WA	Recommends deletion of the LILO Southside - 290m east of Marmion Avenue – as the access is unwarranted due to the adjacent LILO 120m to the east.	This intersection is identified in an Agreed Structure Plan and will be reflected in the Policy as it is designed in the Structure Plan.	No change.
9.2	Main Roads WA	Recommends a LILO with a possible right in instead of full access T-intersection Southside - 410m east of Marmion Avenue - Main Roads. Signalisation will not be supported due to the close proximity to the Welwyn Avenue signals 160m to the east.	This intersection is identified in an Agreed Structure Plan and will be reflected in the Policy as it is designed in the Structure Plan.	No change.
9.3	Main Roads WA	Recommends a LILO in place of the full access T- intersection Northside - 520m east of St Andrews Drive - due to the proximity of the under-utilised traffic signals 280m to the east. Potential future traffic issues are posed by the northern leg traffic volume of 4500vpd.	This intersection is identified in an Agreed Structure Plan and will be reflected in the Policy as it is designed in the Structure Plan.	No change.
<b>10. Toreopango Avenue Intersection Treatments</b>				
10.1	Main Roads WA	Recommends a LILO in place of a full access T-intersection Southside - 150m east of Marmion Avenue - due to the close proximity to the adjacent traffic signal to the west.	This intersection is identified in an Agreed Structure Plan and will be reflected in the Policy as it is designed in the Structure Plan.	No change.
10.2	Main Roads WA	Northside & Southside - 350m east of Marmion Avenue - due to the close proximity to the adjacent traffic signal 170m to the east.	These intersections are identified in an Agreed Structure Plan and will be reflected in the Policy as they are designed in the Structure Plan.	No change to northern intersection. Modify southern intersection on Toreopango Avenue 350m east of Marmion Avenue to left-in/left-out/right-in as per comment 2.4

ATTACHMENT 1 - SUMMARY OF SUBMISSIONS				
	Submitter	Issue	Response	Recommended Modification
10.3	Main Roads WA	Recommends a LILO Northside & Southside - 700m east of Marmion Avenue - due to the close proximity to adjacent traffic signals 170m to the east and west.	These intersections are identified in an Agreed Structure Plan and will be reflected in the Policy as they are designed in the Structure Plan.	Modify northern intersection on Toreopango Avenue 700m east of Marmion Avenue to a LILO. No change to southern intersection.

Identified above are all submissions that the City received during the advertising period of the draft LPP 3.8. Additional to this, the City had multiple discussions with developers and Main Roads WA to further develop the Policy. This process is discussed in the Detail section of the report. The outcomes and main issues raised during these discussions are also identified in the Detail section.

Planning and Sustainability  
Local Planning Policy 3.8:  
**Marmion Avenue Arterial Road Access**



Owner	Planning and Sustainability
Implementation	2011
Reviewed	Biannual
Next Review	2013

## PART 1 – POLICY OPERATION

### Policy Development

This Policy has been prepared under the provisions of Section 8.11 of the City of Wanneroo District Planning Scheme No. 2.

### Application and Purpose

This Policy prescribes acceptable standards for the type and location of vehicular access points, provisional standards for cycling infrastructure, and operational procedures for all new planning proposals including:

- structure plans and structure plan amendments;
- detailed area plans;
- applications for planning approval; and
- subdivision applications.

The area to which this Policy applies is bordered by, and inclusive of, Toreopango Avenue to the north, the proposed Mitchell Freeway to the east, Kingsbridge Boulevard to the south, and Marmion Avenue to the west. This area is represented graphically in **Figure 1**.

In the event of any inconsistency between the provisions of this Policy and:

- an agreed structure plan; or
- an application for planning approval that accords with an agreed structure plan; or
- a subdivision application that accords with an agreed structure plan;

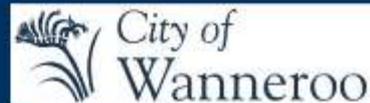
then the provisions of that structure plan shall prevail, but only to the extent of that inconsistency.

### Objectives

The objectives of this Policy are to:

1. Recognise Marmion Avenue is a major north-south transport route serving the north west corridor, but accept it is a lower classification road than the proposed Mitchell Freeway, which will run parallel, approximately two kilometres to the east;
2. Facilitate adequate pedestrian and bicycle movement (within the road reservation) along and across Marmion Avenue;
3. Strike a balance between the safe movement and flow of traffic on Marmion Avenue and the need for traffic to enter, leave and cross Marmion Avenue; and
4. Create sufficient access opportunities to regional and district centres, which include crossing points for all modes of transport (including pedestrians) and safe access for vehicles accessing the centres.

Planning and Sustainability  
Local Planning Policy 3.8:  
**Marmion Avenue Arterial Road Access**



#### Structure

This Policy consists of three parts:

**Part 1 – Policy Operation:** This includes the Policy context and objectives.

**Part 2 – Policy Provisions:** Sets out Policy provisions for:

- Property access;
- Road design requirements;
- Cycle paths;
- Operating speeds and junction spacing; and
- Seeking amendments to the Policy.

**Part 3 – Figure 1:** A spatial plan that graphically reflects the following:

- The Policy application area
- Road hierarchy and rail network
- Key vehicular access points
- Ultimate target operating speed zones
- Centre locations

#### PART 2 – POLICY PROVISIONS

1. No direct property access will be permitted to the Integrator Arterial roads (A) & (B) – depicted in **Figure 1** between Marmion Avenue and the proposed Mitchell Freeway – except where the access meets the requirements of this Policy and is for one of the following:
  - a) For the purposes of super lots; or
  - b) Where a commercial development creates rationalised access with the public road with an easement in gross granting reciprocal rights of access.
2. In the event of any inconsistency between the provisions of this Policy and either, relevant Main Roads WA (MRWA) Guidelines, the Austroads Guide to Road Design or Liveable Neighbourhoods then the provision of those documents shall prevail over the conflicting provision of this Policy but only to the extent of any inconsistency.
3. A safe network of pedestrian and bicycle crossing points will be provided to link communities across major roads and provide safe access to regional and district centres. Major pedestrian crossing points will generally be provided under traffic signal control, but grade separated crossings will also be considered where the geometry is supportive and traffic signals are considered to be inappropriate.

Planning and Sustainability  
Local Planning Policy 3.8:  
**Marmion Avenue Arterial Road Access**



4. Clearly defined cycle paths, at the widths specified below, are required for both sides of the following roads in the applicable area. Acceptable designs will include:

- On-road cycle lanes and physically separated dual use paths; or
- Physically separated dedicated cycle paths and pedestrian paths.

**Table 1: Cycle Path Location and Minimum Widths**

Road Type	On-road Cycle Lane	Physically Separated Dedicated Cycle Path	Physically Separated Dual Use Path	Pedestrian Path
Integrator Arterial (A)	2.5 m	2.0 m	2.1 m	1.5 m
Integrator Arterial (B) and Neighbourhood Connector (A)	1.5 m	1.5 m		

5. Ultimate target operating speed and minimum junction spacing are specified in **Table 2** for Marmion Avenue and Integrator Arterial (A) and (B) roads, both;

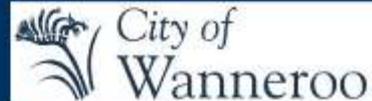
- Within Town Centre Zones; and
- Roads outside of Town Centre Zones.

**Table 2: Ultimate Target Operating Speeds and Minimum Junction Spacing**

Roads within Town Centre Zones		
Affected Road	Ultimate Target Operating Speed*	Minimum Junction Spacing**
Marmion Avenue	60 km/h	Major: 350 m Minor: 165 m
Other Integrator (A) Roads	60 km/h	Spacing according to Table 5 of Liveable Neighbourhoods
Integrator (B) Roads	60 km/h	
Roads outside of Town Centre Zones		
Affected Road	Ultimate Target Operating Speed*	Minimum Junction Spacing**
Marmion Avenue	80 km/h	Major: 1 km Minor: 500 m
Other Integrator (A) Roads	70 km/h	Spacing according to Table 5 of Liveable Neighbourhoods
Integrator (B) Roads	60 km/h	

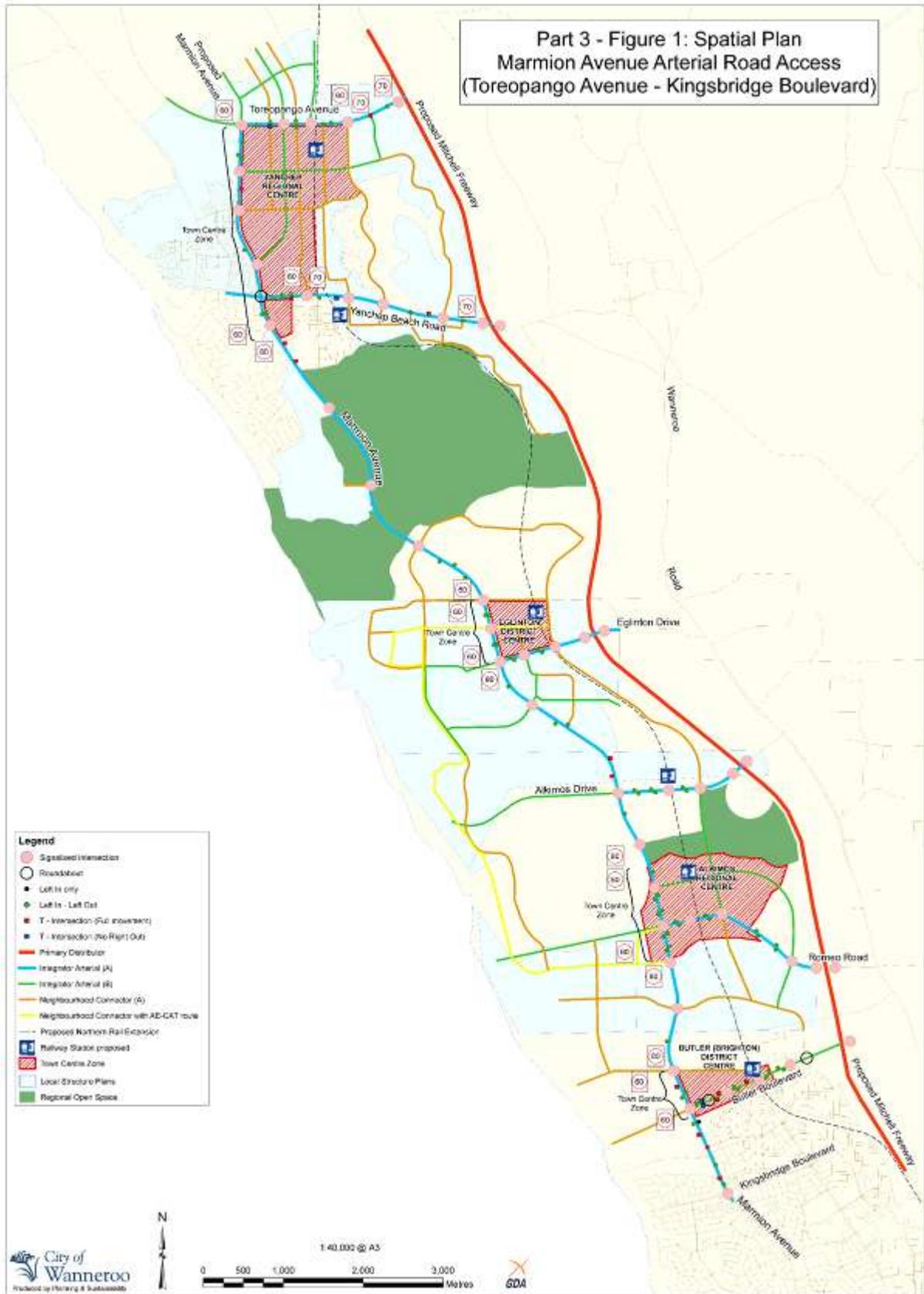
\*Ultimate target operating speeds are a forecasted requirement only. Future urban growth will dictate whether these speeds are needed or if they require review. Until then, interim speeds will be in effect. Existing roads already have these interim speeds applied by Main Roads WA policy. Future roads' interim speed zoning will be decided by Main Roads WA when required.

Planning and Sustainability  
Local Planning Policy 3.8:  
Marmion Avenue Arterial Road Access



\*\*For Marmion Avenue only, 'Major' junctions involve more than two intersecting roads and are controlled by either signals or a roundabout. 'Minor' junctions are T intersections that involve two intersecting roads, controlled by either a 'Stop' or 'Give Way' sign. Within Town Centre Zones, the City may allow right turn manoeuvres. Outside of Town Centre Zones, only left-in left-out intersections will be accepted.

6. Where applications are made to Council seeking to depart from the intersection location, design or any other provision of this Policy, an application must first be made to seek an amendment of this Policy. The application must be supported by a Traffic Assessment, which needs to;
- be undertaken by a sufficiently qualified and experienced traffic engineer;
  - clearly justify the necessity of the amendment including how it will benefit the road network and address the effect on traffic flow and safety; and
  - be approved by the City of Wanneroo in consultation with MRWA.



## Town Planning Schemes & Structure Plans

### PS05-02/12 Adoption of Amendment No. 117 to the District Planning Scheme No.2 - Lots 9111 and 9112, Gnangara Road, Darch - Proposed Additional Uses

File Ref: 5796 – 11/136740  
 Responsible Officer: Director, Planning and Sustainability  
 Disclosure of Interest: Nil  
 Attachments: 2

#### Issue

To consider the submissions received during the public advertising of Amendment No. 117 to District Planning Scheme No.2 (DPS 2) and adoption of that amendment.

<b>Applicant</b>	Greg Rowe and Associates
<b>Owner</b>	Hydrox Nominees Pty Ltd
<b>Location</b>	Lots 9111 (156) and 9112 (170) Gnangara Road, Darch
<b>Site Area</b>	4.3670 hectares
<b>MRS Zoning</b>	Industrial
<b>DPS 2 Zoning</b>	General Industrial

#### Background

On 1 March 2011, the City received an application from Greg Rowe and Associates to amend DPS 2 to allow the use classes 'Hardware Store' and 'Showroom' as Additional Uses on Lots 9111 (156) and 9112 (170) Gnangara Road, Darch. In DPS 2, the land is zoned General Industrial, wherein these use classes are 'X' (not permitted) uses.

Lots 9111 (156) and 9112 (170) Gnangara Road, Darch are located at the south-eastern corner of Gnangara Road and Hartman Drive, Darch. The site is partly bounded by Cowle Street to the east and has frontage to Mullingar Way to the south. A plan showing the location of the subject site is included as **Attachment 1**. There is some remnant vegetation on the southern portion of the land.

The proposal sought to amend DPS 2 by:

1. Inserting a definition for 'Hardware Store' in "Schedule 1 – Interpretations" under 'Land Use Definitions', as follows:  

Hardware Store: means premises used for the display and sale of goods and products used for house, garden, and industrial trade purposes being primarily tools, implements, fittings, trade supply items, paints, equipment, appliances, construction materials, furnishings, garden improvement products, plants, outdoor furniture and the like, and may include the incidental sale of food; and
2. Modifying "Schedule 2 – Section 1 – Additional Uses" to allow the use classes 'Hardware Store' and 'Showroom' as additional uses on Lots 9111 and 9112, with the following corresponding provisions:
  - The portion of the building(s) facing the intersection of Gnangara Road and Hartman Drive shall include architectural emphasis, being either additional wall height, a distinct roof form, or some other features as agreed with Council.

- Any 'Showroom' use is to be limited to the southern portion of the site opposite the residential area.
- Council may vary the 'Hardware Store' parking standards upon receipt of a Traffic parking Assessment.

**Attachment 2** contains the proposed Scheme Amendment maps.

Council at its meeting of 26 July 2011 considered the amendment and resolved as follows (PS02-07/11):

*"That Council:-*

1. Pursuant to Section 75 of the Planning and Development Act 2005 ADOPTS Amendment No. 117 to District Planning Scheme No. 2 for the purposes of:-
  - a) Inserting a definition for the use class 'Hardware Store' in "Schedule 1 – Interpretations: 2. Land Use Definitions" to read as follows:
 

*Hardware Store: means premises used for the display and sale of goods and products primarily of a hardware nature used for house, garden, and industrial trade purposes being primarily tools, implements, fittings, trade supply items, paints, equipment, appliances, construction materials, furnishings, garden improvement products, plants, outdoor furniture and the like, and may include the incidental sale of food."*
  - b) Modifying "Schedule 2 - Section 1 (Clause 3.20) – Additional Uses" to include 'Additional Use and Conditions (Where Applicable)' for Lots 9111 and 9112 Gnangara Road, Darch as follows:

NO	STREET/ LOCALITY	PARTICULARS OF LAND	ADDITIONAL USE AND CONDITIONS (WHERE APPLICABLE)
1-35	156 & 170 Gnangara Road, Darch	Lots 9111 & 9112	<p><i>Hardware Store &amp; Showroom</i></p> <p><u>Conditions:</u></p> <p>(i) <i>The portion of the development(s) facing the intersection of Gnangara Road and Hartman Drive shall include architectural emphasis to achieve a landmark feature of appropriate amenity, to the satisfaction of Council.</i></p> <p>(ii) <i>Development facing Mullingar Way shall include an appropriate design treatment interface to the residential</i></p>

			<p><i>development opposite, to the satisfaction of Council.</i></p> <p><i>(iii) Any 'Showroom' use shall be limited to the southern half of the site.</i></p>
--	--	--	---

2. *REFERS Amendment No. 117 to District Planning Scheme No. 2 to the Environmental Protection Authority (EPA) pursuant to Section 81 of the Planning and Development Act 2005; and if the EPA advises that the amendment does not require assessment, ADVERTISES the amendment for a period of 42 days, pursuant to Regulation 25(2) of the Town Planning Regulations 1967; and*
3. *FORWARDS a copy of the amendment to the Western Australian Planning Commission for information."*

In regard to the proposed condition to vary the 'Hardware Store' parking standards Council noted that this condition was unnecessary as Council already has the discretion to vary parking standards under DPS 2.

### Detail

The Scheme Amendment is being proposed to facilitate a future development by Masters Home Improvement – a joint venture between Woolworths and Lowes Hardware from the United States.

### Consultation

In accordance with the Council's decision, the amendment was referred to the Environmental Protection Authority (EPA) for comment. On 3 October 2011, the EPA advised the City that the scheme amendment did not warrant an environmental assessment. The WAPC's consent to advertise was not required in this case.

A 42-day public advertising period was carried out between 18 October and 29 November 2011 by way of two on-site signs, advertisement in the local newspaper, a notice in Council offices and the City's website, and letters to the affected and nearby landowners. The City received two submissions supporting the proposal.

The following table provides a summary of those submissions.

No.	Name of Submitter(s)	Summary of submission	Response
1.	Perron Group 4 Plain Street, East Perth	Supports the proposal.	Noted.
2.	Trivecta Pty Ltd PO Box 528 Cottesloe	Their residential lots fronting Mullingar Way at the southern end of Lots 9111 and 9112 will be enhanced by the use of hardware rather than General Industrial land uses.	Noted.

## Comment

As the City has not received any submission raising objection to the proposed amendment to DPS 2, it is recommended that the amendment proposal be adopted without modifications and forwarded to the Western Australian Planning Commission.

## Strategic Implications

The proposal accords with the following Outcome Objective of the City's Strategic Plan 2006 – 2021:

*“3 Economic*

*3.1 Create strategic shifts in job markets to meet future needs and demands”*

## Policy Implications

Nil

## Financial Implications

Nil

## Voting Requirements

Simple Majority

## Recommendation

That Council:-

1. Pursuant to Town Planning Regulation 17(2) **ADOPTS**, without modification, Amendment No.117 to District Planning Scheme No.2 by:

a) Inserting a definition for the use class 'Hardware Store' in "Schedule 1 – Interpretations: 2. Land Use Definitions" to read as follows:

**Hardware Store:** means premises used for the display and sale of goods and products primarily of a hardware nature used for house, garden, and industrial trade purposes being primarily tools, implements, fittings, trade supply items, paints, equipment, appliances, construction materials, furnishings, garden improvement products, plants, outdoor furniture and the like, and may include the incidental sale of food."

b) Modifying "Schedule 2 - Section 1 (Clause 3.20) – Additional Uses" to include 'Additional Use and Conditions (Where Applicable)' for Lots 9111 and 9112 Gnangara Road, Darch as follows:

NO	STREET/ LOCALITY	PARTICULARS OF LAND	ADDITIONAL USE AND CONDITIONS (WHERE APPLICABLE)
1-35	156 & 170 Gnangara Road,	Lots 9111 & 9112	Hardware Store & Showroom

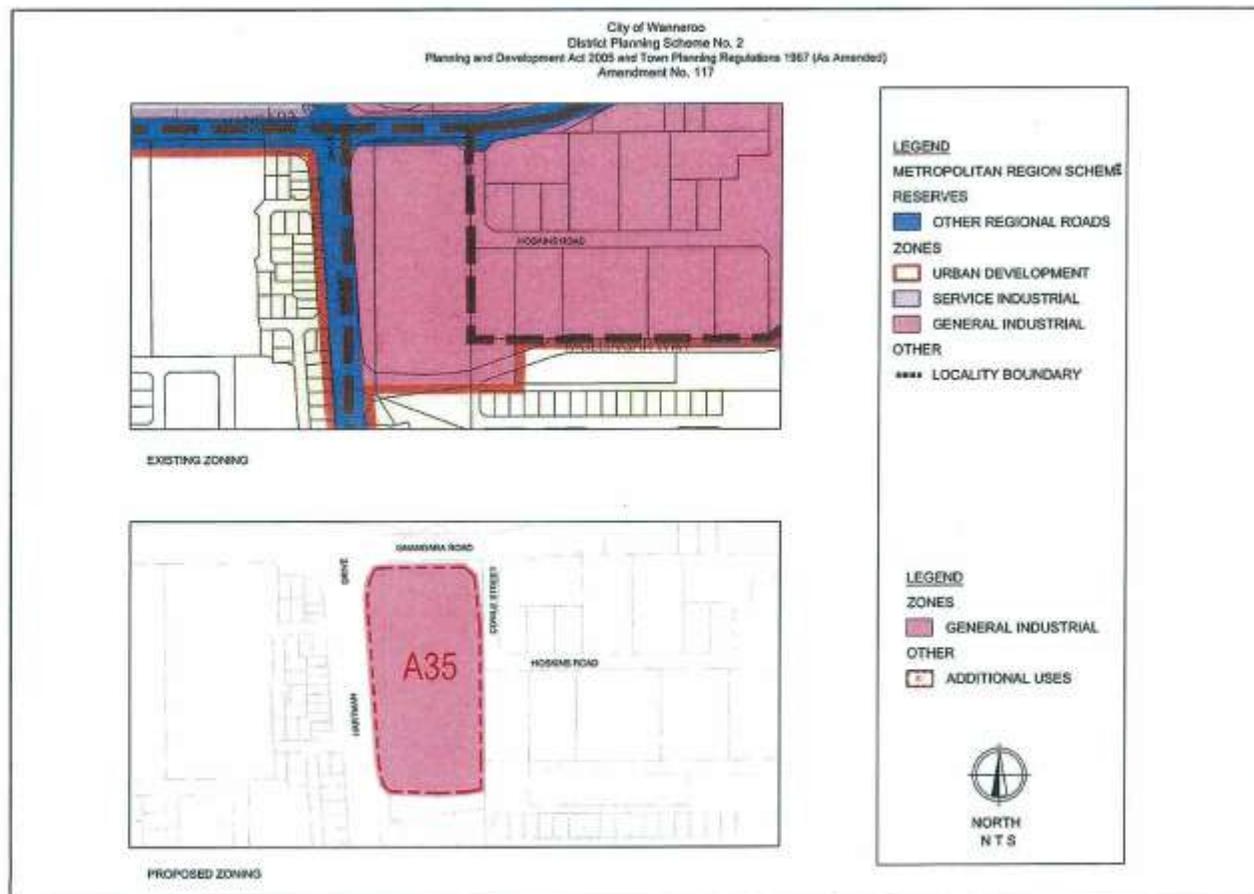
	Darch		<p><b><u>Conditions:</u></b></p> <p>(i) The portion of the development(s) facing the intersection of Gnangara Road and Hartman Drive shall include architectural emphasis to achieve a landmark feature of appropriate amenity, to the satisfaction of Council.</p> <p>(ii) Development facing Mullingar Way shall include an appropriate design treatment interface to the residential development opposite, to the satisfaction of Council.</p> <p>(iii) Any 'Showroom' use shall be limited to the southern half of the site.</p>
--	-------	--	--

2. Pursuant to Town Planning Regulations 22 and 25 (1) (g) **AUTHORISES** the affixing of the common seal to, and endorses the signing of, the amendment documentation;
3. **FORWARDS** the amendment documentation to the Western Australian Planning Commission for its consideration **REQUESTING** the Hon Minister for Planning grant final approval to the amendment; and
4. **ENDORSES** the comments made in this report regarding the submissions received on this scheme amendment for inclusion in the schedule of submissions to be forwarded to the Western Australian Planning Commission and **ADVISES** the submitters of its decision.

*Attachments:*

1. Attachment 1 Location Plan 11/78972
2. Amdt 117 to DSP 2 - Attachment 2 11/80695





**PS06-02/12 Adoption of South Yanchep Local Structure Plan No. 66**

File Ref: 3395 – 11/139220  
 Responsible Officer: Director, Planning and Sustainability  
 Disclosure of Interest: Nil  
 Attachments: 6

**Issue**

To adopt the draft South Yanchep Local Structure Plan No. 66 (LSP 66) by considering the modifications required by the Western Australian Planning Commission (WAPC).

<b>Applicant</b>	Roberts Day Town Planners
<b>Owner</b>	Landcorp
<b>Location</b>	Lot 101 (3523) Marmion Avenue, Yanchep; and Lot 2 (250) Pipidinny Road, Eglinton
<b>Site Area</b>	Approximately 120 hectares
<b>MRS Zoning</b>	Urban
<b>DPS 2 Zoning</b>	Urban Development

**Background**

In October 2007, the City received from Roberts Day Town Planners on behalf of Landcorp (the developer) the draft LSP 66 for its consideration. The subject land, located to the south of Yanchep, is situated between Marmion Avenue to the east and the Indian Ocean to the west (refer **Attachment 1**).

Council, at its meeting of 11 December 2007, considered the draft LSP 66 and resolved as follows (Item PD08-12/07):

*“That Council:-*

1. *Pursuant to Clause 9.4.1 of District Planning Scheme No.2 DETERMINES that the proposed South Yanchep Structure Plan, as submitted by Roberts Day on behalf of Landcorp and as outlined on Attachment 2 to this report is satisfactory for the purpose of advertising and sends a copy to the Western Australian Planning Commission.*
2. *ADVERTISES the proposed Structure Plan under the provisions of Clause 9.5.1 of District Planning Scheme No.2 for a period of 42 days, commencing in January 2008.”*

Following the public comment period, Council at its meeting of 25 August 2009 considered the draft LSP 66 with reference to the submissions received and resolved as follows (PS04-08/09):

*“That Council:-*

1. *Pursuant to Clause 9.6.1 of District Planning Scheme No.2 RESOLVES that the draft South Yanchep Local Structure Plan No.66, submitted by Roberts Day Town Planners on behalf of Landcorp and as outlined in Attachment 4 to this report is satisfactory subject to the following modifications being made to the satisfaction of the Director, Planning and Sustainability:*

- a) *the statutory section of the structure plan being modified to include matters required to be considered at subsequent stages of planning, that is, subdivision and development stages and to delete reference to matters already completed at the structure plan stage;*
- b) *the statutory section of the structure plan (Table 3) being modified to qualify that the Native Fauna Management Plan, to be submitted at the time of subdivision, will inform, but shall not dictate, the size, location, configuration and active use of proposed public open space areas;*
- c) *recoding the northernmost structure plan area abutting Lagoon Drive from Residential R80 to R20, to accord with the City of Wanneroo District Planning Scheme No.2; and*
- d) *including the following provision in the statutory section of the structure plan under 'Local Water Management Strategy – Stormwater Management':*

*"All stormwater is to be contained within the development area, but outside the designated conservation areas."*

*and SUBMITS three copies of the modified structure plan to the Western Australian Planning Commission for its adoption and certification;*

2. *Pursuant to Clause 9.6.5 of District Planning Scheme No. 2, ADOPTS, SIGNS and SEALS the Structure Plan documents once certified by the Western Australian Planning Commission; and*
3. *ENDORSES the schedule of submissions provided in Attachment 3 to the report and FORWARDS to the Western Australian Planning Commission and ADVISES the submitters of its decision."*

A copy of the draft LSP 66 and the related statutory section as forwarded to the WAPC are included as **Attachment 2**.

The WAPC considered the draft LSP 66 and advised the City in its correspondence of 9 August 2011 that it has resolved to adopt the draft LSP 66 subject to a number of modifications to the statutory section and to the LSP 66 plan. **Attachment 3** contains the schedule of modifications.

## **Detail**

### Proposal

The key elements of the draft LSP 66 as considered by Council are as follows:

1. A predominantly Residential Zone with densities varying between R10 and R50. In order to minimise the impact on the adjoining R20 coded residential area, R20, R30 and R40 densities are proposed along its boundary with the LSP 66 area;
2. Provision of a centrally located primary school site co-located with a 1.95 hectare Public Open Space (POS) area;
3. Provision of a local centre with a retail floor area of up to 3,000 m<sup>2</sup>;
4. Provision of 14.3283 hectares (ha) of POS areas, equating to an 11.02% POS contribution, which is more than the minimum 10% POS requirement as per the WAPC's Liveable Neighbourhood Policy;

5. Retention of a centrally located significant east-west parabolic dune proposed as a special design precinct with a density coding of R25; and
6. Integration of drainage into open space areas to promote best practice water sensitive urban design.

## Consultation

Following the WAPC's adoption of the draft LSP 66 subject to modifications, the developer in consultation with the officers of the Department of Planning (DoP) has proposed to locate R20 lots along the boundary of the existing residential area (rather than R20, R30 and R40 lots as originally proposed) in order to ensure a smooth density transition between the existing and proposed developments.

In this regard, Council at its meeting of 25 August 2009, while considering the draft LSP 66 following the public comment period, noted as follows:

*"The Explanatory Guidelines of the Western Australian Planning Commission's (WAPC) Residential Design Codes states as follows:*

*'Care needs to be taken when selecting the boundary between adjacent areas with differing codes; for example, between areas coded R20 and R30. As a general rule, the rear boundary will be the preferred dividing line.'*

*As per the above, the proposed coding of R25/30 along the boundary with the existing residential area was considered acceptable."*

As the proposal to locate R20 lots along the boundary of the existing residential area does not alter the intent of the draft LSP 66 previously considered by Council at its meeting of 25 August 2009, it is recommended that the modified draft LSP 66 not be re-advertised for public comment.

## Comment

While most of the modifications required by the WAPC relate to the changes to the structure of the statutory section and notating the LSP 66 map appropriately, the major change relates to introducing density ranges between R2.5 and R80.

Following discussions with the DoP and Administration, the developer has proposed a modified statutory section incorporating all the modifications required by the WAPC and proposing a density range of R20 to R60 throughout the LSP 66 area excepting for the Mixed Use Zone proposed adjoining the Foreshore Reserve with a density of R100. **Attachment 4** contains the modified statutory section and the LSP 66 plan as submitted by the developer.

**Attachment 5** contains the schedule listing the modifications required by the WAPC and Administration's response and recommendations with reference to the modified LSP 66 document submitted by the developer.

The following matters are noted regarding the proposed density ranges, signalled intersections on Marmion Avenue and the strategic POS areas.

### Density range and locational criteria

The Zoning/Residential Density Code map (Plan 2) adopted by Council specifically coded each Residential (R) block between R10 and R40 and the Mixed Use Zone blocks as R50 (**Attachment 2**). The map also depicted a detailed road network. The road reserves were neither zoned nor coded.

As the proposed alignment of the road network and therefore the configuration of the Residential and Mixed Use blocks could change at the subdivision stage, the WAPC recommended the following density ranges with a provision to require a Density Code map at the subdivision stage.

#### Residential Zone:

- R2.5 to R20 (average lot size varying between 4000 and 500m<sup>2</sup>) ;
- R20 to R40 (average lot size varying between 500 and 220m<sup>2</sup>);
- R25 to R60 (average lot size varying between 350 and 180m<sup>2</sup>) ;
- R40 to R60 (average lot size varying between 220 and 180m<sup>2</sup>) ; and

#### Mixed Use Zone:

- R40 – R80 (average lot size varying between 220 and 180m<sup>2</sup>).

The developer in consultation with the DoP officers has proposed one density range between R20 and R60 for the entire LSP 66 area excepting the Mixed Use Zone adjoining the Foreshore reserve, which is proposed to be, coded R100. The developer advised that proposing low densities in the range of R2.5 to R20 was not desirable considering the proximity of the LSP area to the proposed District Centre located at the south-eastern corner of Marmion Avenue and Yanchev Beach Road (currently under construction) and the local centre proposed in the draft LSP 66.

The applicant has proposed the following locational criteria to determine the location of R20, R30 and R60 coded lots:

- The base coding to be R30;
- R20 to apply to the lots, which directly abut the existing residential area and where natural landform features need to be retained; and
- Laneway lots and any lot within 400 metres of POS area, Foreshore Reserve, public transport, Neighbourhood Connector, local centre and Primary School site to be coded R60.

The draft LSP proposes a bus route along the primary neighbourhood connector connecting Lagoon Drive in the developed portion of Yanchev and Marmion Avenue and possibly along Marmion Avenue.

The locational criteria recommended in the City's Housing Strategy and Local Planning Policy 3.1: Local Housing Strategy Implementation are noted below:

1. The City's Housing Strategy recommends a density coding of:
  - R40 within 800 metres of a Town Centre;
  - R20 to R30 within 400 metres of a small Neighbourhood Centre; and
  - R20 – R30 within 250 metres of bus routes.

2. The City's Local Planning Policy 3.1: Local Housing Strategy Implementation recommends a density coding of –

- R60 within 400 metres of a Town Centre;
- R40 between 400 and 800 metres of a Town Centre; and
- R40 within 250 metres of a main bus route and a neighbourhood park.

Generally the future lots in the LSP 66 area will be located within 250 metres of the bus routes, neighbourhood parks and the local centre. In the WAPC's Liveable Neighbourhoods policy, 400 metres is considered to be 5-minute walking distance. The developer has therefore recommended a higher density of R60 within 400 metres of a bus route and local centre.

The locational criteria proposed by the developer are considered acceptable as they are generally in accordance with the City's policies.

#### Signalised Intersections

The modified structure plan provided by the WAPC depicts three signalised intersections along Marmion Avenue. The middle signalised intersection is at the intersection of Marmion Avenue and the extended Blenny Gardens.

**Attachment 6** contains an extract of the Marmion Avenue Arterial Road Access Plan relevant to the LSP 66 area depicting these three intersections which are spaced approximate 1.3 kilometres apart.

The developer has advanced the first stage subdivision planning covering about 300 lots in the northern part of the LSP 66 area. Following a thorough site investigation including tree pickups, the developer has proposed to shift the location of the middle signalised intersection northwards by about 150 metres. This will allow for an entry road location, which would follow the natural contours and retain significant vegetation along the route. Of additional benefit to the local residents will be the fact that this road will now not run straight into Blenny Gardens (as originally proposed) but rather deviate southwards with Blenny Gardens forming a T Junction. This will both slow and reduce local traffic through the existing community.

As per the City's draft Local Planning Policy 3.8: Marmion Avenue Arterial Road Access, the recommended minimum junction spacing on Marmion Avenue between Major intersections controlled by either signals or roundabout is 1 km. The new location of the middle signalised intersection would be located about 1.15 km from the northern signalised intersection and 1.45 km from the southern signalised intersection. The relocated signalised intersection is therefore supported.

#### Public Open Space

As required by the WAPC, the following POS areas as shown on the LSP map on **Attachment 4** are identified as strategic open spaces.

Strategic POS Area	Size (ha)
A	1.5 (min)
B	2.9
C	0.54
D	6.76
E	0.60

POS 'A' is to be co-located with the primary school site and is now shown as being 1.5ha (min). Clause 3.3 of *LPP 4.3: Public Open Space* requires this POS to be of sufficient size to accommodate a senior size playing field, including consideration of safety buffers, the implications of a sloping site and space for supporting amenity. The developer has advised that, if necessary, the extent of this POS will be modified in consultation with the Department of Education and the City at the subdivision stage to accommodate this requirement.

In regard to POS 'B' abutting Blenny Garden it is noted that following detailed site analysis by the developer, re-configuration of this POS was considered necessary to retain a significant number of large tuart trees in that open space, which would otherwise have been lost. The total area of the modified POS area, however, remains exactly the same as before, which is 2.9ha.

### **Conclusion**

The WAPC adopted the draft LSP 66 subject to modifications. Landcorp, the developer, following discussions with representatives of the DoP and Administration, suggested some changes to the modified draft LSP 66, which is considered to be acceptable. It is therefore recommended that the modified draft LSP 66 as submitted by Landcorp and contained in **Attachment 4** be adopted with a requirement to modify the Part 2 – Explanatory Report appropriately and forward it to the WAPC for its final adoption and certification.

### **Statutory Compliance**

This Structure Plan has been processed in accordance with the requirements of DPS 2.

Sub-clause 9.6.3(c) of DPS 2 states, "*If the Commission requires modifications to the Structure Plan the proponent shall make the modifications in consultation with Council and resubmit the Structure Plan for consideration under Clause 9.4*". In this instance Landcorp as the proponent in consultation with Administration and DoP has resubmitted the draft LSP 66 for the City's consideration.

Under sub-clause 9.4.1 of DPS 2, Council in the exercise of its discretion may do any of the following:

- a) Determine the draft LSP 66 is satisfactory and waive public notification of the structure plan when it considers that adequate publicity of the proposal has already been undertaken;
- b) Determine that the draft LSP 66 is satisfactory and shall be advertised ; or
- c) Determine that the draft LSP 66 should not be agreed to.

It is considered that adequate publicity of the proposal has already been undertaken and therefore it is recommended that public notification of the modified draft LSP 66 be waived.

### **Strategic Implications**

The proposal accords with the following Outcome Objective of the City's Strategic Plan 2006 – 2021:

"1 *Environment*

1.3 *Minimise impact of development on the environment*"

1.4 *Improve the quality of the built environment*

2.0 *Social*

2.1 *Increase choice and quality of neighbourhood and lifestyle options."*

## **Policy Implications**

Nil

## **Financial Implications**

Nil

## **Voting Requirements**

Simple Majority

## **Recommendation**

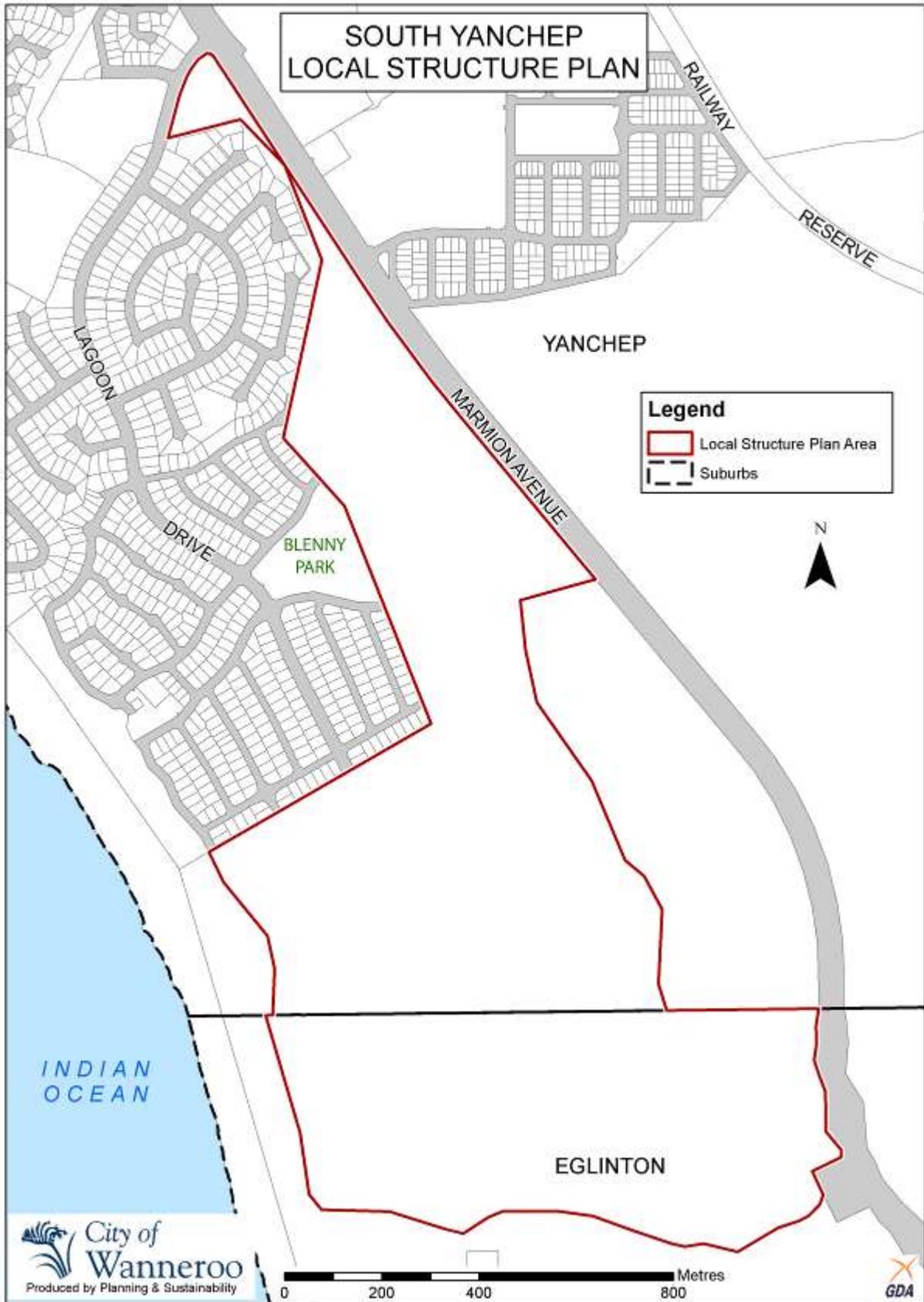
That Council:-

1. Pursuant to Clause 9.4.1 of District Planning Scheme No. 2 **WAIVES** the requirement for re-advertising of the modified South Yanchep Local Structure Plan No. 66 as shown on Attachment 4 to this report as it is considered to be of a minor nature which does not materially alter the intent of the Structure Plan considered by Council at its meeting of 25 August 2009 or cause any significant detriment to land within or abutting the structure plan area;
2. Pursuant to Clause 9.6.1 of District Planning Scheme No.2 **RESOLVES** that the draft South Yanchep Local Structure Plan No.66, submitted by Roberts Day Town Planners on behalf of Landcorp is satisfactory subject to the following modifications being made to the satisfaction of the Director, Planning and Sustainability:
  - a) Replacing "Part 1: Statutory Section" with that contained in Attachment 4 to this report;
  - b) Modifying "Part Two: Explanatory Report" to reflect the modifications required in "Part 1: Statutory Section"; and
  - c) Modifying "Part Three: Technical Overview" to delete reference to '100m generic setback identified in SPP 2.6' under 'section 5.3.5.2 - SPP 2.6-State Coastal Planning Policy' as requested by the Western Australian Planning Commission in its schedule of modifications,

and **SUBMITS** three copies of the modified structure plan to the Western Australian Planning Commission for its adoption and certification; and
3. Pursuant to Clause 9.6.5 of District Planning Scheme No. 2, **ADOPTS, SIGNS and SEALS** the Structure Plan documents once certified by the Western Australian Planning Commission.

### *Attachments:*

- |  |           |
|--|-----------|
| 1. SP_66 - Attachment 1                              | 12/1893   |
| 2. LSP 66 - A2 - Considered by Council               | 11/145220 |
| 3. LSP 66 - Attachment 3 - Schedule of Modifications | 12/1615   |
| 4. LSP 66 -Attachment 4(modified)                    | 12/11530  |
| 5. LSP 66 - A- 5                                     | 12/3168   |
| 6. LSP 66 - A6                                       | 11/145222 |



**1.0 APPLICATION**

- 1.1 This Structure Plan applies to the South Yanchep development area being Lot 101 and Part Lot M1503 Lacey Road, Eglinton and consisting of all land contained within the inner edge of the line denoting the Structure Plan boundary on the Structure Plan Map.
- 1.2 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 City of Wanneroo District Planning Scheme No.2 (the Scheme).
- 1.3 Pursuant to clauses 9.8.2 and 9.8.3 of the Scheme, the provisions of this part shall apply to land contained within the South Yanchep Local Structure Plan as follows:
- a) The objectives, standards and requirements applicable to zones and R-codings under the Scheme shall apply to the same extent to the areas having corresponding designations under the Structure Plan, unless specific provision is made to the contrary in this part.
  - b) Any other provision, standard or requirement of this part 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;
  - c) Parts Two and Three of this Structure Plan are for explanatory purposes only, to provide a descriptive analysis of the Structure Plan.
- 1.4 In accordance with clause 9.8.1 of the Scheme, this Structure Plan shall come into operation when it is certified by the Western Australian Planning Commission (WAPC) pursuant to clause 9.6.3 (b) of the Scheme.

**2.0 OBJECTIVES**

The objectives of this Structure Plan are to:

- a) To create a range of recreation opportunities in South Yanchep that includes active and passive recreation spaces and the integration of bushland and conservation areas within open space;
- b) Retain and protect the key parabolic east-west dune through a combination of POS and the creation of a special design precinct;
- c) Develop linkages with adjacent Foreshore and Regional Open Space areas and ensure the interface with development is appropriately managed;
- d) Locate open spaces to enhance pedestrian movement opportunities and ensure good pedestrian accessibility throughout South Yanchep;
- e) Protection of natural landscape character and bushland through the retention of local vegetation and the use of native vegetation and landscape themes;
- f) To establish an accessible, high quality Neighbourhood Centre based on place-making principles that acts as a focal point for community activity and interaction;
- g) Facilitate local economic development;
- h) Develop a variety of housing choices within a legible street network that facilitates community interaction and supports different needs and lifestyles, including affordability; and
- i) To provide an interconnected movement network with convenient and safe linkages for vehicles, cyclists and pedestrians to and throughout the residential areas, Neighbourhood Centre, open space and other areas of interest within or adjoining South Yanchep.

**3.0 SUBDIVISION AND DEVELOPMENT**

Tables 1- 4 form part of the statutory provisions of this Structure Plan and prescribe the standards, requirements and prerequisites for subdivision and development in the corresponding precincts designated on the Structure Plan Map. Where any inconsistency arises between any provision of these Tables and a provision of the Scheme, then the provision of the Table shall prevail to the extent of that inconsistency and shall apply as an intended variation to the Scheme for the purposes of Clause 9.8.3 (f).

- Table 1 – General Planning Requirements  
 Table 2 - Commercial and Retail Floorspace Allocation  
 Table 3 - Reports, Surveys, Strategies and Plans  
 Table 4 – Public Open Space Schedule

Table 1 – General Planning Requirements

1. Detailed Area Plans (DAP)	1.1 DAPs shall be prepared for the Commercial Zone and Special Design Precinct; 1.2 DAPs shall be advertised for a period of 28 days; and 1.3 In addition to any general matters required to be included within a DAP, the DAPs, as the case may be, shall specifically incorporate the following provisions and design elements: a) Any variations to the provisions of the Residential Design Codes and/or the District Planning Scheme No.2; b) Special development/building requirements (noise attenuation, access restrictions, built form controls, building height and setbacks, footprints and/or envelopes and parking; c) Depiction of buildings that are designed to address all street and public realm/open space frontages, and shall not include blank facades on these frontages; d) Illustration as applicable of the manner in which the upper levels of buildings shall be designed to ensure passive surveillance; and e) Signage location.
2. Strategies and Plans	Prior to any subdivision or development being supported, the City will require: a) The preparation and approval of the strategies and plans listed in Table 3 at the stage specified in that table; and b) A report accompanying any application for subdivision or development that outlines the manner in which the findings and recommendations of the plans and strategies listed in Table 3, will be incorporated into or addressed by the proposed subdivision or development.
3. Land Use Permissibility	Land Use permissibility will be in accordance with the corresponding Zone or Reserve under the Scheme.

Table 2 – Retail Floorspace Allocation

Type of Floorspace	Allocation of Floorspace
Retail	3,000m <sup>2</sup>
Total	3,000m <sup>2</sup>

Table 3 – Reports, Surveys, Strategies and Plans

Reports, Surveys, Strategies and Plans	Preparation Stage	Specific issues to be dealt with
1. Bushland and Landform Management Strategy	Accompany subdivision application	This plan will address the vegetation management aspects of the South Yanchep sub-division, from the vegetation clearance stage through to the management of the landscape protection areas identified in the Structure Plan.
2. Native Fauna Management Plan	Condition of subdivision approval	This plan will detail measures for the protection of fauna during the subdivision process, based on the outcomes and recommendations of the South Yanchep Fauna Assessment (January 2008), which include: <ul style="list-style-type: none"> <li>• Limit loss of habitat by minimising clearing of native vegetation. Restrict the number of roads constructed. Also, prevent degradation of vegetation surrounding study areas by increasing the awareness of personnel and restricting access to areas of adjacent vegetation. Retain areas of native vegetation within the development area where possible.</li> <li>• Avoid disturbance to <i>Allocasuarina humilis</i> closed shrubland.</li> <li>• Avoid disturbance to <i>Lepidosperma gladiatum</i> closed Sedgeland.</li> <li>• Avoid disturbance to limestone ridges with outcropping supporting <i>Melaleuca systena</i>.</li> <li>• Large hollow bearing Tuart trees should be retained.</li> <li>• Retain a buffer of native vegetation adjacent to the Bush Forever Sites and an east-west linkage joining the two sites.</li> <li>• The Bush Forever Sites provide regionally significant fauna habitat which may be impacted by the proposed project. Buffer zones reduce the impacts of edge effects.</li> <li>• Avoid any disturbance to the Bush Forever Sites.</li> <li>• The Bush Forever Sites provide regionally significant fauna habitat, and support fauna species of conservation significance.</li> <li>• Document a fauna management plan for the site detailing strategies to minimise disturbances to significant fauna and their habitats.</li> </ul> The Plan will also inform, but will not dictate, the size, location, configuration and active use of proposed public open space areas.
3. Landscape Masterplan	Condition of subdivision approval	This plan will provide an overall illustrative vision for public realm open space in the area
4. Urban Water Management Plan	Accompany subdivision application	<ul style="list-style-type: none"> <li>• The UWMP will specify how development will occur in a manner that is consistent with the objectives and requirements outlined within the LWMS and Better Urban Water Management (WAPC, 2008).</li> <li>• All stormwater is to be contained within the development area, but outside the designated conservation areas.</li> </ul>
5. Foreshore Management Plan	Condition of subdivision approval	<ul style="list-style-type: none"> <li>• Identification of landform and vegetation management measures required for protection of the environmental values of the adjacent foreshore reserve; and</li> <li>• Identification of coastal node and access locations, public amenity requirements and any associated upgrading/maintenance.</li> </ul>
6. Community and Economic Development Plan	Condition of subdivision approval	<ul style="list-style-type: none"> <li>• Local community actions to encourage adoption of environmental initiatives;</li> <li>• Support for local community bushcare and coastcare activities;</li> <li>• Development of local residents groups and networking with other residents associations in the region;</li> <li>• Recognition and enhancement of cultural and community characteristics via public and community art;</li> <li>• Activities and services to respond to the needs of diverse age groups; and</li> <li>• A range of options for community enterprises with a focus on environmental management, interpretation and local tourism activities.</li> </ul>
7. Karst Investigation	Prior to lodging subdivision application	Appropriate investigations will be carried out prior to subdivision to confirm that no Karst formations are within the development areas, and if identified detail relevant management mechanisms.

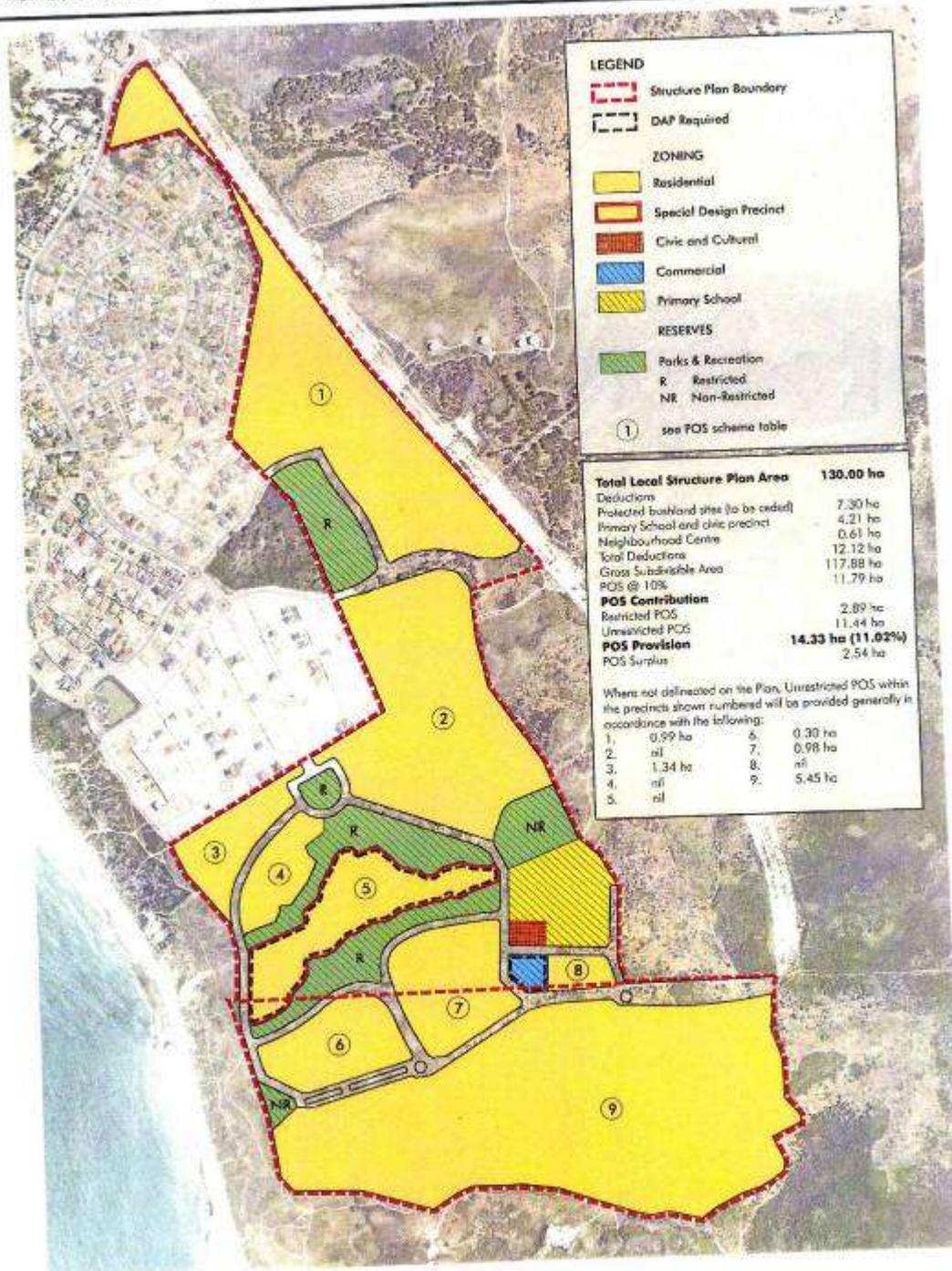
Table 4 - Public Open Space Schedule

	Area	Sub-Total	Total (%)
<b>Site Area</b>			<b>130.0000 ha</b>
<b>Less</b>			
Protected bushland sites (to be ceded):			
<i>Landscape protection – ocean lagoon drive</i>	0.5409 ha	7.3034 ha	
<i>Landscape protection – east/west dune</i>	6.7625 ha		
<b>Net Site Area</b>			<b>122.6966 ha</b>
<b>Deductions</b>			
Primary School (+ civic precinct)	4.2100 ha	4.8203 ha	
Commercial	0.6103 ha		
<b>Gross Subdivisible Area</b>			<b>117.8763 ha</b>
POS @ 10%			<b>11.7876 ha</b>
<b>POS Contribution</b>			
May comprise:			
- <i>Minimum 80% unrestricted POS</i>		9.4301 ha	<b>11.7876 ha</b>
- <i>Minimum 20% restricted POS</i>		2.3575 ha	
Unrestricted POS:			
<i>1 x incidental POS</i>		0.0474 ha	<b>11.4362 ha</b>
<i>6 x local parks</i>		1.6181 ha	
<i>7 x neighbourhood parks</i>		7.8195 ha	
<i>1 x district park (collocated with primary school)</i>		1.9512 ha	
Restricted POS:			
<i>Landscape protection – northern dune</i>	2.8921 ha		<b>2.8921 ha</b>
<b>POS Provision</b>			<b>14.3283 ha (11.02%)</b>

**robertsday**  
From vision to venture >

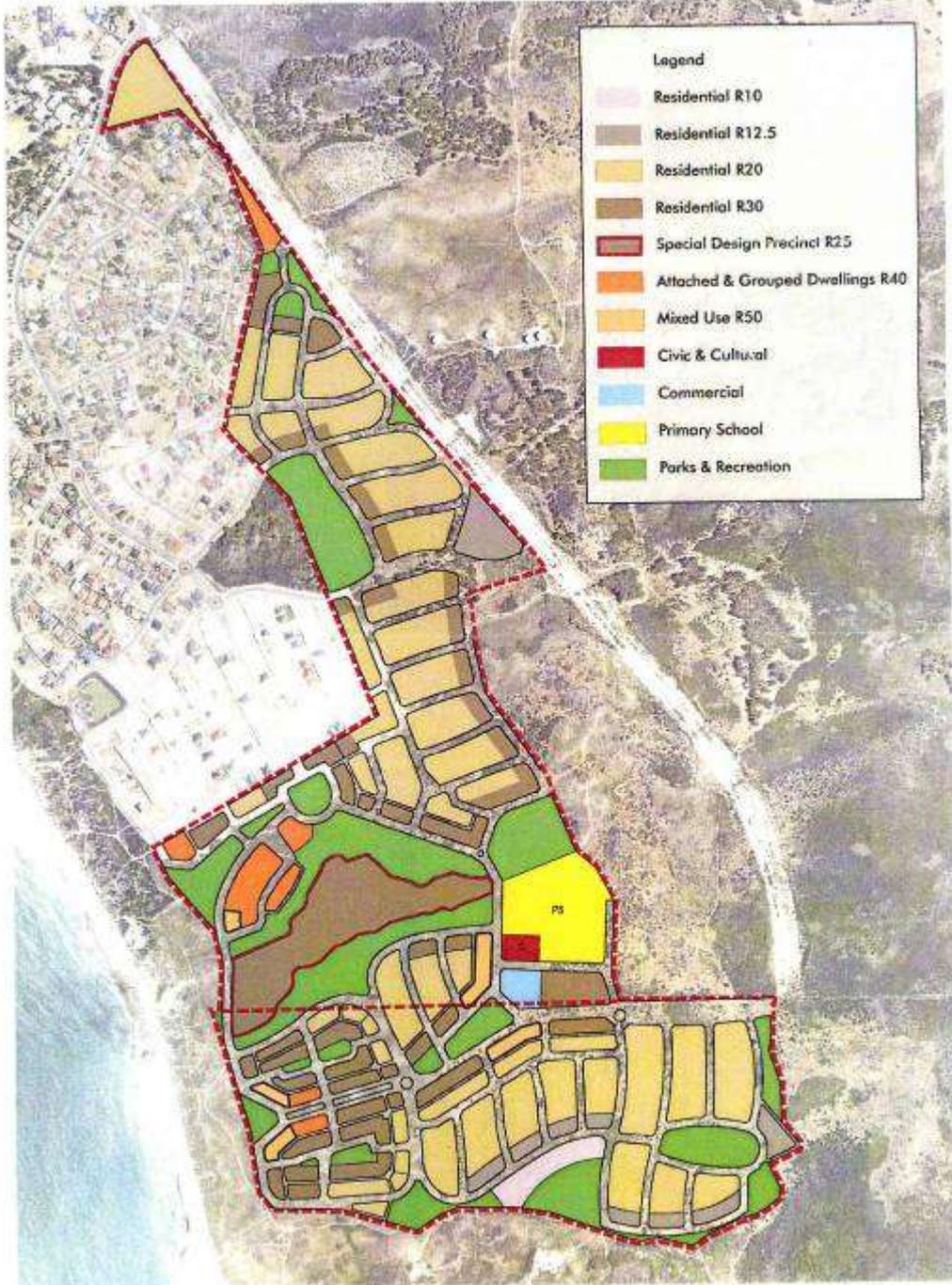
**structure plan (2009) (PLAN 1)**  
south yanchep

761 18 888 @A3  
64480011 2009 03/03/09



**robertsday** From vision to venture >  
**zoning/residential density code map (PLAN 2)**  
south yanchee

NOE 15 1006 00 43  
LAWRENCE 08 11 08 24



SCHEDULE OF MODIFICATIONS  
SOUTH YANCHEP LOCAL STRUCTURE PLAN NO.66

---

PART ONE - STATUTORY SECTION

1.0 Application to 3.0 Subdivision and Development

1. Sections 1.0 - 3.0 are to be replaced with the standard wording in Attachment 1.

Table 1- General Planning Requirements

2. This table is to be replaced with Attachment 2.

Table- 2 Retail Floor Space Allocation

3. This table is to be replaced with Attachment 2.

Table 3- Reports, Surveys, Strategies and Plans

4. To be replaced with Attachment 2.

Table 4- Public Open Space Schedule

5. This table is to be replaced with Attachment 2.

**Plans**

6. Plans 1 and 2 to be replaced with the attached Plan 1 date stamped 28 May 2011 subject to the following modifications:
- a) The land uses are to reflect the zones and reserves in accordance with DPS No.2, such as 'Residential', 'Commercial', 'Mixed Use', 'Civic and Cultural', 'Primary School' and 'Parks and Recreation'.
  - b) The Residential density ranges are to be depicted as by a notation on the plan with a density range boundary.
  - c) The references to the Restricted and Non-Restricted Parks and Recreation reserves are to be deleted and are to be annotated in accordance with the attached plan.
  - d) The hatched area identified on the attached plan is to be depicted as Parks and Recreation.
  - e) Inclusions of notations of the future controlled intersections onto Marmion Avenue as shown on the attached plan.
  - f) The Horizontal Setback Datum (HSD) and the 150m setback line to be annotated on the plan.

- g) Notations being included which state:

*"Areas identified as being of National Environmental Significance under the Environmental Protection and Biodiversity Conservation Act 1999 may be subject to assessment by the Federal Department of Sustainability, Environment, Water, Population and Communities, in accordance with this Act. The outcome of any such assessment may require either a modification to the LSP or minor variations from the LSP at the subdivision or development stage."*

- h) *"A road interface between residential lots and Bush Forever Sites No. 397 and No. 289 and Strategic POS site D may be provided as part of the subdivision design and is to take into the consideration the strategies identified in the Fire Management Plan required as part of Clause 6.5.c."*
- i) *"The taking of individual Graceful Sun Moths, as a result of the clearing of habitat such as Lomandra Hermaphrodita and Maritima, requires the permission of the Minister for Environment, or their delegate, pursuant to the Wildlife Conservation Act 1950."*

**PART 2 - EXPLANATORY SECTION - TO BE DONE, RELATED TO PART 2**

7. Text and wording modifications required in Part 1 are to be reflected in Part 2, to ensure consistency.
8. Delete reference made to '100m generic setback identified in SPP 2.6' under Section 5.3.5.2 'SPP 2.6- State Coastal Planning Policy' of Part Three: Technical Overview.

**ATTACHMENT 1****1.0 Structure Plan Area**

This Structure Plan shall apply to Lot 101 and Part M1503 Lacey Road, Eglinton being the land contained within the inner edge of the line denoting the Structure Plan boundary on the Structure Plan Map (Plan 1).

**2.0 Structure Plan Content**

This Structure Plan comprises the:

- a) Statutory Section (Part 1);
- b) Explanatory Section (Part 2); and
- c) Technical Appendices

**3.0 Interpretation**

Unless otherwise specified in this part, the words and expressions used in the Structure Plan shall have the respective meanings given to them in the City of Wanneroo District Planning Scheme No. 2 (the Scheme) including any amendments gazetted thereto.

**4.0 Operation Date**

In accordance with clause 9.8.1 of the Scheme, this Structure Plan shall come into operation when it is certified by the Western Australian Planning Commission (WAPC) pursuant to clause 9.6.3 of the Scheme or adopted, signed and sealed by the Council pursuant to clause 9.6.5 of the Scheme, whichever is the later.

**5.0 Relationship with the Scheme**

Pursuant to clause 9.8 of the Scheme:

- a) The provisions, standards and requirements specified under Part 1 of this Structure Plan shall have the same force and effect as if it were a provision, standard or requirement of the Scheme. In the event of there being any variations or conflict between the provisions, standards or requirements of the Scheme and the provisions, standards or requirements of this Structure Plan, then the provisions, standards or requirements of this Structure Plan shall prevail;
- b) Any other provision, standard or requirement of Part 1 of the 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
- c) Part 2 of this Structure Plan and the Technical Appendices are to be used as a reference only to clarify and guide interpretation and implementation of Part 1.

**ATTACHMENT 2****6.0 Land Use and Subdivision**

The Structure Plan Map (Plan 1) outlines land use, zones and reserves applicable within the Structure Plan area. The zones and reserves designated under this Structure Plan apply to the land within it as if the zones and reserves were incorporated into the Scheme.

**6.1 Land Use Permissibility**

Land use permissibility within the Structure Plan areas shall be in accordance with the corresponding zone or reserve under the Scheme.

**6.2 Residential****6.2.1 Dwelling Targets****a) Objective**

To provide for a minimum of 1500 dwellings within the Structure Plan area.

**b) Subdivisions are to achieve the following:**

- i) 25 dwellings per site hectare within 400 metres of the neighbourhood centre and along neighbourhood connectors supporting future public transport routes.

**6.2.2 Density**

- a) Plan 1 defines the broad residential density ranges that apply to specific areas within the Structure Plan. Lot specific residential densities, within the defined residential density ranges, are to be subsequently assigned in accordance with a Residential Density Code Plan approved by the WAPC.
- b) A Residential Density Code Plan is to be submitted at the time of subdivision to the WAPC and shall indicate the Residential Density Coding applicable to each lot within the subdivision and shall be consistent with the Structure Plan, and the Residential Density Ranges identified on Plan 1 and locational criteria contained in Clause 6.2.3.
- c) The Residential Density Code Plan is to include a summary of the proposed dwelling yield of the subdivision.
- d) Approval of the Residential Density Code Plan shall be undertaken at the time of determination of the subdivision application by the WAPC. The approved Residential Density Code Plan shall then form part of the Structure Plan and shall be used for the determination of future development applications. Variations to the Residential Density Code Plan will require further approval of the WAPC.

- e) Residential Density Code Plans are not required if the WAPC considers that the subdivision is for one or more of the following:-
- i) the amalgamation of lots;
  - ii) consolidation of land for "superlot" purposes to facilitate land assembly for future development;
  - iii) the purposes of facilitating the provision of access, services or infrastructure; or
  - iv) land which by virtue of its zoning or reservation under the Structure Plan cannot be developed for residential purposes.

#### 6.2.3 Locational Criteria

The allocation of residential densities on the Residential Density Code Plan shall be in accordance with the following criteria:

- a) R2.5-R20;  
Applicant to prepare appropriate locational criteria for subject range.
- b) R20-R40;  
Applicant to prepare appropriate locational criteria for subject range.
- c) R25-R60;  
Applicant to prepare appropriate locational criteria for subject range.
- d) R40-460  
Applicant to prepare appropriate locational criteria for subject range.
- e) R40-R80  
Applicant to prepare appropriate locational criteria for subject range.

#### 6.3 Commercial

- a) Pursuant to clause 3.4.3 of the Scheme the retail floorspace (NLA) for the Structure Plan is to be in accordance with the following Table 1.

**Table 1: Retail Floorspace Provision**

CENTRE	MAXIMUM NET LETTABLE AREA
Neighbourhood Centre	3000m <sup>2</sup>

- b) Pursuant to clause 3.7.4 of the scheme, the maximum NLA included in Table 1 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 City of Wanneroo.

#### 6.4 Public Open Space

The provision of a minimum of 10% public open space being provided in accordance with the WAPC's Liveable Neighbourhoods. Public open space is to be provided generally in accordance with Plan 1 and Table 2, 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 City of Wanneroo.

Table 2: Strategic Public Open Space Provision

STRATEGIC POS SITE	SIZE (HA)
A	1.9512
B	2.8921
C	0.5409
D	6.7625
E	(APPLICANT TO INSERT AREA)

#### 6.5 Reports/Strategies Required Prior to Subdivision

Prior to the lodgement of subdivisions the following management plans are to be prepared, as applicable, to the satisfaction of the relevant authority and provided at the time of subdivision:

- a) Stygofauna and/or Troglitic Fauna Management Plan (DEC)
- b) Karst Management Strategy (DEC)
- c) Fire Management Plan (City of Wanneroo)
- d) Vegetation and Fauna Management Plan (City of Wanneroo)

#### 6.6 Conditions of Subdivision Approval

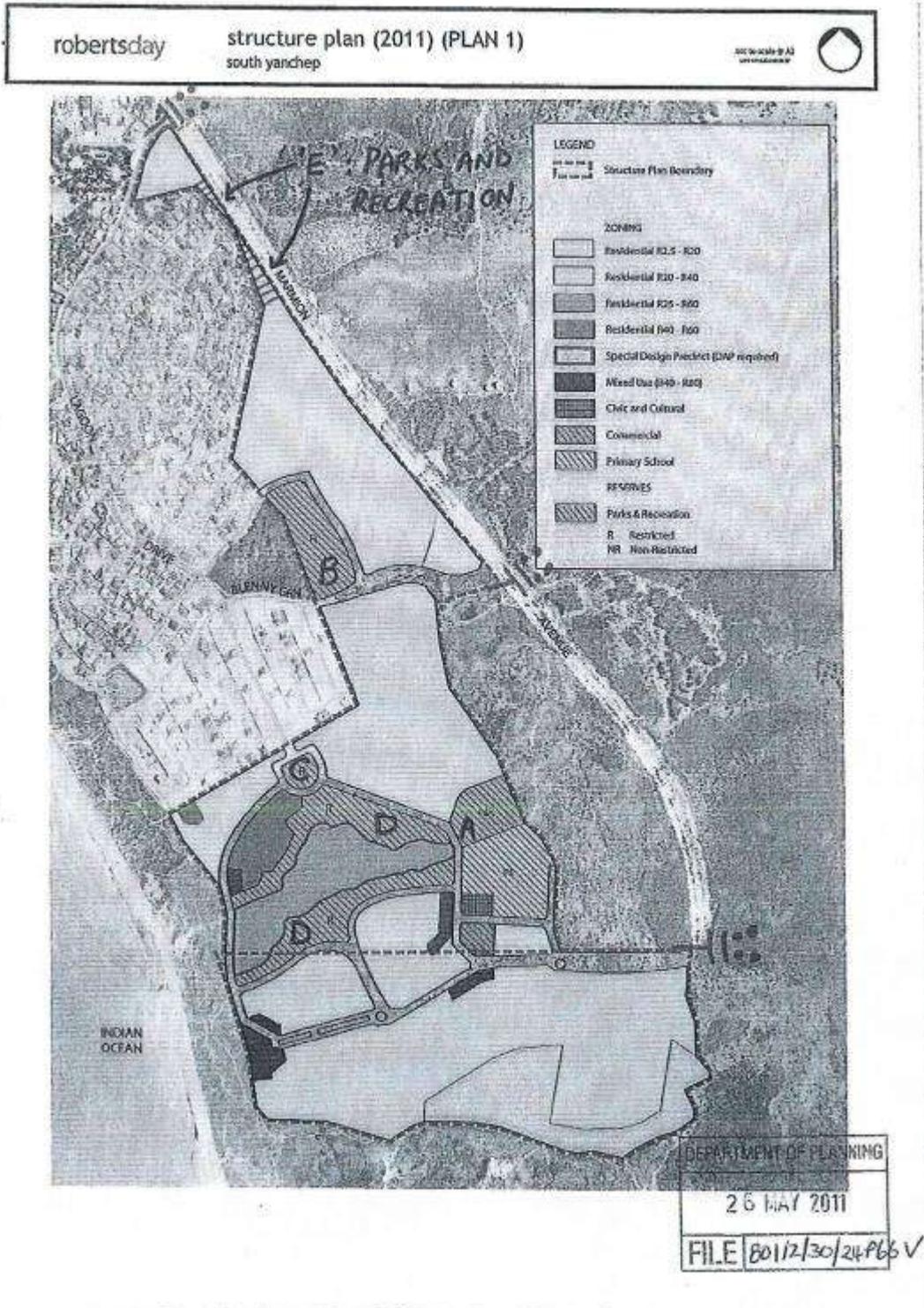
- a) At the time of subdivision the City of Wanneroo may recommend conditions to the WAPC, as applicable, requiring the preparation and/or implementation of the following strategies:
  - i) Foreshore Management Plan (City of Wanneroo)
  - ii) Conservation Area Management Plan (City of Wanneroo on the advice of DEC).
  - (iii) Urban Water Management Plan (City of Wanneroo/ Department of Water)
  - (iv) Geotechnical Report (City of Wanneroo)
  - (v) Landscaping Plan (City of Wanneroo)
- b) At the time of subdivision the City of Wanneroo may recommend to the WAPC the implementation of the following strategies which has been prepared and approved as part of the Structure Plan as conditions of subdivision:
  - i) Proposed South Yanchep Acoustic Assessment (dated December 2010, prepared by Herring Storer)

---

7.0 Development

7.1 Detailed Area Plans

As a condition of subdivision, Detailed Area Plans are to be prepared in accordance with Clause 9.14 of the Scheme for the: Neighbourhood Centre; lots within the Special Design Precinct and lots on which noise sensitive land uses have been identified within the approved 'Proposed South Yanchep Acoustic Assessment (dated December 2010, prepared by Herring Storer)' as requiring 'Quiet House' design.



## 1.0 STRUCTURE PLAN AREA

This Structure Plan shall apply to Lot 101 Marnion Avenue, Yanchep, and Lot 2 (Part) Pipidinny Road, Eglinton being the land included on Structure Plan Map (Plan 1).

## 2.0 STRUCTURE PLAN CONTENT

This Structure Plan comprises the:

- a) Statutory Section (Part 1)
- b) Explanatory Section (Part 2), and
- c) Technical Appendices.

## 3.0 INTERPRETATION

Unless otherwise specified in this part, the words and expressions used in the Structure Plan shall have the respective meanings given to them in the City of Wanneroo District Planning Scheme No. 2 (the Scheme) including any amendments gazetted thereto.

## 4.0 OPERATION DATE

In accordance with Clause 9.8.1 of the Scheme, this Structure Plan shall come into operation when it is certified by the Western Australian Planning Commission (WAPC) pursuant to Clause 9.6.3 of the Scheme or adopted, signed and sealed by the Council pursuant to Clause 9.6.5 of the Scheme, whichever is the latter.

## 5.0 RELATIONSHIP WITH THE SCHEME

Pursuant to Clause 9.8 of the Scheme:

- a) The provisions, standards and requirements specified under Part 1 of this Structure Plan shall have the same force and effect as if it were a provision, standard or requirement of the Scheme. In the event of there being any variations or conflicts between the provisions, standards or requirements of the Scheme and the provisions, standards or requirements of this Structure Plan shall prevail;
- b) Any other provision, standard or requirement of Part 1 of the 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;
- c) Part 2 of this Structure Plan and the Technical Appendices are to be used as a reference only to clarify and guide interpretation and implementation of Part 1.

## 6.0 LAND USE & SUBDIVISION

The Structure Plan Map (Plan 1) outlines land use, zones and reserves applicable within the Structure Plan area. The zones and reserves designated under this Structure Plan apply to the land within it as if the zones and reserves were incorporated into the Scheme.

2281Rep20C

## 6.1 Land Use Permissibility

Land use permissibility within the Structure Plan areas shall be in accordance with the corresponding zone or reserve under the Scheme.

## 6.2 Residential

### 6.2.1 Dwelling Targets

- a) Objective:
  - To provide for a minimum of 1500 dwellings within the Structure Plan area.
- b) Subdivisions are to achieve the following:
  - 25 dwellings per site hectare within 400 metres of the neighbourhood centre and along neighbourhood connectors supporting future public transport routes.

### 6.2.2 Density

- a) Plan 1 defines the broad residential density ranges that apply to specific areas within the Structure Plan. Lot specific residential densities, within the defined residential density ranges, are to be subsequently assigned in accordance with a Residential Density Code Plan approved by the WAPC.
- b) A Residential Density Code Plan is to be submitted at the time of subdivision to the WAPC and shall indicate the Residential Density Coding applicable to each lot within the subdivision and shall be consistent with the Structure Plan, and the Residential Density Ranges identified on Plan 1 and locational criteria contained in Clause 6.2.3.
- c) The Residential Density Code Plan is to include a summary of the proposed dwelling yield of the subdivision.
- d) Approval of the Residential Density Code Plan shall be undertaken at the time of determination of the subdivision application by the WAPC. The approved Residential Density Code Plan shall then form part of the Structure Plan and shall be used for the determination of future development applications. Variations to the Residential Density Code Plan will require further approval of the WAPC.
- e) Residential Density Code Plans are not required if the WAPC considers that the subdivision is for one or more of the following:
  - The amalgamation of lots;
  - Consolidation of land for 'superlot' purposes to facilitate land assembly for future development;
  - The purposes of facilitating the provision of access, services or infrastructure; or
  - Land which by virtue of its zoning or reservation under the Structure Plan cannot be developed for residential purposes.

### 6.2.3 Locational Criteria

The allocation of residential densities on the Residential Density Code Plan shall be generally in accordance with the criteria provided below;

2281Rep20C

**R20 - R60 Range**

The allocation of residential densities within the R20 – R60 density range as shown on Plan 1 shall be generally in accordance with the following principles / criteria:

- a) The R30 code shall be the base density coding for all residential lots within the density range area except under the circumstances described below;
- b) The lower density code of R20 may be applied;
  - To discrete precincts wherein larger lots and an individual built form response will be used to reflect natural landform features on site; and
  - To those lots which directly abut any existing residential lot adjacent the Structure Plan area.
- c) A density code of R60 may be applied to any lots which gain vehicle access from a laneway and any lots which are within 400 metres of one or any of the following;
  - public open space;
  - the foreshore reserve;
  - public transport, pedestrian and cycle routes;
  - neighbourhood connector roads;
  - a local centre or mixed use area;
  - primary school.

**R100**

The R100 coding applies to those other areas so identified on the Structure Plan Map.

**6.3 Commercial**

Pursuant to Clause 3.4.3 of the Scheme the retail floor space (NLA) allocation for the Structure Plan is to be in accordance with the following Table 1.

**Table 1: Retail Floor Space Provision**

<b>Centre</b>	<b>Maximum Net Lettable Area</b>
Neighbourhood Centre	3000m <sup>2</sup>

Pursuant to Clause 3.7.4 of the Scheme, the maximum NLA included in Table 1 may be exceeded through a Detailed Area Plan for the site where the requirements of State Planning Policy 4.2 Activity Centres for Perth and Peel are met to the satisfaction of the WAPC and the City of Wanneroo.

**6.4 Public Open Space**

The provision of a minimum of 10% public open space being provided in accordance with WAPC's Liveable Neighbourhoods. Public open space is to be provided generally in accordance with Plan 1 and Table 2 with an updated public open space schedule (in accordance with Liveable Neighbourhoods criteria) being provided with each subdivision application.

2261Rep20C

POS 'A' is to be of sufficient size and nature to accommodate a senior size playing field (inclusive of safety buffer and supporting amenity) when co-located with the adjacent Primary School.

**Table 2 – Strategic Public Open Space**

STRATEGIC POS SITE	SIZE (HA)
A	1.5ha (minimum)
B	2.9ha
C	0.54ha
D	6.76ha
E	0.60ha

## 7.0 REPORTS & STRATEGIES REQUIRED PRIOR TO SUBDIVISION

- a) Prior to the lodgement of subdivisions the following management plans are to be prepared, as applicable, to the satisfaction of the relevant authority and provided at the time of subdivision:
- i) Stygofauna and / or Troglobitic Fauna Management Plan (DEC);
  - ii) Karst Management Plan (City of Wanneroo);
  - iii) Fire Management Plan (City of Wanneroo);
  - iv) Vegetation and Fauna Management Plan (City of Wanneroo).

## 8.0 CONDITIONS OF SUBDIVISION APPROVAL

- a) At the time of subdivision, the City of Wanneroo may recommend conditions to the WAPC, as applicable, requiring the preparation and / or implementation of the following strategies:
- i) Foreshore Management Plan (City of Wanneroo);
  - ii) Conservation Area Management Plan (City of Wanneroo on the advice of DEC);
  - iii) Urban Water Management Plan (City of Wanneroo / Department of Water);
  - iv) Geotechnical Report (City of Wanneroo);
  - v) Landscaping Plan (City of Wanneroo).
- b) At the time of subdivision, the City of Wanneroo may recommend to the WAPC the implementation of the following strategies which have been prepared and approved as part of the Structure Plan as conditions of subdivision:
- i) Proposed South Yanchep Acoustic Assessment (prepared by Herring Storer).

## 9.0 DEVELOPMENT

### 9.1 Detailed Area Plans

As a condition of subdivision, Detailed Area Plans are to be prepared in accordance with Clause 9.14 of the Scheme for the: Neighbourhood Centre, lots within the Special Design Precinct and lots on which noise sensitive land uses have been identified within the approved

2281Rep20C

Proposed South Yanchep Acoustic Assessment (prepared by Herring Storer) as requiring 'Quiet House' design.

2281Rep20C



Draft South Yanchep Local Structure Plan No. 66 – the Western Australian Planning Commission's (WAPC) Schedule of Modifications and Administration's Comments and Recommendations

No.	WAPC Modifications	Administration Comments and Recommendation
1.	<p><b>PART 1 – STATUTORY SECTION</b>  <u>1.0 Application to 3.0 Subdivision and Development</u>            Sections 1.0 – 3.0 are to be replaced with the standard wording in Attachment 1.</p>	<p>Accepted.</p> <p>Sections 1 to 3 of the statutory section forwarded to the WAPC for its consideration deal with 'Application', 'Objectives' and 'Subdivision and Development' respectively (see page 1 of Attachment 2). The applicant had structured the statutory section similar to the example provided in the City's Local Planning Policy 4.2: Structure Planning (LPP 4.2). However, the WAPC resolved to modify the structure of the statutory section as shown in Attachment 3. The Department of Planning (DoP) officers have clarified that the modified structure of the statutory section is considered to be simple and easy to read. The modified statutory section does not alter the intent of the model statutory section proposed in the City's LPP 4.2 and therefore it is, considered acceptable.</p>
2.	<p><u>Table 1 – General Planning Requirements</u>            This table is to be replaced with Attachment 2.</p>	<p>Accepted.</p> <p>The 'General Planning Requirements' deal with Detailed Area Plans, Strategies and Plans and Land Use Permissibility (See Table 1 on Attachment 2). The WAPC's modified statutory section contains these items in sections 7.1, 6.5 and 6.6, and 6.1 respectively.</p>
3.	<p><u>Table 2 Retail Floor Space Allocation</u>            This table is to be replaced with Attachment 2.</p>	<p>Accepted.</p> <p>Section 6.3 of the modified statutory section which deals with Commercial Zone contains this Table.</p>
4.	<p><u>Table 3 – Reports, Surveys, Strategies and Plans</u>            To be replaced with Attachment 2.</p>	<p>Accepted.</p> <p>Section 6.5 lists all the reports and strategies required prior to subdivision and section 6.6 lists all the reports that may be required as condition of subdivision.</p>
5.	<p><u>Table 4 – Public Open Space</u></p>	<p>Accepted.</p>

11/140399

<p><u>Schedule.</u> This table is to be replaced with Attachment 2.</p>	<p>The statutory section submitted to the WAPC for its consideration included a POS schedule. The WAPC has required replacing this schedule with a Strategic POS table listing five strategic POS areas with a provision to require a POS schedule at the time of subdivision.</p> <p>Such a provision would provide more flexibility in the provision of local and neighbourhood POS areas at the subdivision stage. This approach is therefore supported.</p>
<p>6. <b>Plans</b> Plans 1 and 2 to be replaced with the attached Plan 1 date stamped 26 May 2011 subject to the following modifications:</p>	
<p>a) The land uses are to reflect the zones and reserves in accordance with DPS No.2, such as 'Residential', 'Commercial', 'Mixed Use', 'Civic and Cultural', 'Primary School' and 'Parks and Recreation'.</p>	<p>Accepted.</p> <p>The draft LSP 66 forwarded to the WAPC for its consideration included a Structure Plan (Plan 1) and Zoning/Residential Density Code Map (Plan 2) (<b>Attachment 2</b>). Plan 2 did not code or zone the road reserves. The developer has progressed the preparation of a subdivision plan for a portion of the LSP 66 area. Following detailed site investigation, it has become necessary to move some road reserves resulting in the creation of some unzoned and uncoded lots. To address this issue the developer has zoned and coded the road reserves in the modified structure plan (<b>Attachment 4</b>).</p>
<p>b) The residential density ranges are to be depicted as by a notation on the plan with a density range boundary.</p>	<p>The consolidated LSP 66 map depicts Residential, Commercial, Mixed Use and Civic and Cultural Zones. As normally shown in DPS 2, the Primary School site and the POS areas are shown as Local Scheme Reserves.</p> <p>Accepted.</p>
<p>c) The references to the Restricted and Non-Restricted Parks and</p>	<p>As discussed in the comment section of this report, a residential range of R20 to R60 has been depicted on the LSP 66 map provided by the developer with an exception of the Mixed Use Zone adjoining the Foreshore Reserve, which is coded R100.</p> <p>Accepted.</p>

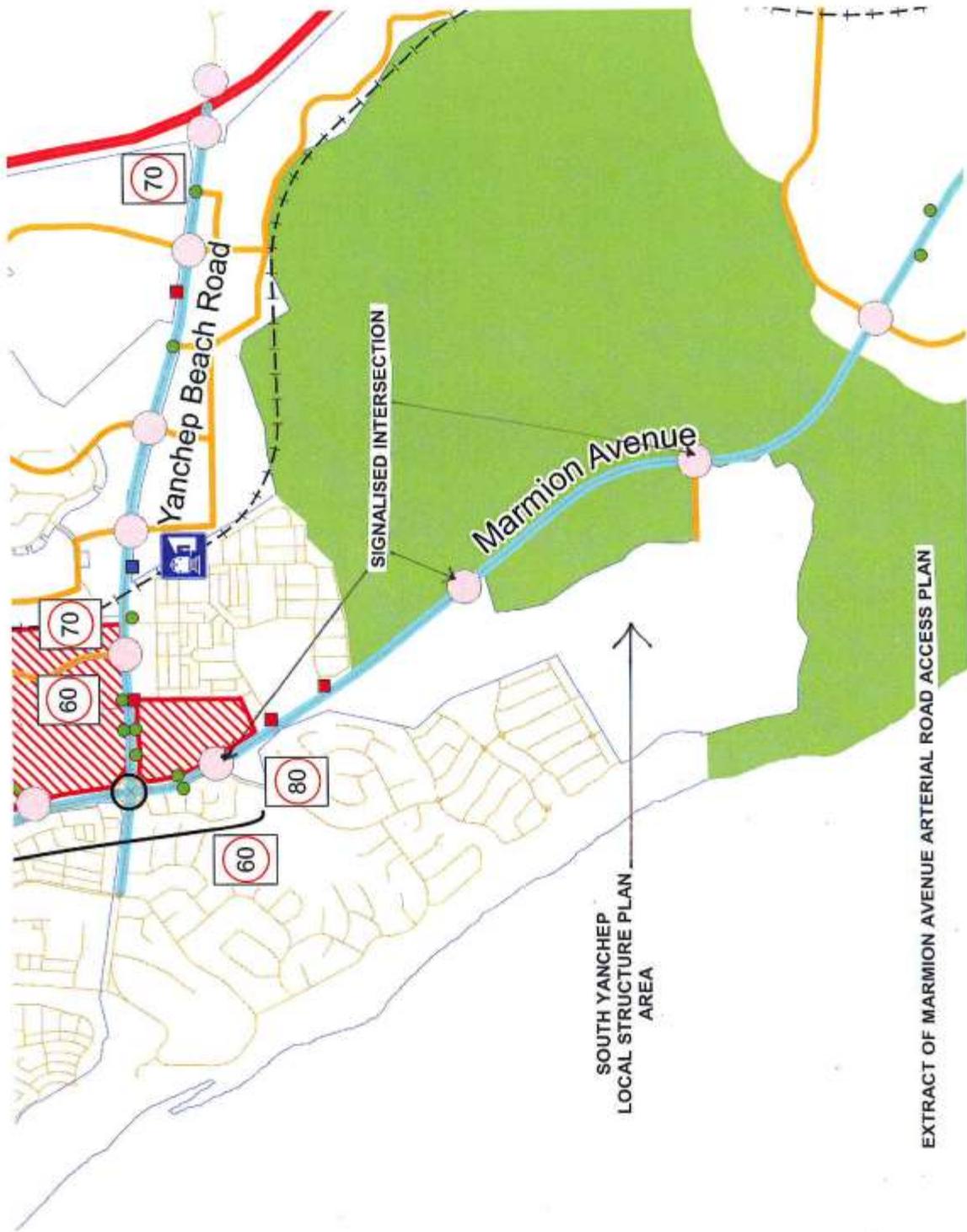
11/140399

<p>d) Recreation reserves are to be deleted and are to be annotated in accordance with the attached plan. The hatched area identified on the attached plan is to be depicted as Parks and Recreation.</p>	<p>The modified LSP 66 plan provided by the developer deletes reference to the Restricted and Non-restricted Parks and Recreation Reserves and annotates the five strategic POS areas as 'A', 'B', 'C', 'D' and 'E'. Accepted. This hatched area refers to an extension to an existing linear Park (Strategic POS E) located at the south-western corner of Marmion Avenue and Lagoon Drive. Accepted.</p>
<p>e) Inclusions of notations of the future controlled intersections onto Marmion Avenue as shown on the attached plan.</p>	<p>The modified plan forwarded by the developer depicts the three controlled intersections on Marmion Avenue as required by the WAPC. Accepted.</p>
<p>f) The horizontal setback datum and the 150m setback line to be annotated on the plan.</p>	<p>The modified plan forwarded by the developer depicts the horizontal setback datum and the 150-metre setback line. Accepted.</p>
<p>g) Notations being included which states: "Areas identified as being of National Environmental Significance under the Environmental Protection and Biodiversity Conservation Act 1999 may be subject to assessment by the Federal Department of Sustainability, Environment, Water, Population and Communities, in accordance with this Act. The outcome of any such assessment may require either a modification to the LSP or minor variations from the LSP at the subdivision or development stage."</p>	<p>Accepted. The modified LSP 66 has been accordingly notated.</p>

11/140399

	<p>"A road interface between residential lots and Bush Forever Sites No. 397 and No. 289 and Strategic POS site D may be provided as part of the subdivision design and is to take into the consideration the strategies identified in the Fire Management Plan required as part of Clause 6.6.c."</p> <p>"The taking of individual Graceful Sun Moths, as a result of the clearing of habitat such as Lomandra Hemaphrodita and Maritima, requires the permission of the Minister for Environment, or their delegate, pursuant to the Wildlife Conservation Act 1950".</p>	
7.	<p><b>PART 2 - EXPLANATORY SECTION</b> Text and wording modifications required in Part 1 are to be reflected in Part 2 to ensure consistency.</p>	Accepted.
8.	Delete reference made to '100m generic setback identified in SPP 2.6' under section 5.3.5.2 'SPP 2.6- State Coastal Planning Policy of Part Three: Technical Overview.	Accepted.

11/140399



## **PS07-02/12 Adoption of Amendment No. 120 to District Planning Scheme No. 2 - Rezoning of Lot 608 (128) Yanchep Beach Road, Yanchep**

File Ref: 6010 – 12/1318  
 Responsible Officer: Director, Planning and Sustainability  
 Disclosure of Interest: Nil  
 Attachments: 3

### **Issue**

To consider the submissions received during the public advertising of Amendment No. 120 to District Planning Scheme No.2 (DPS 2) and adoption of that amendment.

<b>Applicant</b>	Taylor Burrell Barnett
<b>Owner</b>	Yanchep Beach Joint Venture
<b>Location</b>	Lot 608 (128) Yanchep Beach Road, Yanchep
<b>Site Area</b>	1.848 hectares
<b>MRS Zoning</b>	Urban
<b>DPS 2 Zoning</b>	Service Industrial

### **Background**

On 23 May 2011, the City received a proposal from the applicant to amend DPS 2 by rezoning Lot 608 Yanchep Beach Road from 'Service Industrial' to 'Business'.

Lot 608 Yanchep Beach Road is located east of Marmion Avenue on the northern side of Yanchep Beach Road and comprises 1.848 hectares of land. A plan showing the location of the subject site is included as **Attachment 1**.

The subject site is zoned 'Urban' under the Metropolitan Region Scheme (MRS) and 'Service Industrial' under DPS 2. Lot 608 was created through the subdivision of former Lot 302 and is subject to an additional use permissibility provided for under Additional Use No. 1-19 contained within Schedule 2 – Section 1 of DPS 2. The additional use allows 'Business' zone uses to be considered on site in addition to those permitted within the 'Service Industrial' zone and was established through Amendment 67 to DPS 2, gazetted in June 2008. The proposed amendment therefore seeks to remove the existing 'Service Industrial' zoning and use permissibility while retaining the existing 'Business' zone use permissibility and having this reflected through the zoning of the land itself.

Lot 608 Yanchep Beach Road falls within the Yanchep - Two Rocks Agreed District Structure Plan No. 43 area (DSP 43). Lot 608 abuts land subject to the proposed Yanchep City Local Structure Plan No. 68 (LSP 68), which was determined to be satisfactory by Council at its meeting of 9 February 2010 and was adopted by the Western Australian Planning Commission (WAPC), subject to modifications in June 2011. Lot 608 is also directly adjacent to the area subject to the Lot 1 and 102 Yanchep Beach Road Agreed Structure Plan No. 40 (ASP 40).

A Detailed Area Plan (DAP) for Lot 608 Yanchep Beach Road was adopted by Council on 17 December 2008 and Administration approved a development application for four office suites on the eastern half of the site under delegated authority on 22 December 2011 (DA2011/546).

The proposal seeks to amend DPS 2 by:

1. Rezoning Lot 608 Yanchep Beach Road, Yanchep from 'Service Industrial' zone to 'Business' zone; and

2. Amending 'Additional Use 1-19' contained within Schedule 2 – Section 1 of DPS 2, by removing "Yanchep Beach Road" from the Street/Locality column and "Portion of Lot 302" from the Particulars of the Land column.

**Attachment 2** contains the amendment plan showing the existing zoning and proposed scheme amendment zoning, as submitted by the applicant.

Council considered the amendment at its meeting of 26 July 2011 and resolved as follows:

*"That Council:-*

1. *Pursuant to Section 75 of the Planning and Development Act 2005 ADOPTS Amendment No. 120 to District Planning Scheme No. 2 for the purpose of:-*
  - a) *Rezoning Lot 608 (128) Yanchep Beach Road, Yanchep from 'Service Industrial' zone to 'Business' zone; and*
  - b) *Amending 'Additional Use 1-19' contained within Schedule 2 – Section 1 by deleting "Yanchep Beach Road" from the Street/Locality column and "Portion of Lot 302" from the Particulars of Land column;*
2. *REFERS Amendment No. 120 to District Planning Scheme No. 2 to the Environmental Protection Authority (EPA) pursuant to Section 81 of the Planning and Development Act 2005; and should the EPA advise the amendment does not require assessment, ADVERTISES the amendment for public comment for a period of 42 days, pursuant to Regulation 25(2) of the Town Planning Regulations 1967; and*
3. *FORWARDS a copy of Amendment No. 120 to District Planning Scheme No. 2 to the Western Australian Planning Commission for information."*

## **Detail**

### **Proposal**

The applicant provided justification for the proposal that is summarised as follows:

- The amendment would focus the range of land uses allowed on the site so that they are compatible with the zoning, development and use of land proposed by LSP 68 along Yanchep Beach Road and more broadly to the north within the LSP 68 area;
- Development of the site will continue to have regard to a Council approved Detailed Area Plan for Lot 608; and
- While Schedule 2 – Section 1 of DPS 2 allows for 'Business' zone uses on site, the additional use is not prominent within the Scheme Text or Scheme Map and may be overlooked by potential purchasers.

Administration notes that the proposed amendment would result in the zoning of the site being consistent with the zoning prescribed by adjoining and adjacent structure plans along the portion of Yanchep Beach Road immediately east of Marmion Avenue. Zoning the land 'Business' under DPS 2 would be consistent with the existing 'Business' zoned land on the southern side of Yanchep Beach Road, prescribed under ASP 40, and the proposed 'Business' zoned land to the west and east of the site, prescribed under LSP 68. Limiting the use permissibility of the site to 'Business' zone uses would also prevent potentially conflicting 'Service Industrial' land uses from being established on the site.

## Consultation

In accordance with the Council's resolution at its meeting of 26 July 2011, the amendment was referred to the Environmental Protection Authority (EPA) for comment. On 12 September 2011, the EPA advised the City that the scheme amendment did not warrant an environmental assessment. The WAPC's consent to advertise was not required in this instance.

A 42-day public advertising period was carried out between 27 September 2011 and 8 November 2011 by way of a sign on site, advertisement in the local newspaper, a notice in Council offices and the City's website, and letters to nearby landowners. The City received two submissions, comprising one objection from Main Roads Western Australia (MRWA) and a submission from the Department of Transport (DoT) that is considered to be neither in support or opposition to the proposal.

## Comment

A summary of submissions received during advertising, and Administration's response, is contained within **Attachment 3**. Administration considers the matters raised in the submissions are not relevant to the subject amendment, as they relate to matters considered as part of the assessment of the detailed area plan and subsequent development application for the site. Therefore, it is recommended that the amendment proposal be adopted without modification and forwarded to the Western Australian Planning Commission.

## Strategic Implications

The proposal accords with the following Outcome Objective of the City's Strategic Plan 2006 – 2021:

*"3 Economic*

*3.1 Create strategic shifts in job markets to meet future needs and demands"*

## Policy Implications

Nil

## Financial Implications

Nil

## Voting Requirements

Simple Majority

## Recommendation

**That Council:-**

- 1. Pursuant to Town Planning Regulation 17 (2) ADOPTS, without modification, Amendment No. 120 to District Planning Scheme No. 2 by:**
  - a) Rezoning Lot 608 (128) Yanchep Beach Road, Yanchep from 'Service Industrial' zone to 'Business' zone; and**
  - b) Amending 'Additional Use 1-19' contained within Schedule 2 – Section 1 by deleting "Yanchep Beach Road" from the Street/Locality column and "Portion of Lot 302" from the Particulars of Land column;**

2. Pursuant to Town Planning Regulations 22 and 25 (a) (g) **AUTHORISES** the affixing of the common seal to, and endorses the signing of, the amendment documentation;
3. **FORWARDS** the amendment documentation to the Western Australian Planning Commission for its consideration **REQUESTING** the Hon Minister for Planning grant final approval to the amendment; and
4. **ENDORSES** the comments made in Attachment 3 of this report regarding the submissions received on this scheme amendment for inclusion in the schedule of submissions to be forwarded to the Western Australian Planning Commission and **ADVISES** the submitters of its decision.

*Attachments:*

1. *Attachment 1 - Location Plan* 11/80804
2. *Attachment 2 - Amendment Plan* 11/71083
3. *Attachment 3 - Summary of Submissions* 12/1610 *Minuted*

ATTACHMENT 1

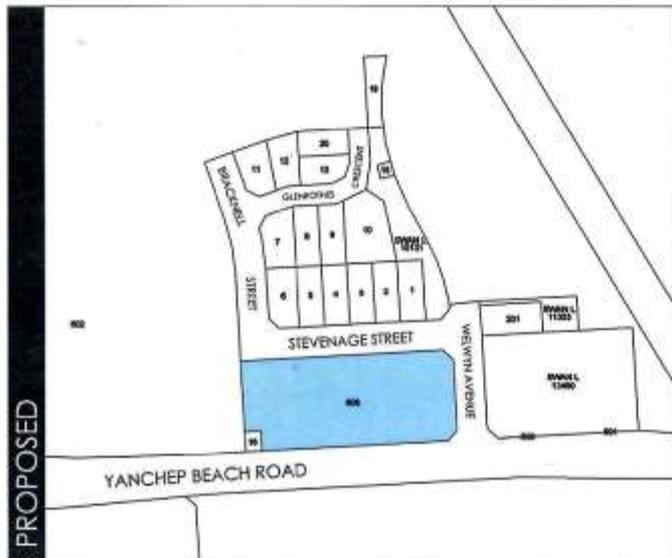


ATTACHMENT 2

CITY OF WANNEROO  
Town Planning Scheme No. 2  
Amendment No. 120



- LEGEND**
- METROPOLITAN REGION SCHEME**
- RAILWAYS
  - OTHER REGIONAL ROADS
- LOCAL SCHEME RESERVES**
- PARKS AND RECREATION
  - PUBLIC USE
- ZONES**
- SERVICE INDUSTRIAL
  - URBAN DEVELOPMENT
- OTHER**
- ADDITIONAL USES
  - ENVIRONMENTAL CONDITION AREA



- LEGEND**
- ZONES**
- BUSINESS

DATE: 13/06/2011  
DRAWN: 07/08/2014  
SCALE: 1:500

THIS DOCUMENT IS UNCLASSIFIED. It is the responsibility of the user to ensure that the information contained herein is used for the purposes intended. All rights reserved. Copyright © 2011 City of Wanneroo.

**Summary of Submissions**  
**Amendment No. 120 to District Planning Scheme No. 2 – Lot 608 Yanchep Beach Rd YANCHEP**

No.	Name	Summary of Submission	Administration Response/Comment	Recommended Modification
1	Department of Transport (DoT)			
1.1		The Lot abuts Yanchep Beach Rd, which is reserved as an 'Other Regional Road' under the MRS. The Department of Planning's (DoP) comments should be sought in relation to the proposal.	Noted. The development application and proposed amendment for the subject site were referred to the DoP for comment. Comment was received in relation to the development application (although the DoP advised that referral was in fact not required) while no comment was received in relation to the proposed amendment.	No change.
1.2		Traffic generated from this site may impact the operational requirements of Marmion Ave, Wanneroo Rd and the future Mitchell Fwy. It is therefore recommended that a traffic impact assessment be provided directly to MRWA for their assessment.	Given that 'Business' zone uses can already be considered on site through Additional Use 1-19 in Schedule 2 of DPS 2, this issue would be more appropriately dealt with through the development application process. In this regard, the City has approved an office development on the eastern portion of the lot (DA2011/546) and it was determined that the proposal did not generate enough vehicle traffic to warrant a traffic impact assessment.	No change.
1.3		The DAP for the site indicates that future development proposes a new crossover onto Yanchep Beach Rd. This is not in accordance with the Commission's Regional Roads (Vehicular Access)	Noted, although this issue is not considered relevant to the subject amendment.	No change.

No.	Name	Summary of Submission	Administration Response/Comment	Recommended Modification
		Policy D.C 5.1, which suggests minimising the number of new crossovers onto Regional Roads.		
<b>2</b>	<b>Main Roads Western Australia (MRWA)</b>			
2.1		MRWA objects to the proposal.	Noted.	No change.
2.2		All traffic signal and vehicle access arrangements cannot be supported until an agreed access strategy is formulated for Marmion Ave and Yanchep Beach Rd. Agreement needs to be developed in consultation between the City, DoP and MRWA.	The subject amendment relates to the zoning of the subject land, rather than access. The Lot 608 DAP and the access it depicts onto Yanchep Beach Rd was endorsed by the City in December 2008. The City has approved a development application (DA2011/546) that incorporates access onto Yanchep Beach Rd as provided for under the DAP, subject to the access being limited to LILLO movements only.	No change.
2.3		Once the above issue is resolved, the amendment would be acceptable to MRWA, subject to access arrangements for both the northern and southern side of Yanchep Beach Rd being incorporated into an updated version of the DAP. The updated DAP shall conform to an agreed LPP 3.8 supported by the City, the DoP and MRWA.	The DAP relates only to Lot 608 and does not bind the access arrangements outside of its boundaries, therefore an amendment to the Lot 608 DAP is not considered necessary once LPP 3.8 is endorsed by the City.	No change.

## PS08-02/12 Adoption of Amendment No. 1 to the Agreed Structure Plan No. 61 - Lots 1 and 2 Flynn Drive, Carramar

File Ref: 3393-01 – 12/227  
 Responsible Officer: Director, Planning and Sustainability  
 Disclosure of Interest: Nil  
 Attachments: 10

### Issue

To consider the submissions received during the public advertising of Amendment No. 1 to the Lots 1 and 2 Flynn Drive, Carramar Agreed Structure Plan No. 61 (ASP 61) and adoption of the amendment.

<b>Applicant</b>	Robertsday Town Planners
<b>Owner</b>	Eclipse Resources Pty Ltd
<b>Location</b>	Lots 1 and 2 Flynn Drive, Carramar
<b>Site Area</b>	97 hectares
<b>MRS Zoning</b>	Urban
<b>DPS 2 Zoning</b>	Urban Development

### Background

On 17 December 2010, the City received from Roberts Day Town Planners (the applicant) on behalf of Eclipse Resources Pty Ltd (the developer) a request to amend ASP 61.

At the time of submitting the amendment proposal, the ASP 61 area was zoned 'Special Residential' and 'Parks and Recreation Reserve' in District Planning Scheme No.2 (DPS 2) and 'Rural' in the Metropolitan Region Scheme (MRS).

This Structure Plan amendment coincided with an amendment proposal to the MRS (MRS amendment 1201/57), to rezone Lots 1 and 2 Flynn Drive, Carramar from 'Rural' to 'Urban'. Council at its meeting of 14 December 2010 considered supporting the MRS amendment (Item PS07-12/10) and resolved as follows:

*"That Council:*

1. *SUPPORTS Metropolitan Region Scheme Amendment 1201/57, as advertised by the Western Australian Planning Commission, to rezone Lots 1 and 2 Flynn Drive, Carramar from Rural to Urban and FORWARDS a copy of this report to the Western Australian Planning Commission as the basis of the City's submission;*
2. *In accordance with Section 126(3) of the Planning and Development Act 2005, REQUESTS the Western Australian Planning Commission to simultaneously amend the City of Wanneroo District Planning Scheme No. 2 to rezone Lots 1 and 2, Flynn Drive, Carramar from Special Residential and Local Scheme Reserves – Parks and Recreation to Urban Development; and*
3. *REQUESTS the landowner and applicant to submit an amendment to Agreed Structure Plan No. 61 addressing relevant issues regarding services, infrastructure, access and traffic matters with reference to the Western Australian Planning Commission policies regarding urban development."*

The submission of the amendment to ASP 61 was in response to Council resolution 3 above. The amendment proposed some medium density Residential R30 developments in addition to Special Residential developments.

On 12 January 2011, the Director, Planning and Sustainability forwarded a memorandum to all Elected Members, providing the opportunity for members to request referral of the amendment proposal to Council for consent to advertise. No such requests were received and, as such, advertising of Amendment No. 1 to the ASP 61 commenced in accordance with Clause 9.5 of DPS 2.

No action could be taken on the proposed amendment until such time MRS and DPS 2 were amended.

MRS and DPS 2 have since been amended to rezone the subject lots 'Urban' and 'Urban Development' respectively and the amendments were gazetted on 2 September 2011.

## Detail

### The Site

The amendment area, which is same as the ASP 61 area, is bounded by Flynn Drive to the north, Flynn Drive/Wanneroo Road to the west and Carramar Special Rural Zone to the south and east. **Attachment 1** contains the location plan.

A disused quarry site located on the northern side of the ASP 61 area has been filled and developed as a Recreation and Equine Park by the developer. The remaining area is thickly vegetated. A few historical limestone kilns adjoin the western boundary of the Recreation and Equine Park. In the City's Municipal Heritage Inventory, these kilns are identified as 'Site 66' and are classified as *Category 2: High Level of Protection* to provide maximum encouragement to the owner to conserve the significance of the place. The developer has taken necessary steps to restore these kilns.

### The Proposal

**Attachment 2** contains the statutory section of the amendment proposal as advertised. The key elements of the amendment proposals are as follows:

- To reformat the statutory section of the current ASP 61 to conform to the model contained in the City's Local Planning Policy 4.2: Structure Planning;
- Provision of a Special Residential Precinct with a density of R5 intended to accommodate lots of minimum 2000m<sup>2</sup> in area;
- Provision of a Medium Residential Precinct with a density of R30;
- Provision of strategic open space sites consisting of 19.1 hectares (ha) of a private Recreation and Equine Park, 4.71 ha of private open space (PvtOS) areas and 0.85 ha of public open space (POS) containing three restored historic limestone kilns. The PvtOS areas are proposed to be managed by the Home Owners Association (HOA). The current Deed dated 18 May 2009 between the City, the developer and National Australia Bank LTD requires the HOA to manage and maintain the Recreation and Equine Park. The developer proposes to amend the Deed by requiring the HOA to manage and maintain all the PvtOS areas; and
- Variations to DPS 2 provisions on the permissibility of land uses within the Special Residential, Medium Residential and Recreation and Equine Park precincts.
- Provision of two road connections to the existing Flynn Drive as follows:

1. A left-in/left-out intersection at the north-eastern corner of the amendment area. This intersection is located approximately 150 metres to the west of the existing Flynn Drive/Tranquil Drive intersection. It is proposed to be a left-in/left-out junction only to reduce the routes' attractiveness to through traffic and due to its proximity to the Tranquil Drive intersection; and
2. A full 'T' intersection on the western boundary of the amendment area.

## Consultation

The amendment proposal was advertised inviting public comment for a period of 42 days between 8 February and 22 March 2011 by means of two on-site signs, an advertisement in the Wanneroo Times newspaper and the City's website and letters to adjoining landowners. The City received nine submissions including late submissions from the Department of Planning (DoP) and the Main Roads Western Australia. A summary of submissions received and Administration responses are shown in **Attachment 3**.

The main issues raised in the submissions are as follows:

- The proposed treatment of the Flynn Drive/Tranquil Drive intersection; and
- Provision for a wastewater pumping station as required by the Water Corporation of WA at the north-western corner of the LSP 61 area.

The summary makes reference to **Attachment 4**, which contains the details of the Flynn Drive/Tranquil Drive intersection as endorsed by Council at its meeting of 15 November 2011.

At the time of advertising the amendment proposal, the ASP 61 area was still zoned Rural in MRS and Special Residential in DPS 2. The DoP in its submission advised that in order to introduce higher density areas, DPS 2 needed to be amended. No further action could be taken on the assessment of the amendment proposal until such time the MRS and DPS 2 were amended.

## Comment

Following discussions with Administration and a detailed site analysis, the applicant resubmitted the amendment proposal by modifying the statutory section and the LSP 61 map as shown on **Attachments 5 and 6** respectively.

The details of the modified proposal are as follows:

- To depict the Special Residential and Residential areas as Zones rather than precincts. The Recreation and Equine Park is zoned as 'Private Clubs/Recreation';
- To propose a density range of R20-R50 in the Residential Zone;
- To depict only the east-west Neighbourhood Connector connecting Flynn Drive on both sides rather than depicting a road network for the entire structure plan area;
- To propose a wastewater pumping station on the north-western corner just outside the structure plan area as requested by the Water Corporation of WA;
- To propose one POS area containing the three historical kilns and eight PvtOS areas including the Recreation and Equine Park.

The modified LSP map was based on the concept subdivision plan contained in **Attachment 7**.

The following comments are made on the provisions relating to the Special Residential, Residential and Private Club/Recreation Zones and the Deed.

### **Special Residential Zone**

The following table shows the minimum setbacks provisions prescribed by DPS 2 and the variations proposed by the applicant in the Special Residential Zone:

<b>Setback</b>	<b>DPS 2 provision (metres)</b>	<b>Applicant's proposal (metres)</b>
<b>Primary Street</b>	15 minimum	Between 6 to 9
<b>side</b>	5 minimum	5 minimum
<b>Rear</b>	10 minimum	20 minimum
<b>Other street(s)</b>	7.5 minimum	3 minimum

As the developer proposes to retain as much vegetation as possible at the rear of each special residential lot, a minimum rear setback of 20 metres is proposed by reducing the primary street setback and setback to other street(s). Considering the intent of the proposal which would result in a uniform streetscape in the LSP 61 area, the proposed setback variations are supported. It is noted that the applicant has not requested to vary the side setback provision and intends to maintain it to 5 metres as prescribed in DPS 2.

### **Residential Zone (R20 – R50)**

R20 to R50 lots are proposed overlooking the PvtOS areas. This provision satisfies the City's Housing Strategy, which recommends for greenfields development "*a range of medium density (R30 – R60) and small lot residential housing types adjacent to areas of higher amenity such as open space*".

The applicant has advised that individual lots will be specifically coded at the subdivision stage, when a Residential Density Plan will be required as per the provision of the statutory section. R20 coded lots are proposed to be intermittently located responding to the topography.

The applicant has not proposed any variations to the Residential Codes provisions.

### **Land use permissibility**

#### **Special Residential Zone**

The applicant has proposed the following land uses, which are 'Not Permitted - X uses' in Special Residential Zone in DPS 2, as 'Discretionary - D' uses.

- Club (non-residential);
- Corner Store; and
- Display Home Centre.

The 'Corner Store' would provide the day-to-day needs of the future residents. The applicant has advised that the developer may need to provide a 'Display Home Centre' at the time of marketing the proposed lots.

The use class 'Club (non-residential)' is defined as a premises used for the purpose of club by an incorporated body. The applicant has advised that by allowing this use class as a 'Discretionary' use, it could provide an opportunity for the future residents to establish a club.

#### Residential Zone

The applicant has proposed the following use classes, which are 'Discretionary – D' uses in Residential Zone in DPS 2, as 'Not Permitted – X' uses.

- Caravan Park ;
- Caretaker's Dwelling
- Childcare Centre
- Consulting Room
- Nursing Home
- Park Home Park

The applicant has advised that as the proposed amendment makes provision to accommodate about 460 dwellings, a need to establish the above use classes may not arise.

However, the applicant has proposed to allow 'Club (non-residential)' as a 'Permitted - P' use and the use class 'Corner Store' as 'A' use which is supported.

#### Private Clubs/Recreation Zone (Recreation and Equine Park)

The applicant has proposed to allow the following use classes which are 'Discretionary – D' uses in DPS 2 as 'Permitted – P' use and to not permit any other land uses.

Caretakers Dwelling;  
Civic Building; and  
Stables.

Considering the intent of this zone, the proposed variation to the land use permissibility is supported.

In regard to the land use class 'Civic Building' it is noted that DPS 2 defines this use class to include "*federal, state government department ..... or for any other community services*". The applicant has advised that by allowing the use class 'Civic Building' in this zone, it would provide an opportunity to establish a 'community service' facility. However, the applicant has not indicated what type of 'community service' facility could possibly be proposed in the Residential Zone.

#### Flynn Drive Drainage

As per the current Deed the developer is required to accommodate a drainage sump of 4.020m<sup>2</sup> in area within the LSP 61 area (refer **Attachment 8**). In consultation with the City, the developer has proposed to replace this sump with two drainage swales. **Attachment 9** contains the plan showing the location of these two drainage swales, the wastewater pumping stations (future and Interim) and the required 50 and 30 metre buffers and the proposed full 'T' intersection of the Flynn Drive and realigned Flynn Drive. These two swales and pump station are also depicted on the LSP Amendment map included as **Attachment 6**, as POS areas '7' and '8' and 'Pump Station' respectively. One of the swales to accommodate a 1 in 1 Annual Recurrence Interval (ARI) event is located adjacent to the wastewater pumping station site. The other swale to accommodate a 1 in 100 ARI event is proposed to be located opposite the wastewater pumping station site within a PvtOS. These swales are designed to also accommodate some of the stormwater from a portion of the LSP 61 area.

The applicant has provided preliminary drainage calculations to demonstrate that the drainage that was proposed in a drainage sump of 4,020m<sup>2</sup> in area can be accommodated in the drainage swales. Administration supports the provision of two swales in place of one drainage basin, however, detailed design will need to be supported by the City and this would be dealt with at a later stage of the planning process.

Any later submission of the detailed drainage design drawing at the subdivision stage needs to be amended against the City's standards.

The proposed drainage swales will incur minor additional costs to the City in terms of the required depth to the new outlet. It is recommended that this cost be offset by the developer and a suitable provision to that effect be included in the Deed as discussed below.

### Deed

The current Deed dated 18 May 2009 requires the developer to:

#### Flynn Drive

- Cede free of cost without payment of compensation land required for the upgrading of Flynn Drive;
- Provide a contribution of \$226,000 to the City for the upgrade of Flynn Drive;
- Cede free of cost and without payment of compensation 4,020m<sup>2</sup> of land required for the Flynn Drive drainage sump;

#### Public Open Space

- Cede free of cost and without payment of compensation the POS areas;

#### Recreation and Equine Park

- Transfer free of cost to the HOA the developed Recreation and Equine Park as PvtOS for its management and maintenance.

#### Drainage Swales

- The drainage swales shall be constructed to the satisfaction of the City and transferred to the City.

**Attachment 10** contains a copy of the sketch accompanying the Deed depicting the Private Recreation and Equine Park including a playing field, four public open space areas and the drainage reserves.

As the developer proposes that the HOA manages and maintains the Recreation and Equine Park, the POS and PvtOS areas and the drainage swales, while the City would manage and maintain the subdivisional roads, the Deed will be required to be amended to address the following matters:

- Subject to an agreement between the City and the HOA, the HOA to be responsible for the management and maintenance of the Recreation and Equine Park, POS and PvtOS areas and drainage swales to the City's satisfaction;
- Subject to a review of the cost of maintenance and discussions with the City, to propose a differential rating system for the members of the HOA to make a contribution

to the HOA towards the maintenance of the Recreation and Equine Park, the POS and PvtOS areas and the drainage swales;

- The City to manage and maintain the subdivisional roads; and
- Any relevant issues that may arise as a result of the proposed drainage swales, which replaces the original Flynn Drive drainage sump.

The developer has indicated that the proposed amendment to the Deed will follow the adoption of the amendment proposal by the WAPC and the City.

### **Conclusion**

Roberts Day Town Planners on behalf of Eclipse Resources Pty Ltd has requested the City to consider Amendment No. 1 to the Lots 1 and 2 Flynn Drive, Carramar Agreed Structure Plan No. 61. In the MRS and DPS 2, the land is zoned 'Urban' and 'Urban Development' respectively. The amendment proposes to zone the amendment area 'Special Residential' to create lots of minimum size 2,000m<sup>2</sup> in area, 'Residential' to create Residential R20 to R50 lots and Private Recreation/Club' to accommodate the Recreation and Equine Park. Considering the above comments, the proposed amendment is considered to be acceptable.

### **Statutory Compliance**

This Structure Plan Amendment has been processed in accordance with the requirements of DPS 2.

### **Strategic Implications**

The proposal accords with the following Outcome Objective of the City's Strategic Plan 2006 – 2021:

*“1 Environment*

*1.3 Minimise impact of development on the environment”*

*1.4 Improve quality of the built environment; and*

*2 Social*

*2.2 Improve choice and quality of neighbourhood and lifestyle options.”*

### **Policy Implications**

This proposal has been assessed under the provisions of the City's Local Planning Policy 4.2: Structure Planning and Housing Strategy.

### **Financial Implications**

As per the Deed of 18 May 2009 between the City, Eclipse Resources Pty Ltd and National Australia Bank Ltd., the developer is required to pay a monetary contribution of \$226,000 to the City for the upgrade of Flynn Drive.

### **Voting Requirements**

Simple Majority

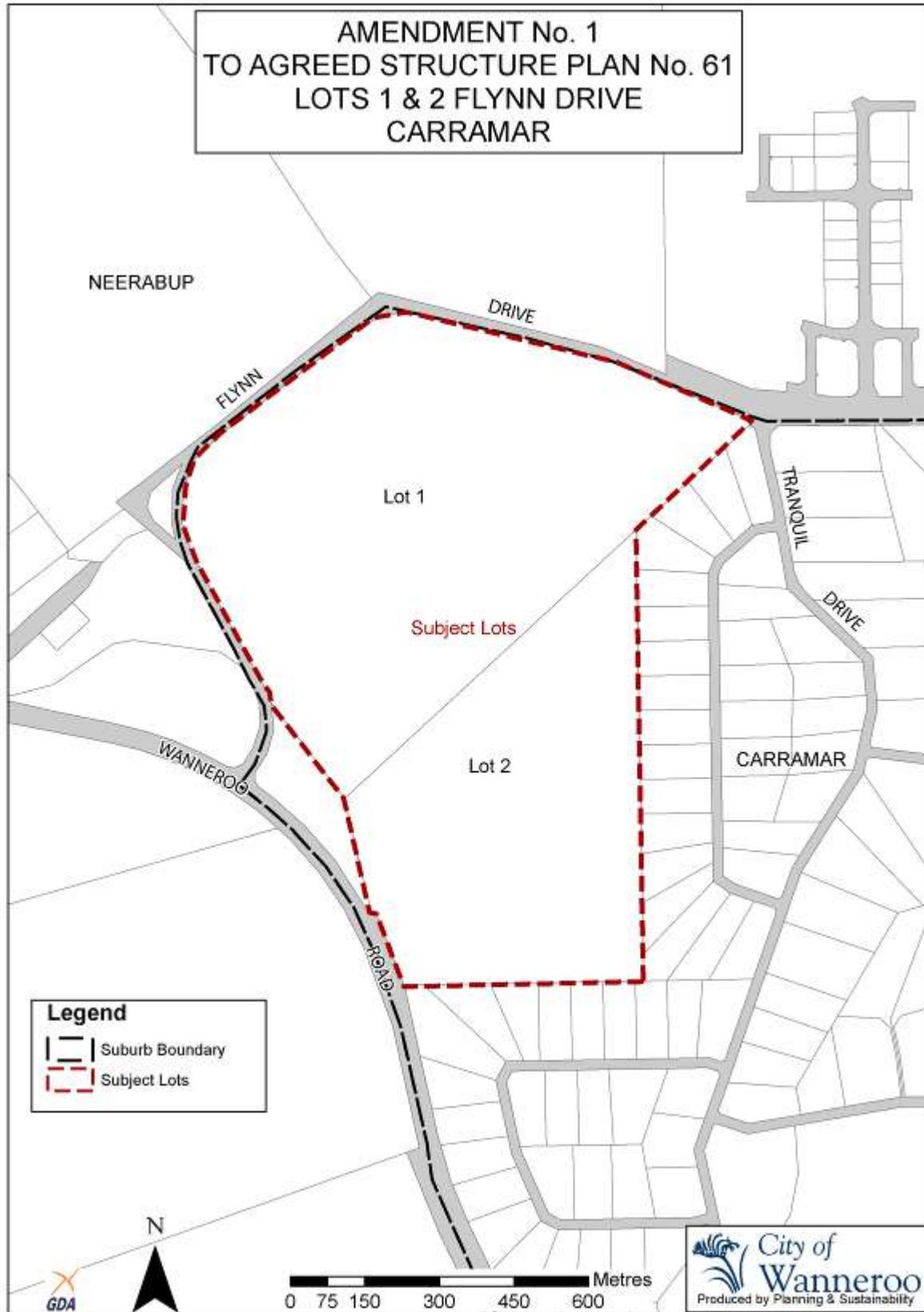
## Recommendation

### That Council:-

1. Pursuant to Clause 9.6.1 of District Planning Scheme No.2 **RESOLVES** that Amendment No. 1 to the Lots 1 and 2 Flynn Drive, Carramar Agreed Structure Plan No. 61, as submitted by Roberts Day Town Planners on behalf of Eclipse Resources Pty Ltd and as outlined on Attachments 5 and 6 to this report is satisfactory and **SUBMITS** three copies to the Western Australian Planning Commission for its adoption and certification;
2. Pursuant to Clause 9.6.5 of District Planning Scheme No.2 **ADOPTS, SIGNS and SEALS** Amendment No.1 to the Lots 1 and 2 Flynn Drive, Carramar Agreed Structure Plan No. 61 once certified by the Western Australian Planning Commission;
3. **NOTES and ENDORSES** the comments made in this report regarding the submissions received on this structure plan amendment for inclusion in the schedule of submissions to be forwarded to the Western Australian Planning Commission and **ADVISES** the submitters of its decision; and
4. Subject to the adoption of Amendment No. 1 to the Lots 1 and 2 Flynn Drive, Carramar Agreed Structure Plan No. 61 by the Western Australian Planning Commission and the City, **REQUIRES** Administration to review the Deed dated 18 May 2009 between the City, Eclipse Resources Pty Ltd and National Australia Bank Ltd to address:
  - a) The management and maintenance responsibilities of the Home Owners' Association (HOA) with respect to the proposed Public Open Space, Private Open Space and drainage swales;
  - b) The alternative provision of drainage swales, generally in accordance with the Agreed Structure Plan, to the City's satisfaction.

#### Attachments:

- |     |                                     |         |         |
|-----|-------------------------------------|---------|---------|
| 1.  | Lots 1 2 Flynn Drive - Attachment 1 | 12/2337 |         |
| 2.  | Amdt 1 to LSP 61 - Attachment 2     | 12/2425 |         |
| 3.  | Amdt No. 1 to LSP 61 - A-3          | 12/8834 |         |
| 4.  | Amdt 1 - LSP 61 - A - 4             | 12/4473 |         |
| 5.  | Amdt 1 - ASP 61 - A5                | 12/9602 | Minuted |
| 6.  | Amd 1 - ASP 61 - A6                 | 12/9403 |         |
| 7.  | Amdt 1 - LSP 61 - A-7               | 12/4088 | Minuted |
| 8.  | Amdt 1 - LSP 61 - A-8               | 12/9606 |         |
| 9.  | Amdt 1 - LSP 61 - A-9               | 12/4904 |         |
| 10. | Amdt 1 - LSP 61 - A-10              | 12/4098 |         |



## **PART ONE – STATUTORY PLANNING**

### **1.0 APPLICATION**

- 1.1 This Part applies to the Agreed Structure Plan No.61 (the "Structure Plan") for Lots 1 and 2 Flynn Drive, Carramar and consisting of all land contained within the inner edge of the line denoting the Structure Plan boundary on the Structure Plan Map – Plan A.
- 1.2 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 City of Wanneroo District Planning Scheme No. 2 (the "Scheme").
- 1.3 Pursuant to subclauses 9.8.2 and 9.8.3 of the Scheme, the provisions of this Part shall apply to land contained within the Structure Plan as follows:
- a) the objectives, standards and requirements applicable to zones and Residential Design Codes under the Scheme shall apply to the same extent to the areas having corresponding designations under the Structure Plan, unless specific provision is made to the contrary in this Part;
  - b) any other provision, standard or requirement of this Part 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
  - c) Parts 2 and 3 of this Structure Plan are for explanatory purposes only, to provide a descriptive analysis of the Structure Plan.
- 1.4 In accordance with subclause 9.8.1 of the Scheme, this Structure Plan shall come into operation on the later date when it is certified by the Western Australian Planning Commission (the "Commission") pursuant to subclause 9.6.3 of the Scheme or adopted, signed and sealed by the Council.

## 2.0 OBJECTIVES

### 2.1 The objectives of the Structure Plan are to:

- (a) retain valuable landscape and environmental values, in particular native and habitat trees;
- (b) provide residential living in a low density setting, with medium density housing clustered around key open space areas;
- (c) attract a diverse range of households through a mix of housing types;
- (d) create a strong sense of place through the incorporation of cultural, natural, social and heritage elements into the development which contribute to a unique local character;
- (e) encourage active recreation through a series of safe, attractive and comfortable pedestrian and cycle pathways, bridle trails and open spaces;
- (f) facilitate design excellence in public spaces and the built environment through high quality landscaping, urban design and built form guidelines;
- (g) guide development to meet proactive and enduring sustainability principles; and
- (h) create a strong sense of community through the incorporation of a Home Owners Association and the provision of community facilities and seed funding.

### 3.0 SUBDIVISION AND DEVELOPMENT

3.1 Plan A and Tables A to F form part of the statutory provisions of this Structure Plan and prescribe the standards, requirements and prerequisites for subdivision and development in the corresponding Precincts designated on Plan A. Where any variation arises between any provision of this Plan and/or tables and a provision of the Scheme, then the provision of the Plan and/or table shall prevail to the extent of that variation and shall apply as an intended variation to the Scheme for the purposes of subclause 9.8.3(f).

3.2 Prior to any subdivision or development being supported, the City will require:

- (a) a report accompanying any application that outlines the manner in which the findings and recommendations of the plans and strategies listed in Table F have been incorporated into or addressed by the proposed subdivision or development or will be implemented in subsequent stages of development.

Plan A	Agreed Structure Plan No. 61 Map
Table A	General Planning Requirements for Structure Plan Area
Table B	Planning Requirements for Special Residential Precinct
Table C	Planning Requirements Medium Density Residential Precinct
Table D	Planning Requirements for Recreation Equine Park Open Space Precinct
Table E	Strategic Open Space Schedule
Table F	Reports, Surveys, Strategies and Plans

## 3.3 Table A – General Planning Requirements for Structure Plan Area

<b>A1.0 Structure Plan Map</b>	<p>A1.1 Subdivision and development of land shall be in accordance with Plan A, unless the Council, having regard to the matters listed under clause 9.11.2 of the Scheme, determines that the proposal or application is for one or more of the following:</p> <p>A1.1.1 the amalgamation of lots or part lots;</p> <p>A1.1.2 the purpose of allowing access; or</p> <p>A1.1.3 the provision of services or infrastructure that would not prejudice future development outcomes.</p>
<b>A2.0 Precincts</b>	<p>A2.1 The following Precincts are identified on Plan A and have particular planning requirements as set out in Tables B, C and D:</p> <p>Special Residential Precinct  Medium Density Residential Precinct  Recreation Equine Park and Open Space Precinct</p>
<b>A3.0 Land Use Permissibility</b>	<p>A3.1 Land use permissibility within the Structure Plan area shall be in accordance with the corresponding zone or reserve under the Scheme except where variations are stated in Tables B, C and D for each precinct.</p>
<b>A4.0 Residential Density</b>	<p>A4.1 Residential density, subdivision and development shall be in accordance with the Residential Density Code, Detailed Area Plan (DAP) and/or dwelling yields as shown on Plan A, unless otherwise justified.</p>
<b>A5.0 Open Space</b>	<p>A5.1 Open Space shall be distributed generally in accordance with Plan A and Table E.</p> <p>A5.2 Management of the Recreation Equine Park and Open Space and other areas of open space (private and public) shall be as detailed in the deed between Eclipse Resources Pty Ltd, City of Wanneroo and National Australia Bank Limited dated 18 May 2009 ("the Deed") or as amended from time to time.</p>
<b>A6.0 General Subdivision and Development Requirements</b>	<p>A6.1 Subdivision and development of land shall be in accordance with the Structure Plan, the relevant provisions listed in Tables A, B, C, D, E and F and the relevant approved DAPs required for the Medium Density Residential Precinct under clause C3.1.</p> <p>A6.2 The Fire Management Plan shall be implemented as approved by the City of Wanneroo and endorsed by the Western Australian Planning Commission.</p> <p>A6.3 Emergency access points to the external road network to be generally created at the locations shown on Plan A.</p> <p>A6.4 Fencing along Wanneroo Road and Flynn Drive shall be post and wire only.</p>
<b>A7.0 Detailed Area</b>	<p>A7.1 Prior to any approval for survey-strata subdivision and/or</p>

<b>Plans (DAPs)</b>	<p>development being granted within the Medium Density Residential Precinct, the City will require a DAP for the whole of the sub-precinct, consisting of all land contained within the inner edge of the line denoting the sub-precinct boundary as indicated on the Structure Plan, unless the Council determines either:</p> <p>A7.2.1 the subdivision is for one or more of the following:</p> <ul style="list-style-type: none"> <li>a) the amalgamation of lots or part lots;</li> <li>c) the purpose of allowing access; and</li> <li>d) the facilitation and provision of services or infrastructure.</li> </ul> <p>A7.2.1 the development is of a scale and permanence that would not prejudice the:</p> <ul style="list-style-type: none"> <li>a) development of the Precinct in accordance with the Scheme, the Structure Plan objectives and provisions or the DAP principles in Tables B and C; or</li> <li>b) timely provision of infrastructure and services to the area.</li> </ul> <p>A7.2 The City will not accept a DAP for any area that is geographically smaller than the sub-precinct DAP area, as illustrated on Plan A, unless there is sufficient justification, to the satisfaction of the City of Wanneroo, that smaller geographical areas warrant a separate DAP.</p> <p>A7.3 DAPs shall address factors outlined in Liveable Neighbourhoods (WAPC), clause 9.14.2 of the Scheme, clause 9.4 of Local Planning Policy 4.2: Structure Planning and the DAP principles and other elements outlined in Tables B and C, including:</p> <p>A7.3.1 compliance with the dwelling yield identified on the Plan A or justification why a different dwelling yield is being provided; and</p> <p>A7.3.2 configuration of proposed strata lot boundaries, communal open space and access easements.</p> <p>A7.4 DAPs may vary the provisions of the Residential Planning Codes where the development outcomes are considered to meet the objectives and performance criteria of the Residential Planning Codes and/or the DAP principles outlined in Tables B and C.</p> <p>A7.5 DAPs shall generally not be advertised, however in determining whether to advertise a DAP under subclause 9.14.3 of the Scheme, the City, shall have regard to the degree to which the DAP:</p> <p>A7.5.1 proposes a more appropriate development outcome than that identified in the Structure Plan and/or DAP principles outlined in Tables B and C;</p> <p>A7.5.2 is in accordance with the stated principles, aims and/or objectives of the Residential Planning Codes, the Structure Plan and/or DAP principles outlined in Tables B and C;</p> <p>A7.5.3 would achieve a development outcome which is the same or similar in principle to that of the Agreed Structure Plan</p>
---------------------	---

	<p>or DAP principles outlined in Tables B and C; and</p> <p>A7.5.4 detrimentally affects the following:</p> <ul style="list-style-type: none"> <li>(a) adjoining property;</li> <li>(b) shape, size, function or location of public open space;</li> <li>(c) boundary and/or location of land use classifications and/or residential densities;</li> <li>(d) location or reorientation of proposed roads; and</li> <li>(e) a development contribution arrangement.</li> </ul> <p>A7.6 Development proposals that comply with the provisions of the Structure Plan and the approved DAP are considered exempt from obtaining the need to apply for planning approval under Clause 6.1 of the Scheme.</p> <p>A7.7 Planning approval shall only be required where, in the opinion of the City, there are significant variations to the DAP that do not comply with the objectives of the Residential Planning Codes, the Structure Plan or the DAP principles outlined in Tables B and C.</p>
--	--

**3.4 Table B – Planning Requirements for Special Residential Precinct**

<b>B1.0 Residential Density and Lot Sizes</b>	B1.1 Residential density and lot sizes shall be a minimum 2000m <sup>2</sup> as indicated on Plan A.										
<b>B2.0 Land Use Permissibility</b>	<p>B2.1 The permissibility of land uses within the Special Residential Precinct shall accord with those uses indicated in the Zoning Table - Table 1 of the Scheme, with the exception of the following:</p> <table style="margin-left: 40px;"> <tr> <td>Civic Building</td> <td>D</td> </tr> <tr> <td>Club (non-residential)</td> <td>D</td> </tr> <tr> <td>Consulting Room</td> <td>X</td> </tr> <tr> <td>Convenience Store</td> <td>D</td> </tr> <tr> <td>Display Home Centre</td> <td>D</td> </tr> </table>	Civic Building	D	Club (non-residential)	D	Consulting Room	X	Convenience Store	D	Display Home Centre	D
Civic Building	D										
Club (non-residential)	D										
Consulting Room	X										
Convenience Store	D										
Display Home Centre	D										
<b>B3.0 Planning Requirements</b>	<p>B3.1 Subdivision and development shall generally be in accordance with the Residential Planning Code provisions for R5, except where variations are permitted as follows:</p> <p>B3.1.1 dwellings shall be constructed within the building envelope as indicated on an approved Building Envelope Plan;</p> <p>B3.1.2 dwelling location to maximise tree retention where practical;</p> <p>B3.1.3 for lots with two street frontages, vehicle access and garages to be constructed generally in the locations specified on the Building Envelope Plan;</p> <p>B3.1.4 for lots with two street frontages, dwellings must address both the primary street and the secondary street through design, materials and openings;</p> <p>B3.1.5 for laneway lots, vehicle access must be from the laneway;</p>										

	<p>B3.1.6 dwellings setback from the primary street between 6 metres and 9 metres;</p> <p>B3.1.7 dwellings setback a minimum setback 20 metres from the rear boundary with no provision for averaging;</p> <p>B3.1.8 dwellings to be setback at least 5 metres from side boundaries;</p> <p>B3.1.9 garages to be a maximum width of 8 metres and set behind the primary frontage of the dwelling;</p> <p>B3.1.10 garages to be setback at least 3 metres from a secondary street;</p> <p>B3.1.11 detached sheds and outbuildings will not be permitted. Storerooms, workshops and garages to be attached to the dwelling with matching materials and colour schemes;</p> <p>B3.1.12 fencing will not be permitted forward of the dwelling;</p> <p>B3.1.13 dwellings to be site responsive in their design to follow and retain natural levels and original topography where practical;</p> <p>B3.1.14 changes in lot levels should be addressed through building design, rather than retaining walls on lot boundaries where practical; and</p> <p>B3.1.15 only single storey, cantilever and split-level homes are permitted.</p>
--	--

### 3.5 Table C – Planning Requirements for Medium Density Residential Precinct

<b>C1.0 Residential Density</b>	C1.1 Residential density and lot sizes shall be guided by the estimated dwelling yields identified for each sub-precinct indicated on Plan A.																
<b>C2.0 Land Use Permissibility</b>	<p>C2.1 The permissibility of land uses within the Medium Density Residential Precinct shall accord with those uses indicated in the Zoning Table - Table 1 of the Scheme, with the exception of the following:</p> <table style="margin-left: 40px;"> <tr><td>Caravan Park</td><td>X</td></tr> <tr><td>Caretakers Dwelling</td><td>X</td></tr> <tr><td>Childcare Centre</td><td>X</td></tr> <tr><td>Club (non-residential)</td><td>P</td></tr> <tr><td>Consulting Room</td><td>X</td></tr> <tr><td>Convenience Store</td><td>P</td></tr> <tr><td>Nursing Home</td><td>X</td></tr> <tr><td>Park Home Park</td><td>X</td></tr> </table>	Caravan Park	X	Caretakers Dwelling	X	Childcare Centre	X	Club (non-residential)	P	Consulting Room	X	Convenience Store	P	Nursing Home	X	Park Home Park	X
Caravan Park	X																
Caretakers Dwelling	X																
Childcare Centre	X																
Club (non-residential)	P																
Consulting Room	X																
Convenience Store	P																
Nursing Home	X																
Park Home Park	X																
<b>C3.0 Planning Requirements and Detailed Area Plan Principles</b>	C3.1 Subdivision and development shall generally be in accordance with the Residential Planning Code, except where variations are permitted in accordance with the following principles to be demonstrated through approved DAPs:																

	<p>C3.1.1 for lots with multiple frontages to streets, open or public spaces, dwellings must address multiple frontages through the orientation of private open space, materials, openings and fences, where practical, to facilitate passive surveillance in accordance with Crime Prevention Through Environmental Design principles (refer to Designing Out Crime Planning Guidelines, WAPC 2006);</p> <p>C3.1.2 outbuildings and sheds will not be permitted;</p> <p>C3.1.3 for laneway lots, vehicle access must be from the laneway;</p> <p>C3.1.4 shared driveway access, vehicle access location and garage location may be determined to minimise the impact of built form and access on the streetscape;</p> <p>C3.1.5 high, solid fencing should be minimised, where practical, especially in relation to lots with multiple frontages to streets, open or public spaces, dwellings, to maintain the sense of openness throughout the development;</p> <p>C3.1.6 fencing will not be allowed forward of the building line;</p> <p>C3.1.7 each sub-precinct shall have consistent scale, materials and colour schemes for fencing;</p> <p>C3.1.8 dwellings to be generally no more than two storeys (excluding undercroft parking to deal with slopes). Any three storey element is to be incorporated into the roof space of the dwelling or incidental to the overall bulk and scale of the dwelling;</p> <p>C3.1.9 subdivision and location of dwelling envelopes, dwellings and outbuildings are to maximise tree retention where practical, to facilitate passive surveillance of public spaces and to minimise the impact of built form on the adjoining Special Residential Precinct;</p> <p>C3.1.10 changes in lot levels should be addressed through building design, rather than retaining walls on lot boundaries where practical;</p> <p>C3.1.10 pedestrian access through and between sub-precincts to enable public access to open spaces and public areas, may be desirable;</p> <p>C3.1.12 shared space for bin storage, may be desirable; and</p> <p>C3.1.13 access for emergency vehicles, removal trucks and/or garbage collection within each sub-precincts, may be desirable depending upon dwelling configuration.</p>
--	--

**3.6 Table D – Planning Requirements for the Recreation Equine Park and Open Space Precinct**

<b>D1.0 Precinct Objectives</b>	<p>D1.1 The objectives for the Recreation Equine Park and Open Space Precinct are:</p> <p>C1.12.1 provide for private recreational, community and equine purposes and ancillary buildings.</p>								
<b>D2.0 Land Use Permissibility</b>	<p>D2.1 The permissibility of land uses within the Recreation Equine Park and Open Space Precinct shall accord with those uses indicated below:</p> <table data-bbox="715 728 981 831"> <tr> <td>Caretakers Dwelling</td> <td>P</td> </tr> <tr> <td>Civic Building</td> <td>P</td> </tr> <tr> <td>Club (non-residential)</td> <td>P</td> </tr> <tr> <td>Stables</td> <td>P</td> </tr> </table>	Caretakers Dwelling	P	Civic Building	P	Club (non-residential)	P	Stables	P
Caretakers Dwelling	P								
Civic Building	P								
Club (non-residential)	P								
Stables	P								

**3.7 Table E – Strategic Open Space Schedule**

Strategic Open Space Site (Public and Private)	Size (hectares)
(1) Recreation Equine Park and Open Space (Private)	19.1 ha
(2, 3, 4, 5, 6, 7) Neighbourhood Parks /Drainage(Private)	4.71 ha
(8) Limestone Kilns (Public)	0.85 ha

**3.8 Table F – Reports, Surveys, Strategies and Plans**

<b>Documentation</b>	<b>Approval Stage</b>	<b>Approving Authority</b>
Detailed Area Plans	Prior to clearance of survey strata subdivision conditions or development being approved within the Medium Density Residential Precincts, as required.	City of Wanneroo
Strategic Strata Management Plan	Prior to approval of DAPs for Medium Density Residential Precincts subject to strata title applications.	City of Wanneroo
Building Envelope Plan for Special Residential Lots	Prior clearance of subdivision conditions.	City of Wanneroo
Vegetation Management Plan including Revegetation Plan	Prior clearance of subdivision conditions.	City of Wanneroo
Amended Open Space Management Deed	Prior clearance of subdivision conditions.	City of Wanneroo
Urban Water Management Plan	Prior clearance of subdivision conditions.	Western Australian Planning Commission Department of Water
Soil and groundwater contamination investigation and remediation plan (if required) in accordance with the Guidelines detailed in the Contaminated Sites Management Series (DEC)	Prior to commencement of site works.	Department of Environment and Conservation

**3.9 Table J – Developer Contributions Arrangements**

Developer contributions made under The Deed include:

- ceding free of cost certain land required for the upgraded Flynn Drive; and
- paying a monetary contribution of \$226,000 to the City of Wanneroo for the upgrade of Flynn Drive.



**LOTS 1 + 2 FLYNN DRIVE, CARRAMAR**  
**AGREED STRUCTURE PLAN (No. 61) - PLAN A**  
 City of Wanneroo

SQL CAR L02.2014 10/210



## Summary of Submissions - Amendment No. 1 to Lots 1 &amp; 2 Flynn Drive, Carramar Agreed Structure Plan No. 61

No	Name of Submitter	Summary of Submission	Administration Comment	Recommendation
1.0	M J & S Stewart 11 Rustic Gardens Carramar	1.1 Are there plans to cut off the existing Flynn Drive entry into Tranquil Drive?	Council at its meeting of 15 November 2011 considered the proposed road closures in the Carramar Special Rural Zone adjoining the amendment area following a community consultation survey between 18 July and 19 August 2011. One of the options considered was to cul-de-sac the Tranquil Drive/Flynn Drive intersection with access restricted to left-out only onto Flynn Drive (Option 3 in Item IN08-11/11). The survey showed that a majority of the Carramar Special Rural residents supported this option. Council therefore endorsed the installation of the partial closure of this intersection to restrict the traffic turning movements to left-out only ( <b>Attachment 4</b> ).	No change.
		1.2 Tranquil Drive in Carramar Special Rural Estate is meant for local traffic only. If the amendment proposal goes through, Tranquil Drive will be used to access the Carramar Shopping Centre. What system will be in place to stop misuse of the firebreak and bridle trail?	As this intersection is located outside the LSP 61 area, the details of Option 3 are not required to be shown in the LSP 61 amendment map. As Option 3 noted in 1.1 above provides left-out movement only onto Flynn Drive, the future residents of LSP 61 area at the most can traverse through Tranquil Drive only in one direction.	No change.
2.0	F J Galea 15 Sublime Glade Carramar	The report on Water and Wastewater Services is generally consistent with the WCWA's planning and therefore no objection.	At the subdivision stage, at the entrance to the firebreak and bridle trail, chain gates and bollards will be installed to prevent entry of trail bikes and four-wheel drive vehicles. The applicant has provided the following comments: WCWA has indicated in their planning that they would potentially wish to locate a 'Type 350' pumping station in	No change.
3.0	Water Corporation of WA (WCWA)			Noted.

12/337

		Nevertheless, the report understates the significance of the future wastewater pumping station to be located in the north-western corner of the site. This station will be a major wastewater pumping station transferring wastewater to the Alkimos Wastewater Treatment Plant. Given the volume of wastewater, a 50-metre odour buffer from sensitive uses is required for the site which should be depicted on the structure plan.	the North West corner of the LSP area. However, the pumping station is not anticipated to be required for some 15 years.  In this regard WCWA has clarified that although 'Type 350' pumping station is a long-term requirement, and the final location of it is not yet known, it needs to be shown on the LSP indicatively with a 50-metre buffer. The WCWA has further clarified that 'Type 10/40' pumping station would be an interim requirement.  On this basis, the LSP 61 map tentatively depicts these pumping stations and the 30 and 50-metre buffers. It is noted that these buffers would not affect the special residential lots but the abutting POS area. (Refer the LPS amendment map contained in <b>Attachment 5</b> )	No change.
4.0	Department of Water	It is unclear if the current licence is adequate for all the proposed POS etc. Additional applications to take water may be required.	The applicant has advised that there is currently a groundwater licence in place for the site. The licence allocation is 225,000kL per annum, which is adequate to fully service all current and proposed public and private open space areas.	No change.
5.0	Dykstra Planning Kelmscott	No objection	Noted.	No change.
6.0	Department of Indigenous Affairs	To undertake an Aboriginal Heritage survey.	An archaeological survey was conducted in March 2009. No archaeological sites or artefacts were found during the survey. Therefore the report recommended that a Section 18 application was not required for development. See 1.1 above.	No change.
7.0	K Finchett 38 Sublime Glade Carramar	Tranquil Drive will become dangerous due to through traffic.		No change.
8.0	Main Roads WA	Wanneroo Road and Flynn Drive are classified as Primary Freight roads and therefore a transport noise	At the subdivision stage the developer will be required to undertake a transport noise assessment.	No change.

12/337

9.0	Department of Planning	<p>assessment should be undertaken according to the State Planning Policy 5.4: Road and Rail Transport Noise and Freight Considerations in Land Use Planning.</p> <p>In order to introduce higher density areas, DPS 2 needs to be amended.</p>	<p>The Metropolitan Region Scheme and DPS 2 have since been amended to zone the subject land 'Urban' and 'Urban Development' respectively.</p>	No change.
-----	------------------------	---	--	------------

12/337



## PART ONE – STATUTORY PLANNING

### 1.0 APPLICATION

- 1.1 This Part applies to the Agreed Structure Plan No.61 (the "Structure Plan") for Lots 1 and 2 Flynn Drive, Carramar and consisting of all land contained within the inner edge of the line denoting the Structure Plan boundary on the Structure Plan Map – Plan 1.
- 1.2 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 City of Wanneroo District Planning Scheme No. 2 (the "Scheme").
- 1.3 Pursuant to subclauses 9.8.2 and 9.8.3 of the Scheme, the provisions of this Part shall apply to land contained within the Structure Plan as follows:
- a) the objectives, standards and requirements applicable to zones and Residential Design Codes under the Scheme shall apply to the same extent to the areas having corresponding designations under the Structure Plan, unless specific provision is made to the contrary in this Part;
  - b) any other provision, standard or requirement of this Part 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
  - c) Parts 2 and 3 of this Structure Plan are for explanatory purposes only, to provide a descriptive analysis of the Structure Plan.
- 1.4 In accordance with subclause 9.8.1 of the Scheme, this Structure Plan shall come into operation on the later date when it is certified by the Western Australian Planning Commission (the "Commission") pursuant to subclause 9.6.3 of the Scheme or adopted, signed and sealed by the Council.

## 2.0 OBJECTIVES

2.1 The objectives of the Structure Plan are to:

- (a) retain valuable landscape and environmental values, in particular native and habitat trees;
- (b) provide residential living in a low density setting, with medium density housing clustered around key open space areas;
- (c) attract a diverse range of households through a mix of housing types;
- (d) create a strong sense of place through the incorporation of cultural, natural, social and heritage elements into the development which contribute to a unique local character;
- (e) encourage active recreation through a series of safe, attractive and comfortable pedestrian and cycle pathways, bridle trails and open spaces;
- (f) facilitate design excellence in public spaces and the built environment through high quality landscaping, urban design and built form guidelines;
- (g) guide development to meet proactive and enduring sustainability principles; and
- (h) create a strong sense of community through the incorporation of a Home Owners Association and the provision of community facilities and seed funding.

### 3.0 SUBDIVISION AND DEVELOPMENT

3.1 Plan 1 and Tables A to F form part of the statutory provisions of this Structure Plan and prescribe the standards, requirements and prerequisites for subdivision and development in the corresponding Precincts designated on Plan 1. Where any variation arises between any provision of this Plan and/or tables and a provision of the Scheme, then the provision of the Plan and/or table shall prevail to the extent of that variation and shall apply as an intended variation to the Scheme for the purposes of subclause 9.8.3(f).

3.2 Prior to any subdivision or development being supported, the City will require:

- (a) a report accompanying any application that outlines the manner in which the findings and recommendations of the plans and strategies listed in Table F have been incorporated into or addressed by the proposed subdivision or development or will be implemented in subsequent stages of development.

Plan 1	Agreed Structure Plan No. 61 (Amendment 1)
Table A	General Planning Requirements for Structure Plan Area
Table B	Planning Requirements for Special Residential Precinct
Table C	Planning Requirements Residential Precinct (R20-R50)
Table D	Planning Requirements for Private Clubs/Recreation Zone (Recreation and Equine Park)
Table E	Strategic Open Space Schedule
Table F	Reports, Surveys, Strategies and Plans

## 3.3 Table A – General Planning Requirements for Structure Plan Area

<b>A1.o Structure Plan Map</b>	<p>A1.1 Subdivision and development of land shall be in accordance with Plan 1, unless the Council, having regard to the matters listed under clause 9.11.2 of the Scheme, determines that the proposal or application is for one or more of the following:</p> <ul style="list-style-type: none"> <li>i) the amalgamation of lots or part lots;</li> <li>ii) the purpose of allowing access; or</li> <li>iii) the provision of services or infrastructure that would not prejudice future development outcomes.</li> </ul>
<b>A2.o Zones</b>	<p>A2.1 The following Zones are identified on Plan 1 and have particular planning requirements as set out in Tables B, C and D:</p> <p style="padding-left: 40px;">Special Residential Zone Residential Zone (R20-R50) Private Clubs/Recreation Zone (Recreation and Equine Park)</p>
<b>A3.o Land Use Permissibility</b>	<p>A3.1 Land use permissibility within the Structure Plan area shall be in accordance with the corresponding zone under the Scheme except where variations are stated in Tables B, C and D for each Precinct.</p>
<b>A4.o Dwelling Targets, Dwelling Density and Locational Criteria</b>	<p><b>Dwelling Targets</b></p> <p>A4.1 Provide for a minimum of 200 lots in the Special Residential Zone and 260 lots in the Residential Zone (R20-R50) within the Structure Plan area.</p> <p><b>Dwelling Density</b></p> <p>A4.2 A Residential Density Code Plan is to be submitted at the time of subdivision to the WAPC and shall indicate the Residential Density Coding applicable to each lot within the subdivision and shall be generally consistent with the Structure Plan, the Residential Density Ranges identified on Plan 1 and the locational criteria contained in Clause A4.6.</p> <p>A4.3 The Residential Density Code Plan is to include a summary of the proposed dwelling yield of the subdivision.</p> <p>A4.4 Approval of the Residential Density Code Plan shall be undertaken at the time of determination of the subdivision application by the WAPC. The approved Residential Density Code Plan shall then form part of the Structure Plan and shall be used for the determination of future development applications. Variations to the Residential Density Code Plan will require further approval of the WAPC.</p> <p>A4.5 Residential Density Code Plans are not required if the WAPC considers that the subdivision is for one or more of the following:-</p>

	<ul style="list-style-type: none"> <li>i) the amalgamation of lots;</li> <li>ii) consolidation of land for "superlot" purposes to facilitate land assembly for future development;</li> <li>iii) the purposes of facilitating the provision of access, services or infrastructure; or</li> <li>iv) land which by virtue of its zoning under the Structure Plan cannot be developed for residential purposes.</li> </ul> <p>A4.6 The allocation of residential densities on the Residential Density Code Plan shall be in accordance with the following criteria:</p> <ul style="list-style-type: none"> <li>i) R5 coding applies to those areas identified as Special Residential Zone on Plan 1;</li> <li>ii) R20-R50 coding applies to those areas identified as Residential Zone (R20-R50) on Plan 1 where: <ul style="list-style-type: none"> <li>(a) R30 - R50 codings are the predominant density within the Residential Zone (R20-R50) located directly adjacent to or in close proximity to open space.</li> <li>(b) R20 will be applied intermittently and generally located to respond to topography or where variety in lot size contributes to good urban design.</li> </ul> </li> </ul>
<b>A5.o Open Space</b>	<p>A5.1 Open Space shall be distributed generally in accordance with Plan 1 and Table E.</p> <p>A5.2 Management of the Private Clubs/Recreation Zone (Recreation and Equine Park) and other areas of open space (private and public) shall be as detailed in the deed between Eclipse Resources Pty Ltd, City of Wanneroo and National Australia Bank Limited dated 18 May 2009 ("the Deed") or as amended from time to time.</p> <p>A5.3 The drainage swales indicated in POS areas 7 and 8 as depicted on the Agreed Structure Plan (No. 61) Amendment 1 – Plan 1 are conceptual only and may require amendments to the size of the swales following detailed design which can be incorporated at the subdivision stage, to provide sufficient capacity in accordance with the City's subdivision guidelines.</p>
<b>A6.o General Subdivision and Development Requirements</b>	<p>A6.1 Subdivision and development of land shall be in accordance with the Structure Plan, the relevant provisions listed in Tables A, B, C, D, E and F and the relevant approved Detailed Area Plans required for the Residential Zone (R20-R50) under clause A7.o.</p> <p>A6.2 The Fire Management Plan shall be implemented as approved by the City of Wanneroo and endorsed by the Western Australian Planning Commission.</p> <p>A6.3 Emergency access points to the external road network to be generally created at the locations shown on Plan 1.</p>

	A6.4 Fencing along Wanneroo Road and Flynn Drive shall generally be post and wire.
<b>A7.0 Detailed Area Plans</b>	<p>A7.1 The City will require approval of Detailed Area Plans prior to any approval for survey-strata subdivision or development (whichever is applicable) being granted for single houses within the Residential Precinct (R20-R50).</p> <p>A7.2 Detailed Area Plans may address matters (a) to (j) listed under subclause 9.14.3 of DSP 2 and the following where appropriate:</p> <ul style="list-style-type: none"> <li>i) compliance with the Structure Plan provisions outlined in Tables A, B and C;</li> <li>ii) configuration of proposed strata lot boundaries where built form is used to guide strata lot boundaries;</li> <li>iii) existing site context, including existing vegetation, landform levels, built form, infrastructure and land uses;</li> <li>iv) interface between public and private domain;</li> <li>v) existing and retained vegetation;</li> <li>vi) earth working and retaining;</li> <li>vii) specific land uses requirements;</li> <li>viii) variations to the R Codes;</li> <li>ix) vehicular access and parking;</li> <li>x) cyclist and pedestrian access; and</li> <li>xi) staging of development.</li> </ul> <p>A7.4 Detailed Area Plans shall not be advertised.</p> <p>A7.5 Development proposals that comply with the provisions of the Structure Plan and approved Detailed Area Plans are considered exempt from obtaining planning approval under Clause 6.1 of the Scheme.</p> <p>A7.6 Planning approval shall only be required where, in the opinion of the City, there are significant variations from the Detailed Area Plan that do not comply with the objectives of the Residential Planning Codes or the Structure Plan.</p>

## 3.4 Table B – Planning Requirements for Special Residential Zone

<b>B1.o Land Use Permissibility</b>	<p>B1.1 The permissibility of land uses within the Special Residential Zone shall accord with those uses indicated in the Zoning Table - Table 1 of the Scheme, with the exception of the following:</p> <p style="margin-left: 40px;">Club (non-residential)      D          Corner Store                      D          Display Home Centre              D</p>
<b>B2.o Planning Requirements</b>	<p>B2.1 Subdivision and development shall generally be in accordance with Clause 3.19. The Special Residential Zone provisions with the exception of clause 3.19.3 (e) which is replaced by the setbacks below, the approved Building Envelope Plan and the following provisions:</p> <ul style="list-style-type: none"> <li>i) dwellings, garages and driveways shall be located to maximise tree retention where practical;</li> <li>ii) dwellings to address both the primary street and the secondary street through building articulation and openings;</li> <li>iii) dwellings setback between 6m and 9m from the primary street (no averaging required);</li> <li>iv) garages setback behind the front dwelling line by at least 0.5 metres and be a maximum of 8m in width;</li> <li>v) dwellings setback a minimum 20m from the rear boundary with no provision for averaging;</li> <li>vi) dwellings and garages setback at least 5m from side boundaries;</li> <li>vii) garages setback at least 3m from secondary streets;</li> <li>viii) detached sheds and outbuildings will not be permitted. Storerooms, workshops and garages to be attached to the dwelling with matching materials and colour schemes;</li> <li>ix) no fencing in the front setback area or within 2 metres behind the front dwelling line;</li> <li>x) minimise alteration of natural ground levels, cut-to-fill and retaining walls. Level changes should be addressed through dwelling design; and</li> <li>xi) only single storey, cantilever and split-level homes are permitted.</li> </ul>

## 3.5 Table C – Planning Requirements for Residential Zone (R20-R50)

<b>C1.o Land Use Permissibility</b>	<p>C1.1 The permissibility of land uses within the Residential Zone shall accord with those uses indicated in the Zoning Table - Table 1 of the Scheme, with the exception of the following:</p> <table border="0"> <tr><td>Caravan Park</td><td>X</td></tr> <tr><td>Caretakers Dwelling</td><td>X</td></tr> <tr><td>Childcare Centre</td><td>X</td></tr> <tr><td>Club (non-residential)</td><td>P</td></tr> <tr><td>Consulting Room</td><td>X</td></tr> <tr><td>Corner Store</td><td>D</td></tr> <tr><td>Nursing Home</td><td>X</td></tr> <tr><td>Park Home Park</td><td>X</td></tr> </table>	Caravan Park	X	Caretakers Dwelling	X	Childcare Centre	X	Club (non-residential)	P	Consulting Room	X	Corner Store	D	Nursing Home	X	Park Home Park	X
Caravan Park	X																
Caretakers Dwelling	X																
Childcare Centre	X																
Club (non-residential)	P																
Consulting Room	X																
Corner Store	D																
Nursing Home	X																
Park Home Park	X																
<b>C2.o Planning Requirements</b>	<p>C2.1 Subdivision and development shall generally be in accordance with the Residential Planning Code R20-R50 provisions, except where variations will be approved through Detailed Area Plans in accordance with the following provisions:</p> <ul style="list-style-type: none"> <li>i) dwellings, garages and driveways shall be located to maximise tree retention where practical;</li> <li>ii) vehicle access from laneways is mandatory for lots with laneway access;</li> <li>iii) shared driveway, vehicle access and garage locations may be nominated to minimise the impact on streetscapes;</li> <li>iv) fencing will not be allowed forward of the dwelling frontage and high, solid fencing should be minimised, where practical, especially for lots with multiple frontages to streets and open spaces;</li> <li>v) fencing should be of consistent scale, materials and colour within sub-precincts;</li> <li>vi) dwellings to be generally no more than two storeys (except where undercroft parking is provided in response to topography). Any three storey element is to be incorporated into the roof space of the dwelling or be incidental to the overall bulk and scale of the dwelling;</li> <li>vii) outbuildings and sheds will not be permitted;</li> <li>viii) dwellings and garages should facilitate passive surveillance of public spaces;</li> <li>ix) dwellings and garages should minimise the impact of built form on the adjoining Special Residential Precinct;</li> <li>x) dwellings to retain natural ground levels where practical by addressing level changes through building design rather than retaining walls on lot boundaries;</li> <li>xi) shared space for bin storage, may be desirable; and</li> </ul>																

	xii) access for emergency vehicles, removal trucks and/or garbage collection may be desirable depending upon dwelling and lot configuration.
--	--

**3.6 Table D – Planning Requirements for the Private Clubs/Recreation Zone  
(Recreation and Equine Park)**

<b>D1.o Objectives</b>	D1.1 To provide for private recreational, community and equine purposes and ancillary buildings.								
<b>D2.o Land Use Permissibility</b>	D2.1 The permissibility of land uses within the Private Clubs/Recreation Zone shall accord with those uses indicated below:  <table style="margin-left: 40px;"> <tr> <td>Caretakers Dwelling</td> <td>P</td> </tr> <tr> <td>Civic Building</td> <td>P</td> </tr> <tr> <td>Club (non-residential)</td> <td>P</td> </tr> <tr> <td>Stables</td> <td>P</td> </tr> </table>	Caretakers Dwelling	P	Civic Building	P	Club (non-residential)	P	Stables	P
Caretakers Dwelling	P								
Civic Building	P								
Club (non-residential)	P								
Stables	P								

**3.7 Table E – Strategic Open Space Schedule**

<b>Strategic Open Space Site (Public and Private)</b>	<b>Approx. Size (hectares)</b>
(1) Recreation and Equine Park(Private)	19.1 ha
(2, 3, 4, 5, 6, 7,9) Neighbourhood Parks /Drainage(Private)	4.77 ha
(8) Limestone Kilns (Public)	0.85 ha

## 3.8 Table F – Reports, Surveys, Strategies and Plans

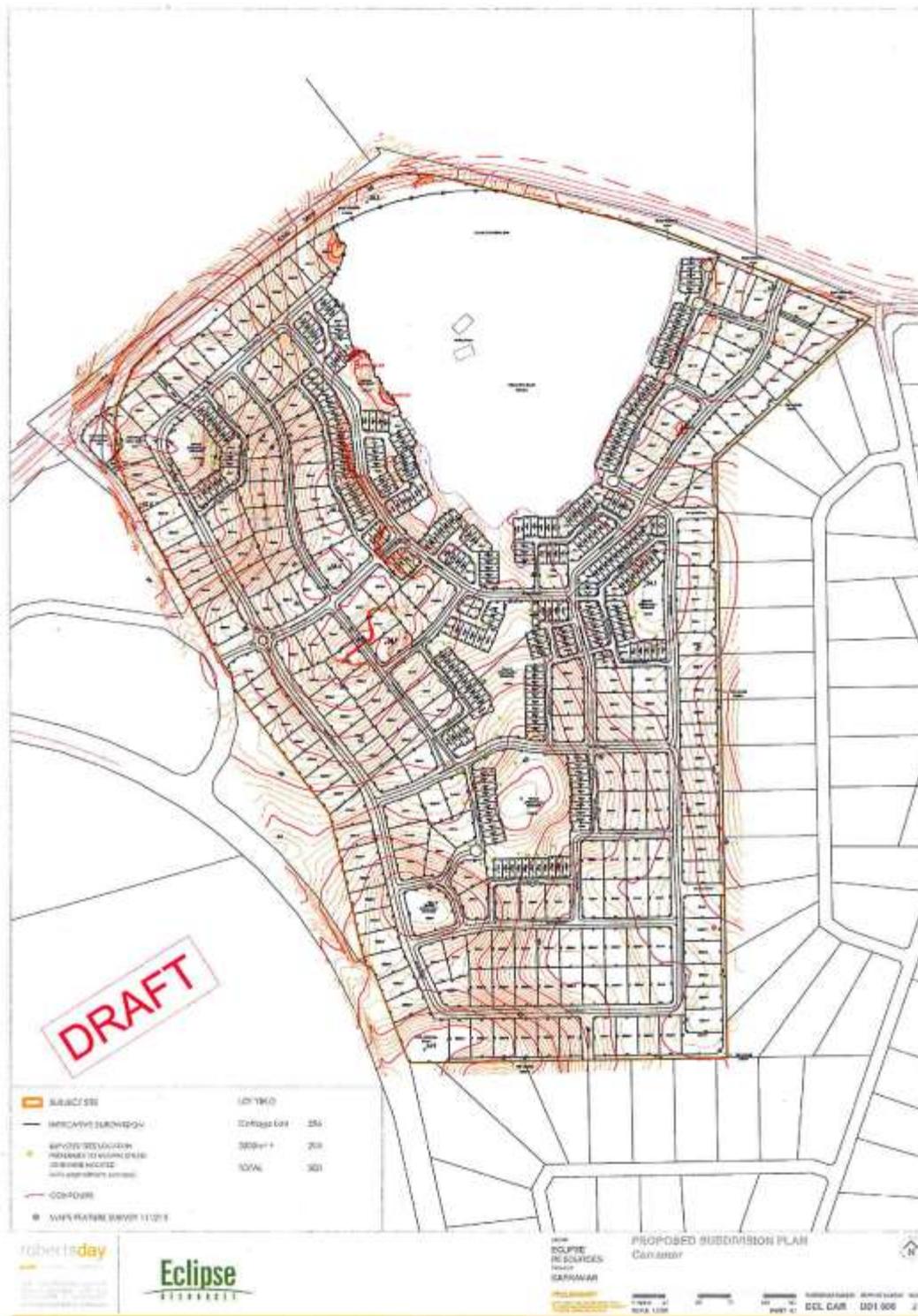
Documentation	Approval Stage	Approving Authority
Residential Density Plan	Concurrently with applications for subdivision.	Western Australian Planning Commission
Detailed Area Plans	Concurrently with an application for survey strata subdivision being supported by the City or development being approved within the Residential Precinct (R20-R50), as required.	City of Wanneroo
Building Envelope Plan for Special Residential Zone	Prior to clearance of subdivision conditions.	City of Wanneroo
Vegetation Management Plan including Revegetation Plan	Prior to clearance of subdivision conditions.	City of Wanneroo
Amended Deed between Eclipse Resources, City of Wanneroo and National Australia Bank for management of open space	Prior to clearance of subdivision conditions.	City of Wanneroo
Urban Water Management Plan	Prior to clearance of subdivision conditions.	Western Australian Planning Commission Department of Water
Soil and groundwater contamination investigation and remediation plan (if required) in accordance with the Guidelines detailed in the Contaminated Sites Management Series (DEC)	Prior to commencement of site works.	Department of Environment and Conservation

## 3.9 Table J – Developer Contributions Arrangements

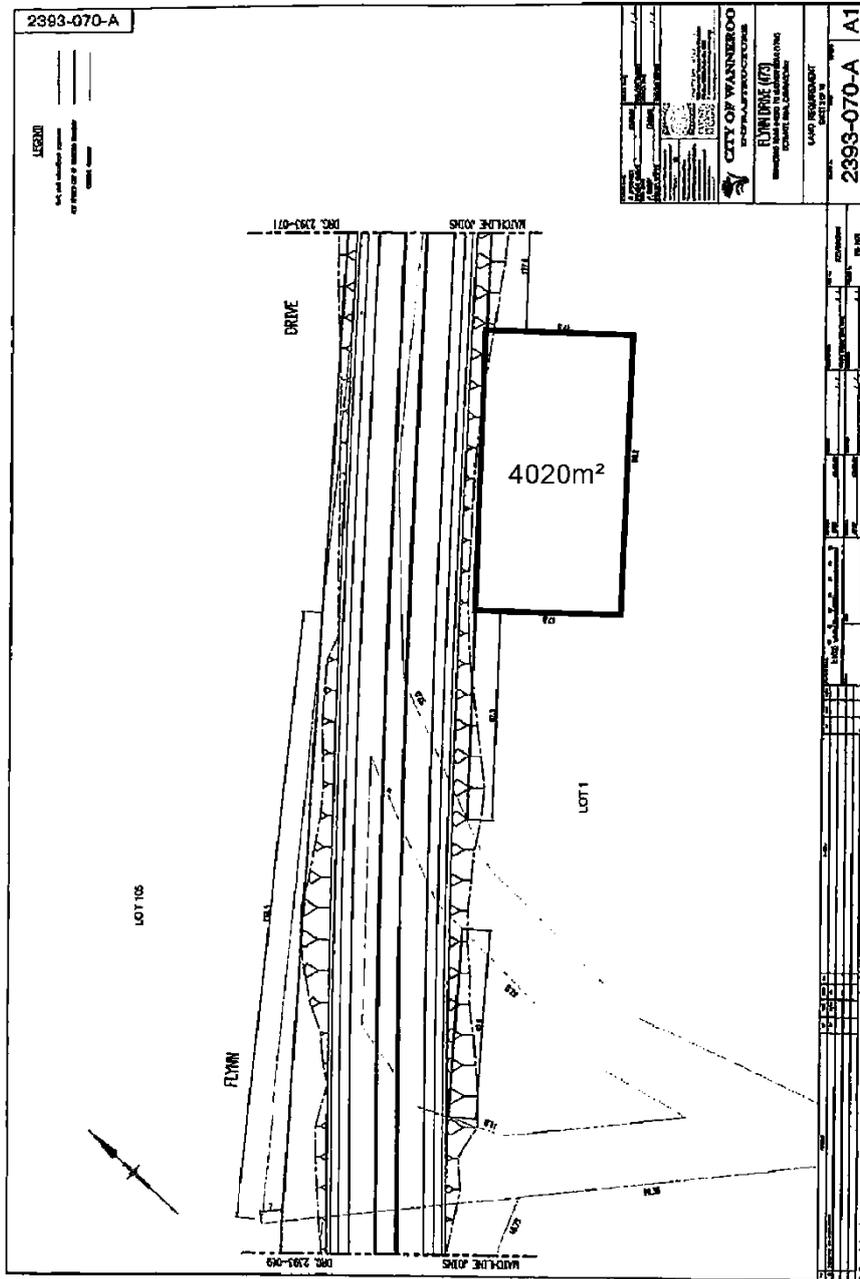
Developer contributions made under The Deed include:

- ceding free of cost certain land required for the upgraded Flynn Drive; and
- paying a monetary contribution of \$226,000 to the City of Wanneroo for the upgrade of Flynn Drive.

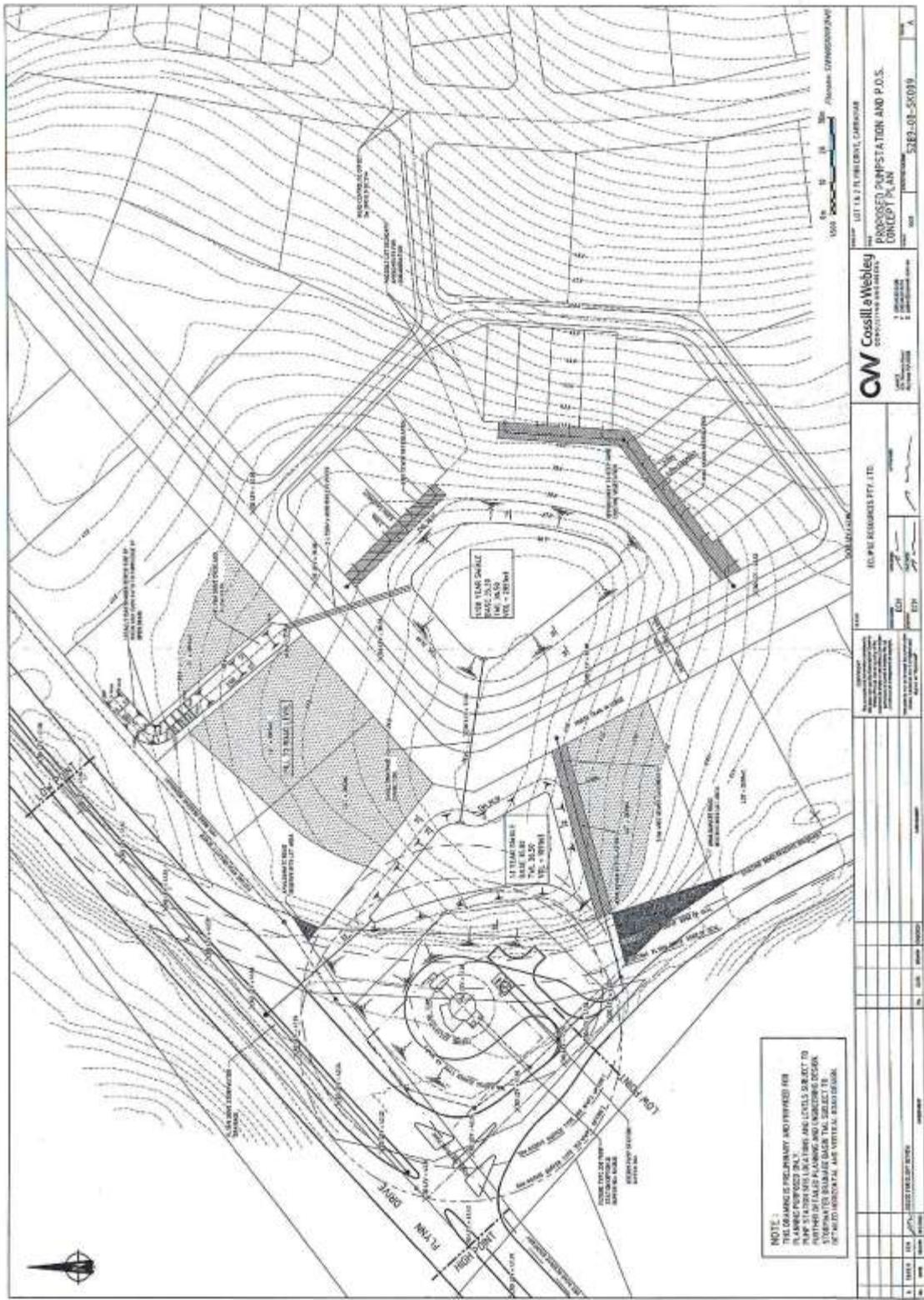




ANNEXURE B



<b>CITY OF WANNEROO</b> MUNICIPAL CORPORATION FLYNN DRIVE (RD) 2393-070-A 2393-070-A A1	
CARD NUMBER 2393-070-A	CARD TYPE A1





## Other Matters

### PS09-02/12 Subdivisional Retaining Walls Over 3.0 Metres in Height - Lots 54 and 9001 Landsdale Road, Darch (WAPC 143846)

---

File Ref: SD143846 – 12/2826  
Responsible Officer: Director, Planning and Sustainability  
Disclosure of Interest: Nil  
Attachments: 3

#### Issue

To consider approval of subdivisional development retaining walls over 3.0 metres and up to 5.4 metres in height on Lots 54 and 9001 Landsdale Road, Darch (WAPC 143846).

#### Background

Council's "Retaining Wall" policy provides that subdivisional retaining walls over 3 metres in height require consideration and approval by Council.

The subject land is located within the East Wanneroo Cell 6 Structure Plan. On 29 July 2011, the Western Australian Planning Commission (WAPC) granted subdivision approval for 46 R20 residential lots ranging in size between 438m<sup>2</sup> and 1000m<sup>2</sup> (WAPC 143846).

The WAPC proposed a number of conditions on the approval, including the following:

- "9. *The land being filled and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission and any easements and/or reserves necessary for the implementation thereof, being granted free of cost.*"

Engineering drawings have been submitted on behalf of the subdivider in fulfilment of the above condition, depicting retaining walls over 3.0 metres in height.

#### Detail

The subdivider's consulting engineer, BPA Engineering Pty Ltd, on behalf of the landowners/developers, Glenbrook Civil Engineering Contractors, has prepared design drawings including retaining walls exceed 3.0 metres in height for the subdivision of Lots 54 and 9001 Landsdale Road, Darch. Refer to **Attachment 1** for the location plan.

The consulting engineer's justification for the proposed retaining walls exceeding 3.0 metres in height is summarised as follows:

*"The site is bounded by Landsdale Road to the south, Mirrabooka Avenue to the east and various residential lots to the west and north. Existing height constraints imposed by current land topography and fall of land from south to north (refer **Attachment 2**), have combined to elevate some of the walls in Lots 54 and 9001 over the 3.0 metre height restriction to ensure level building platforms for the prospective purchasers and provide essential services to the site."*

#### Consultation

The consultant engineer has contacted the owners of Lots 324 to 329 Hampton Road and Lots 641 to 643 Tattersall Road and requested confirmation that they have no objection to the proposed retaining walls.

Letters were delivered personally by hand with a stamped addressed envelope on 2 and 5 December 2011 and the details of the walls discussed with owners. The City has received confirmation in writing from all but two of the owners on Hampton Road stating that they have no objection to the proposed walls.

### **Comment**

The design of retaining walls higher than 3.0 metres and up to 5.4 metres was instigated by the developer, Glenbrook Civil Engineering Contractors to provide level blocks in an area where land fall across the site does not warrant heights of retaining walls below 3.0 metres. The WAPC conditions also require coordinating of levels with any adjoining development. This results in sections of subdivision where retaining walls are higher than 3.0 metres. (Refer to **Attachment 3**.)

Administration has considered the proposal and the need to accommodate the established ground levels surrounding the subject land, which cause a substantial fall of approximately 20 metres from 66 AHD at Landsdale Road to 46 at the developments' northern boundary.

The extension of Bolton Way into Lot 54 is determined by the existing finished level at the boundary (constructed as part of Lot 53 Landsdale Road subdivision), and as such the road and sewer levels dictate the final levels of Lots 29-33.

In view of the above factors, Administration is prepared to support the proposal.

### **Statutory Compliance**

A Building Licence will separately need to be granted for the retaining walls prior to their construction.

### **Strategic Implications**

The proposal accords with the following Outcome Objective of the City's Strategic Plan 2006 – 2021:

- “1 *Environment*
  - 1.3 *Minimise impact of development on the environment*”
  - 1.4 *Improve the quality of the built environment*
- 2 *Social*
  - 2.1 *Increase choice and quality of neighbourhood and lifestyle options*”.

### **Policy Implications**

Application for approval to construct retaining walls exceeding 3.0 metres in height has been processed in accordance with Council's Retaining Wall Policy.

### **Financial Implications**

Nil

### **Voting Requirements**

Simple Majority

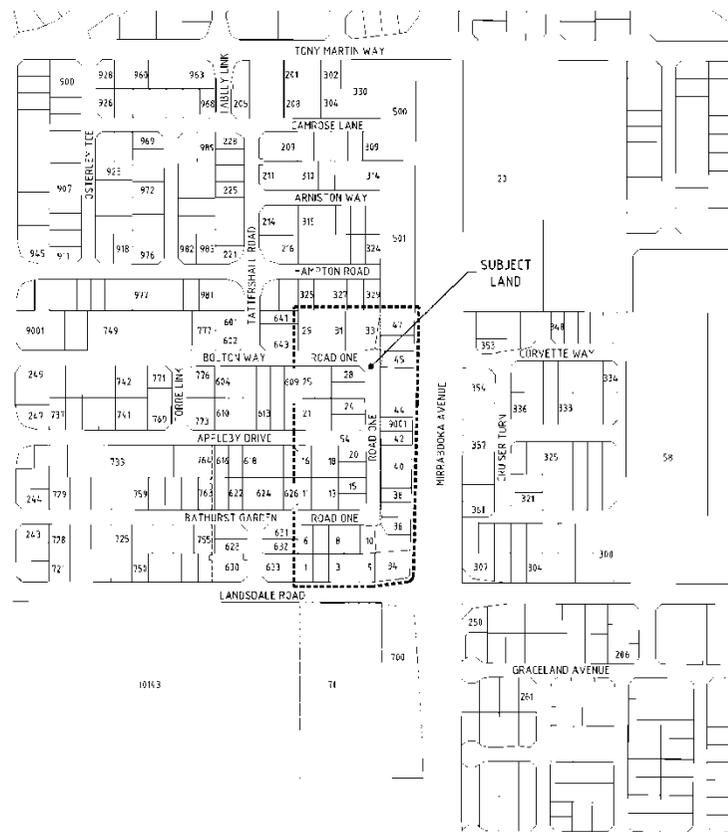
## Recommendation

**That Council AUTHORISES approval of the retaining walls higher than 3.0 metres and up to 5.4 metres proposed for Lots 54 and 9001 Landsdale Road, Darch (WAPC 143846), as depicted on the plan included as Attachment 3.**

*Attachments:*

1. *Location Plan* 12/2853
2. *Level and Feature Survey* 12/2855
3. *Layout and Heights* 12/2856 *Minuted*

ATTACHMENT 1

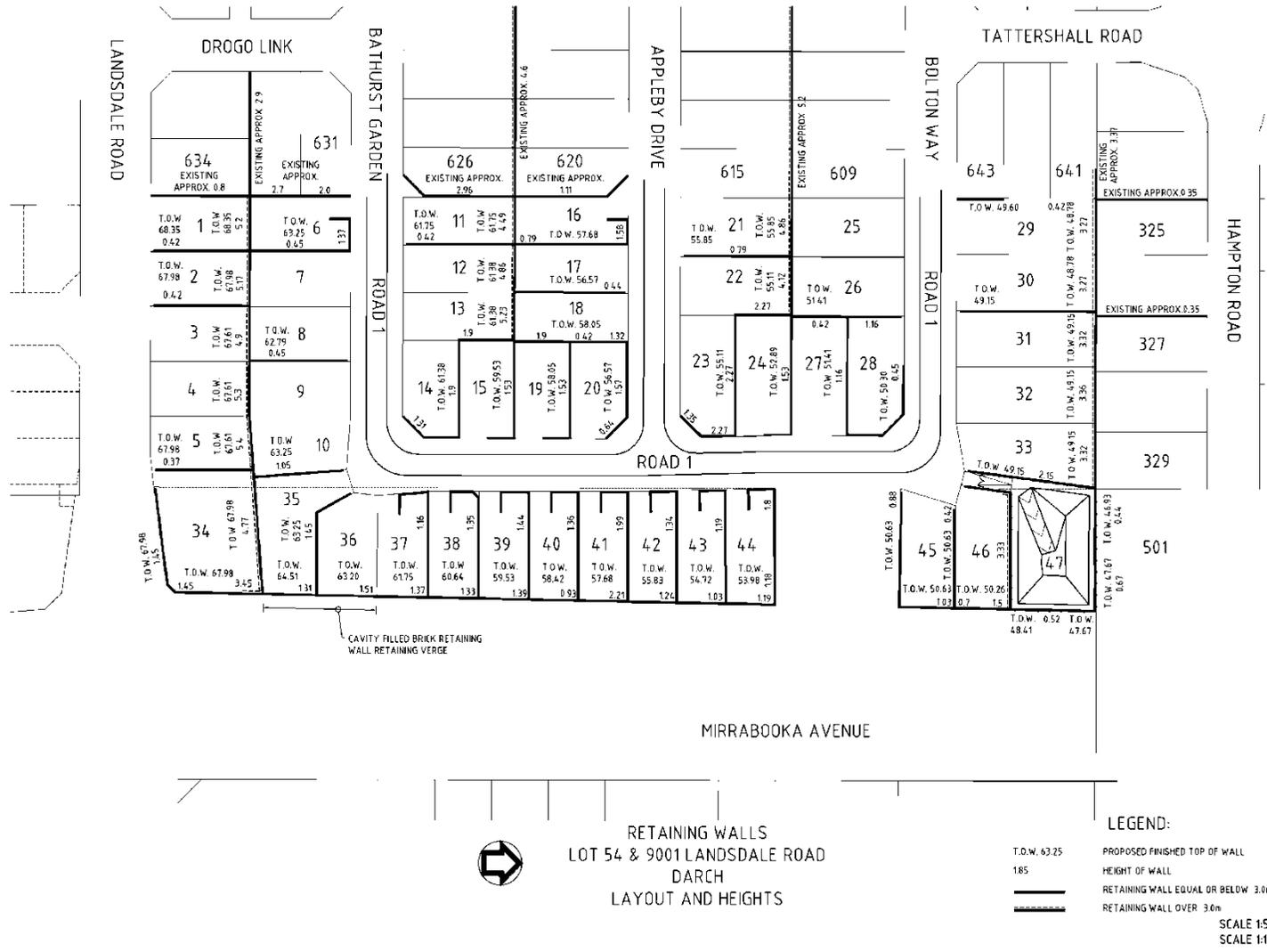


RETAINING WALLS  
LOT 54 & 9001 LANDSDALE  
ROAD  
DARCH  
LOCATION PLAN

SCALE 1:2000 @ A1



ATTACHMENT 3



PREPARED BY: J. HARRIS  
 DATE: 15/02/2011

---

**PS10-02/12 Subdivisional Retaining Walls Over 3.0 Metres in Height - Lots 151 to 159, Lots 172 to 177 and Lot 191 "The Terraces" Subdivision, Archer Street, Pearsall (WAPC 142221)**

---

File Ref: SD142221 – 12/3677  
Responsible Officer: Director, Planning and Sustainability  
Disclosure of Interest: Nil  
Attachments: 3

### **Issue**

To consider approval of subdivisional development retaining walls over 3.0 metres in height at Lots 151 to 159, Lots 172 to 177 and Lot 191 in "The Terraces" Subdivision, Archer Street, Pearsall (WAPC 142221).

### **Background**

Council's "Retaining Walls" policy provides that subdivisional retaining walls over 3.0 metres in height require consideration and approval by Council.

The subject land is located within the East Wanneroo Cell 4 Structure Plan. On 29 July 2011, the Western Australian Planning Commission (WAPC) granted subdivision approval for 58 R20 residential lots ranging in size between 302m<sup>2</sup> and 3312m<sup>2</sup> (WAPC 142221).

The WAPC proposed a number of conditions on the approval, including the following:

- "13. The land being filled and/or drained at the subdivider's cost to the satisfaction of the Western Australian Planning Commission and any easements and/or reserves necessary for the implementation thereof, being granted free of cost."*

Engineering drawings have been submitted on behalf of the subdivider in fulfilment of the above condition, depicting retaining walls over 3.0 metres in height.

### **Detail**

The Consulting Engineer (Peter Hill Consulting Engineers), on behalf of the landowners/developers, (Cabernet Properties Pty Ltd), has designed retaining walls exceeding 3.0 metres in height in their development known as "The Terraces" Subdivision, Pearsall. Refer to **Attachment 1** for the location plan.

The Consulting Engineer (Peter Hill Consulting Engineers) has been carrying out the design, construction and superintendence of subdivisional development for this area. Justification for approval of the retaining walls exceeding 3.0 metres in height is summarised as follows:

*"The site is bounded by Archer Street to the east, Ocean Reef Road and City of Wanneroo Drainage Reserves 11911 and 12330 to the south, Lot 8 Wanneroo Road to the west and to the north by 15 Birchgrove Way, 27 and 28 Goundrey Drive, 20 and 29 Cornelia Vista and 31 Archer Street.*

*Existing height constraints imposed by current land topography and the fall of the land from the north/east to the south/west have combined to elevate some of the walls in "The Terraces" Subdivision to over the 3.0m height restriction to ensure level building platforms for prospective purchasers and to provide essential services to the site."*

Approval to construct retaining walls exceeding 3.0 metres in height is now requested for Lots 151 to 159, Lots 172 to 177 and Lot 191 "The Terraces" Subdivision, Pearsall.

## Consultation

Nil

## Comment

The design of retaining walls higher than 3.0 metres was instigated by the developer, Cabernet Properties Pty Ltd, to provide level blocks. This can only be achieved with retaining walls above 3.0 metres in height due to the fall in levels across the site. The WAPC conditions also require co-ordinating levels with the adjoining development to the north and the existing roads, Archer Street and Ocean Reef Road, to the east and south. This again results in sections of the subdivision where retaining walls are required to be higher than 3.0 metres. Refer to **Attachments 2 and 3** for the locations of retaining walls proposed to be higher than 3.0 metres.

The over-height retaining walls do not adversely impact existing residents, which are themselves terraced in a similar manner.

The benefit of the proposed design is that building pads presented for sale to prospective purchasers will not require further level alterations or another retaining wall.

A Building Licence is necessary for all retaining walls before construction can commence.

It is therefore recommended that proposed retaining walls ranging from 3.85m (retained height) up to 5.75m (retained height) be approved.

## Statutory Compliance

A building license will need to be granted for the retaining walls prior to construction.

## Strategic Implications

The proposal accords with the following Outcome Objective of the City's Strategic Plan 2006 – 2021:

- "1 *Environment*
  - 1.3 *Minimise impact of development on the environment*
  - 1.4 *Improve the quality of the built environment*
- 2 *Social*
  - 2.1 *Increase choice and quality of neighbourhood and lifestyle options*

## Policy Implications

Application for approval to construct retaining walls exceeding 3.0 metres in height has been processed in accordance with Council's policy (Policy No. D56).

## Financial Implications

Nil

## Voting Requirements

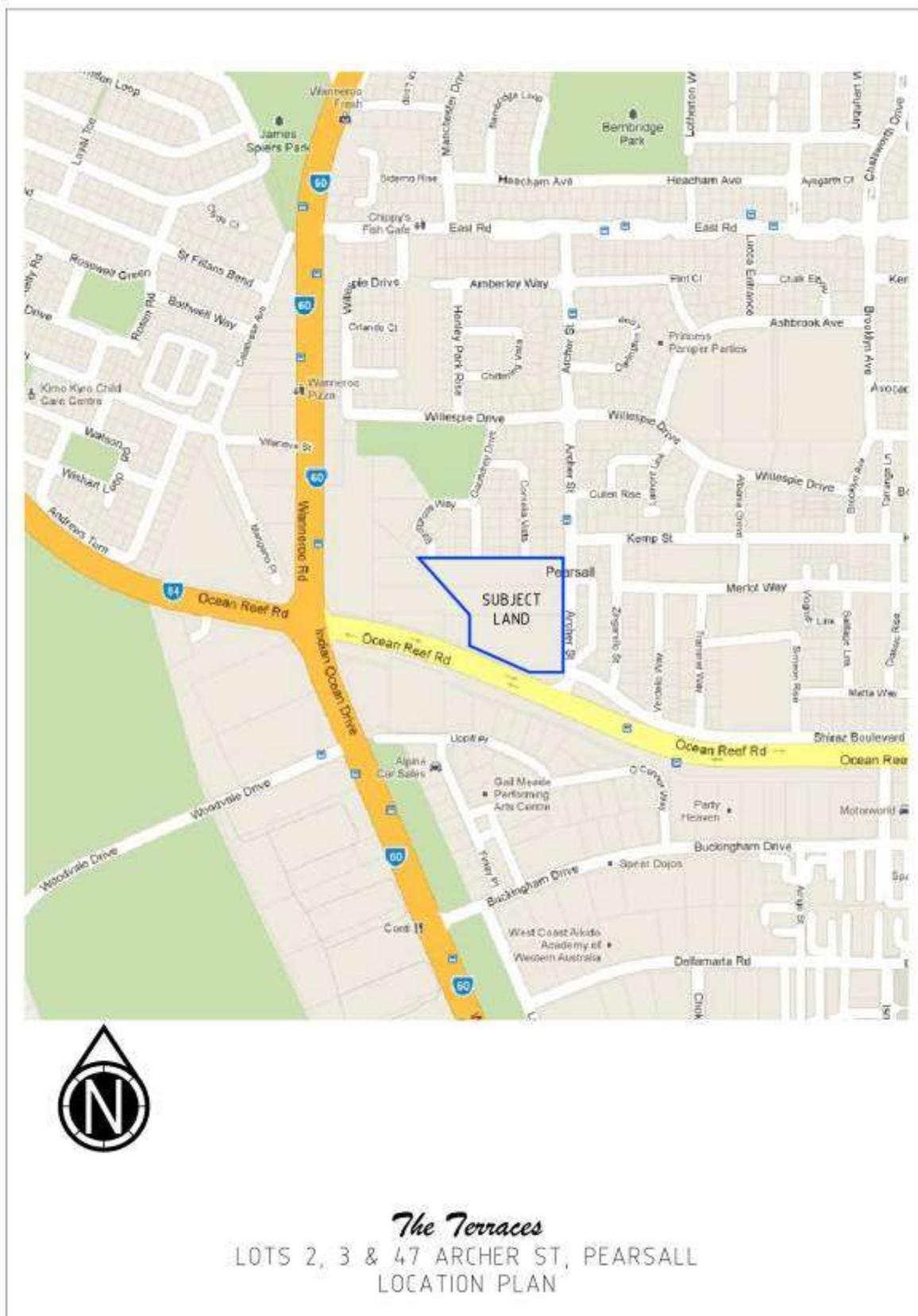
Simple Majority

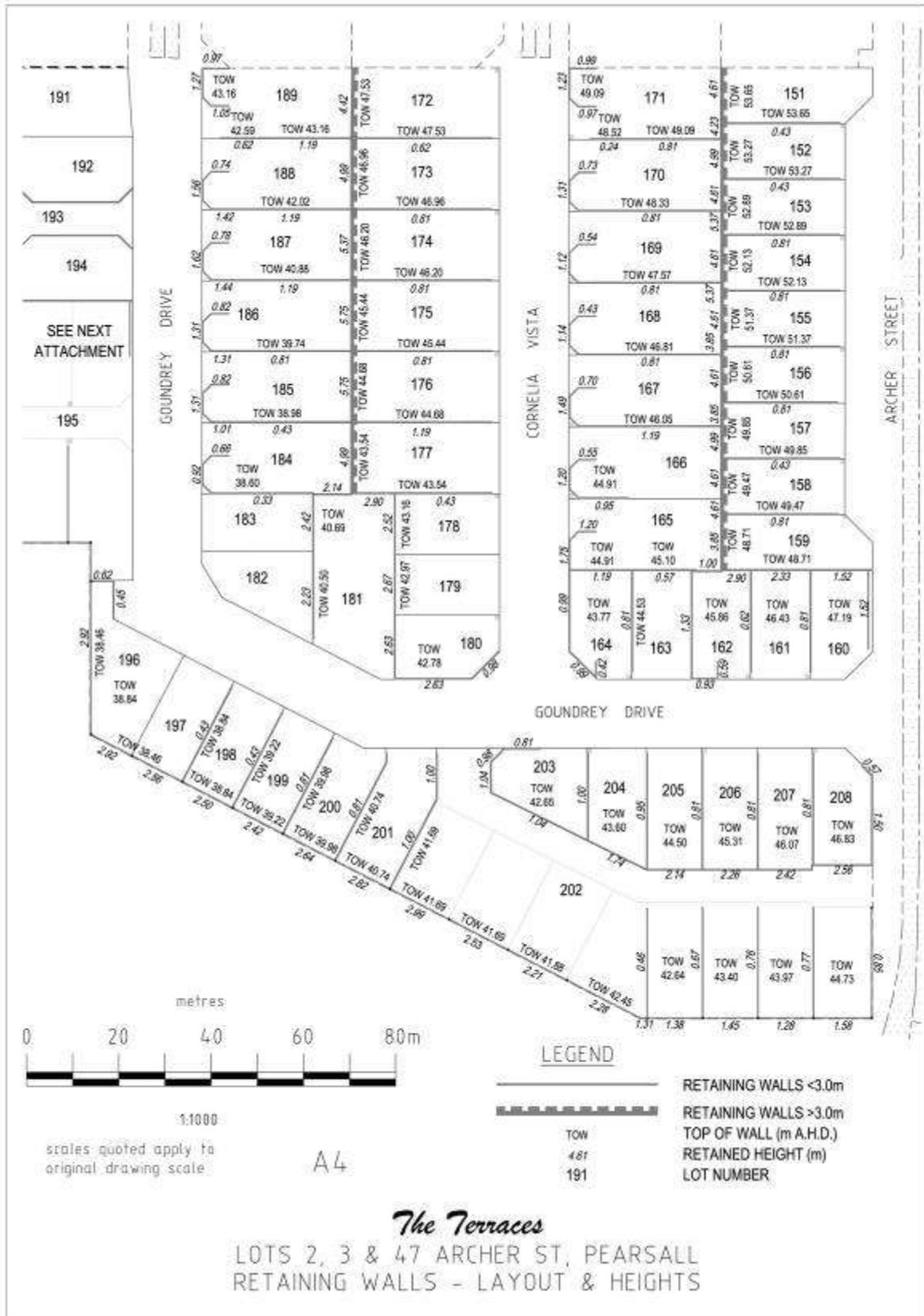
## Recommendation

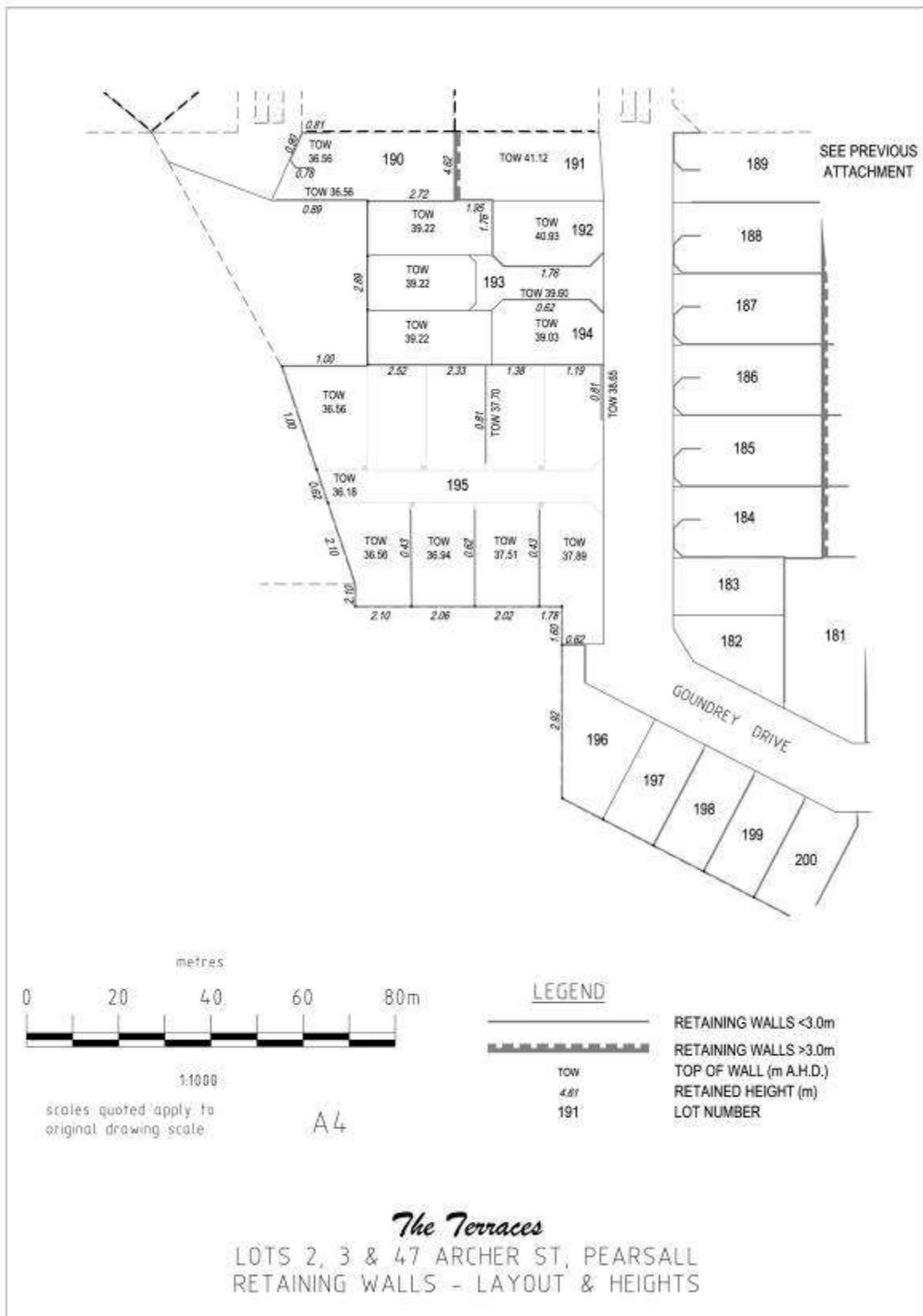
**That Council AUTHORISES approval of the retaining walls higher than 3.0 metres and up to a maximum of 5.75 metres proposed for Lots 151 to 159, Lots 172 to 177 and Lot 191 “The Terraces” Subdivision, Pearsall (WAPC No 142221), as depicted on the plans included as Attachments 2 and 3.**

### *Attachments:*

1. *Attachment 1 - Location Plan* 12/3974
2. *Attachment 2 - Retaining walls layout & heights* 12/3955 *Minuted*
3. *Attachment 3 - Retaining walls layout & heights* 12/3967 *Minuted*







---

**PS11-02/12 Suburban Jobs Program Funding Application**

---

File Ref: 6712 – 11/144305  
Responsible Officer: Director, Planning and Sustainability  
Disclosure of Interest: Nil  
Attachments: Nil

**Issue**

To consider an application to the Australian Government Department of Sustainability, Environment, Water, Population and Communities (DSEWPC) – Suburban Jobs Program (SJP) funding to construct a business incubator in collaboration with Landcorp at Neerabup Industrial Estate.

**Background**

On 7 December 2011 the Australian Government announced that it was making available between \$10 - \$25 million per project, for a small number of large, substantially integrated projects that will benefit major capital city locations subject to pressures as a result of rapid growth.

The SJP focuses on those communities in major capital cities outside of CBD's that are subject to pressures as a result of current or recent rapid growth, and support changes that attract and retain jobs closer to where people live. Applications are required to be submitted by 17 February 2012.

**Detail**

The objective of the SJP is to support state and local governments to plan and provide for increased local employment opportunities on major capital cities outside of central business districts. The Program seeks to achieve this by:

- Improving conditions for the creation of jobs in locations that are subject to pressures as a result of current, or recent rapid growth;
- Creating enduring benefits for the distribution and diversity of employment in these areas; and
- Demonstrating innovative ways in which the Digital Economy can be used, in order to reduce travel times between work and services.

As the SJP seeks to support large integrated projects, applicants that collaborate with appropriate partners including state and local governments and other stakeholders will be highly regarded.

**Funding Availability**

The final level of Australian Government funding awarded to each successful project will be determined on a case-by-case basis, up to the limit of the total available SJP Funding (\$25 million), and will depend on the number, scale and quality of funding applications received.

**Eligibility and Selection criteria**

To be eligible for funding under the SJP, all of the following eligibility criteria must be met:

1. The applicant must be a local government established under state legislation.

2. The applicant must demonstrate to the DSEWPC's satisfaction actual or in-principle commitment by the applicant or where relevant, third parties, of cash or in-kind resources to the project and/or broader program of works.
3. The project must not already have any resources provided, or allocated, prior to commencing preparation of an application for funding under the SJP. However, projects included in a strategic plan for which resourcing is yet to be allocated are acceptable.
4. The project must be an integrated project, that is they must deliver Capital Works and one or more value adding activities which are designed to address the objective of the SJP.
5. The project must have an anticipated completion date of on or before 30 June 2015. The project may be part of a broader program of works which may extend beyond this date.
6. The funding application must include one or more letters that evidence to the satisfaction of the Department the support of both relevant state and local governments for the project.

More than one application may be submitted per local government/ agency and will be assessed on the following criteria:

1. Growth and local employment need (35%)
2. Benefits to the project catchment (30%)
3. Enduring Benefits (20%)
4. Good Urban design and sustainability (15%)
5. Consistency with government strategic plans and policies (unweighted)
6. Capacity and compliance (unweighted)
7. Achieving value with public money (unweighted)

## **Consultation**

Administration wrote to the major developers in the northern coastal growth corridor asking for any projects they would like to partner with the City. Two suggestions were received, however, it was considered that these did not fully meet all of the SJP application criteria. Administration also met with Landcorp to discuss the details of the SJF application to build a business incubator at the Neerabup Industrial Estate. No further community consultation has taken place.

## **Comment**

The City is proposing to submit a SJP funding application, in collaboration with Landcorp, to build a business incubator at the Neerabup Industrial Estate.

The City of Wanneroo is the largest growing local government area in Western Australia in absolute population terms and has been, and continues to be, highly focussed on population growth and its consequences. The City's population is projected to increase from 156,000 at present to over 305,000 by 2031 (i.d. forecasts). However, growth of the City's suburbs has not been matched by a commensurate growth in local employment. The north-west sub region, comprising of the City of Wanneroo and City of Joondalup has the lowest level of employment self sufficiency (ESS) in the Perth and Peel region at only 41% (WAPC 2010). Directions 2031 and Beyond identifies a requirement for approximately 69,000 new jobs to be created in the north west sub-region to achieve the ESS target of 60%.

This is a significant increase when compared to the current number of jobs in the City of Wanneroo of approximately 35,000.

The low level of ESS results in long commute times to and from work for many residents. Traffic congestion and long travel distances for workers further exacerbate the strain of commuting, not only in terms of time but also on the financial and other costs of travel to personal health, family relationships and workplace productivity.

The SJP is a Federal Government initiative that targets creating suburban jobs close to residential populations to ameliorate the above issues. Administration has assessed the SJP application criteria and concluded that the City is the type of location the Federal Government is targeting, with strong and continued population growth, low level of ESS and meets the selection criteria.

A business incubator at Neerabup Industrial Estate would provide low cost industrial floorspace for fledgling businesses with business and training support. The incubator would assist in creating local employment opportunities for small businesses that could grow and develop over time with the aim of graduating to larger employment sites in the City. The incubator would also help kickstart the development of the Neerabup Industrial Estate.

In a preliminary meeting between Administration and Landcorp staff, the following general principles and scope were discussed in respect of the proposed grant application:-

- The City would make an application, with Landcorp's support, for the business incubator;
- A serviced site would be selected for the business incubator within Landcorp's Neerabup subdivision that is capable of accommodating between 40 and 80 businesses of various sizes. The location, size and scale of building and cost is still to be determined;
- The incubator should provide shared use facilities including administrative support, meeting rooms and shared office equipment; and
- The application would be for between \$10m and \$25m.

Whilst the above principles and scope will form part of the application, the specifics of how the business incubator would be constructed and operated are yet to be fully discussed and agreed with Landcorp and these matters would need to be subject to a separate report to Council for endorsement. In this regard it should be noted that:

- Whilst the application criteria seeks funding bids between \$10m and \$25m the actual amount awarded will be determined by the Federal Government and this will impact on the final Project; and
- Council would need to agree if it wishes to make a contribution towards the provision of the business incubator and if so, the type and amount of the contribution.

The SJP application provides an opportunity for the City to work with Landcorp to provide local infrastructure that would support much needed job creation in the City and, more broadly the north west sub-region.

## Statutory Compliance

The City will be required to adhere to a funding agreement with the Federal Government prior to any payment of funds being made for the successful applicant's project. Applicants will have eight weeks after the successful applicants and associated projects are announced to enter a funding agreement with the Federal Government.

## Strategic Implications

The proposal accords with the following Outcome Objective of the City's Strategic Plan 2006 – 2021:

“3 *Economic*

3.3 *Provision of timely and coordinated regional infrastructure”*

## Policy Implications

Nil

## Financial Implications

A successful application will greatly enhance the City's capacity to create and complete works that may otherwise be limited due to budgetary and resourcing constraints.

The SJP Guidelines make it clear that in order to achieve the best value with public money, applicants must demonstrate cash or in kind contributions be committed to the Project from sources other than the Australian Government. Resources committed by applicants will be highly regarded. The City will need to work in collaboration with Landcorp to determine the nature and extent of any cash or in kind contribution to the project.

## Voting Requirements

Simple Majority

## Recommendation

**That Council:-**

- 1. AUTHORISES the Chief Executive Officer to submit an application to the Suburban Jobs Program Fund, in collaboration with Landcorp, to build a business incubator at Neerabup Industrial Estate; and**
- 2. NOTES that if the City's application is successful, a further report will be presented to Council to determine the precise nature and extent of the construction and operation of the business incubator, the terms of any ongoing relationship with Landcorp in respect of the same, and the City's contribution towards this project.**

*Attachments: Nil*