

PLANNING SOLUTIONS

URBAN & REGIONAL
PLANNING



Job No: 900
Date: 6 July 2011

Lot 9603 Pinjar Road, Ashby

Local Structure Plan 77
Part 2 – Explanatory Section

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APPENDICES

Appendix 1: East Wanneroo Cell 1 (Tapping and Ashby) Agreed Structure Plan

1.0 INTRODUCTION AND BACKGROUND

The following report has been prepared on behalf of Endeavour Properties Pty Ltd, the registered proprietor of Lot 9603 Pinjar Road, Ashby, in support of proposed Local Structure Plan to facilitate and guide the development of the Ashby Neighbourhood Centre on part of that Lot (**subject site**).

The proposed Local Structure Plan is required in order to designate the underlying zoning within the nominated 'Centre Zone' and establish the permissibility of uses.

2.0 FORMAT

The Local Structure Plan Report comprises two parts:

- Part 1: Statutory Planning Considerations – describes the objectives, zoning, permissibility and design parameters applicable to the Structure Plan Area.
- Part 2: Explanatory Section – details the statutory and strategic considerations informing the land use.

3.0 SITE DETAILS

3.1 LEGAL DESCRIPTION

Lot 9603 Pinjar Road, Ashby (which includes 'the subject site') is legally described as "*Lot 9603 on Deposited Plan 54314*" being the whole of the land contained in Certificate of Title Volume 2685 Folio 357.

Lot 9603 has a total area of 4.2366 hectares. The Structure Plan area comprises the eastern portion of the site and adjacent road reserves.

3.2 REGIONAL CONTEXT

The subject site is located within the municipal boundaries of the City of Wanneroo in the locality of Ashby. The subject site is located approximately 25 kilometres northwest of the Perth Central Business District.

3.3 LOCAL CONTEXT

The subject site is located on the western side of Pinjar Road, Ashby, immediately north of the Caporn Street intersection, and east of Mariginiup Lake. The subject site enjoys frontage to Pinjar Road and Hollosy Way, and will also abut a future road leading north from Hollosy Way, and a future road adjacent to the northern boundary of the site.

A subdivision application which was also lodged on the 26 February 2010 seeks to modify the subdivision currently approved on land to the north of the subject site, to provide a fourth road frontage abutting much of the northern boundary of the subject site.

The Wanneroo Town Centre is approximately 1.5 kilometres south of the subject site.

The East Wanneroo area is experiencing rapid and ongoing development, progressively replacing rural uses traditionally associated with the area. Subdivision and development is progressing within the Cell 1 and Cell 2 areas.

3.4 LAND USE AND TOPOGRAPHY

The subject site falls gently from east to west, is cleared and contains no improvements or significant environmental features.

4.0 PROPOSED LOCAL STRUCTURE PLAN

Statutory provisions are contained in Part 1 of the Structure Plan Report.

The Local Structure Plan (LSP) applies a 'Commercial' zoning to the portion of the Structure Plan area not required for road reserve purposes.

Permissibility of uses within the 'Commercial' zone is to be as per the provisions of 'Table 1 – Zoning Table' contained within the City of Wanneroo District Planning Scheme No. 2.

5.0 STATUTORY AND STRATEGIC CONSIDERATIONS

5.1 METROPOLITAN REGION SCHEME

The subject site is zoned 'Urban' under the provisions of the Metropolitan Region Scheme (MRS), and abuts an 'Other Regional Roads' reservation.

The subject proposal is consistent with the provisions of the MRS, and may be supported.

5.2 CITY OF WANNEROO DISTRICT PLANNING SCHEME NO. 2

5.2.1 Urban Development Zone

The subject site is zoned 'Urban Development' under the provisions of the City of Wanneroo District Planning Scheme No. 2 (DPS2).

As defined by Clause 3.14.1 of DPS2, the purpose of the 'Urban Development' zone is *"to provide for the orderly planning and development of larger areas of land in an integrated manner within a regional context whilst retaining flexibility to review planning with changing circumstances"*.

Clause 3.14.3 of DPS2 generally requires an Agreed Structure Plan be prepared and adopted by Council and the Western Australian Planning Commission (WAPC) for land within an 'Urban Development' zone. In conformity with this requirement, and as stated above, Agreed Structure Plans have been produced and adopted for the East Wanneroo Cell 1 and Cell 2 areas.

5.2.2 Centre Zone

The Cell 1 Structure Plan Zoning Plan map to designates the subject site as 'Centre Zone'. In accordance with Clause 9.8.2 of DPS2:

Where an Agreed Structure Plan imposes a classification on the land included in it by reference to reserves, zones ... or Residential Density Codes, until it is replaced by an amendment to the Scheme imposing such classifications:

- (a) The provisions of the Agreed Structure Plan shall apply to the land within it as if its provisions were incorporated in this Scheme and it shall be binding and enforceable in the same way as corresponding provisions incorporated in the Scheme.*

Therefore, the subject site is subject to the 'Centre Zone' provisions of DPS2. Clause 3.13.1 states:

The Centre Zone is intended to accommodate existing and proposed business centres or other planning precincts where the Council considers that an Agreed Structure Plan is necessary to provide for the coordinated planning and development of these centres. The centres may range in size from small neighbourhood centres to large multi-purpose regional centres.

Clause 3.13.3 of DPS2 generally requires that an Agreed Structure Plan be prepared and adopted by Council and the Western Australian Planning Commission (WAPC) for land within the 'Centre Zone', hence the requirement for the subject LSP.

5.2.3 Commercial Zone

The proposed LSP designates the developable portion of the subject site as 'Commercial'. In accordance with Clause 9.8.2 of DPS2, the land designated as 'Commercial' will be subject to those provisions of DPS2 applicable to the 'Commercial' zone.

Clause 3.7.1 of DPS2 states:

The Commercial Zone is intended to accommodate existing or proposed shopping and business centres where the planning of the locality is well advanced.

The subject site is designated within the Cell 1 Structure Plan as a 'Neighbourhood Centre' site, and is intended to function as a Neighbourhood Centre servicing the Ashby/Tapping and Sinagra communities. The Ashby Neighbourhood Centre is proposed to accommodate a range of commercial, retail, community, service and office uses, to cater for the surrounding residents.

The proposed LSP is consistent with the aims, objectives and requirements of the Cell 1 ASP and DPS2, and may be approved as proposed.

6.0 TRAFFIC CONSIDERATIONS

6.1 VEHICLE ACCESS – PINJAR ROAD

If in the City's opinion, operational and/or safety issues arise in future, due to the right turn in traffic movement from Pinjar Road, then traffic monitoring will need to occur to address any issues and/or measures necessary, which include closure of the right turn in or installation of traffic lights.

7.0 CONCLUSION

The proposed LSP has been the product of detailed planning and research, and is a direct consequence of the State Administrative Tribunal Orders dated 10 September 2008.

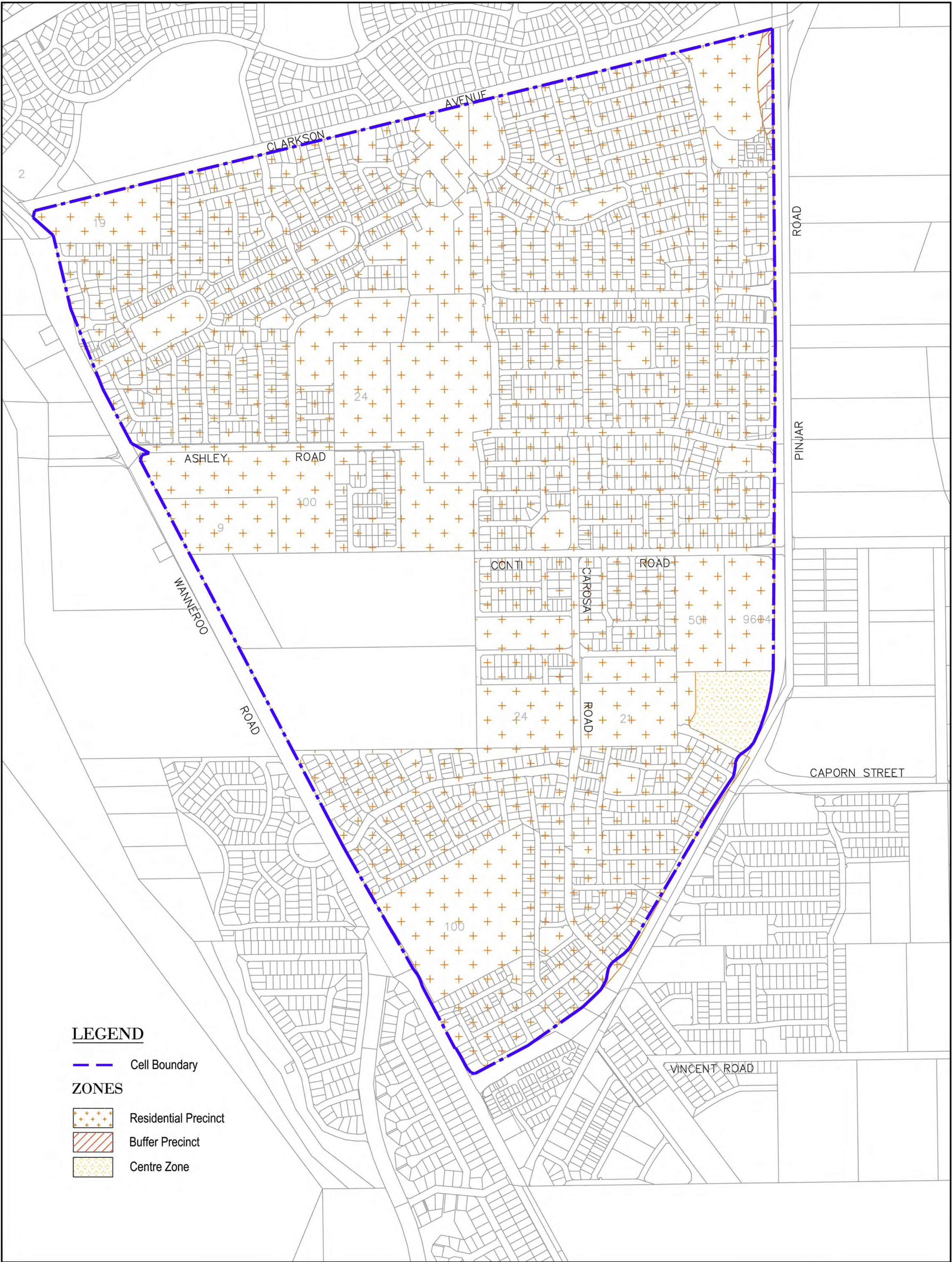
In summary, the proposed LSP warrants adoption and endorsement by the Council of the City of Wanneroo and the Western Australian Planning Commission, respectively, for the following reasons:

1. The proposal adopts the fundamental planning principles and ideologies associated with the existing Agreed Structure Plans;
2. The proposal is consistent with the provisions of the Metropolitan Region Scheme; and
3. The proposal is consistent with the provisions of the City of Wanneroo District Planning Scheme No. 2.

In light of the above, the subject proposal is consistent with the principles of orderly and proper planning, and sustainable development.

Accordingly, the proposal warrants adoption and endorsement by the City of Wanneroo and Western Australian Planning Commission, respectively.

APPENDIX 1
EAST WANNEROO CELL 1 (TAPPING AND ASHBY)
AGREED STRUCTURE PLAN

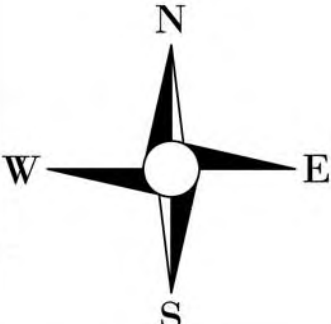


City of
Wanneroo

CELL 1 - ZONING PLAN

AMENDED DATE : 10 September 2008

COMMENTS : Includes Amendment No.11



Not to Scale