

KINGSWAY CITY ACTIVITY CENTRE STRUCTURE PLAN

Agreed Structure Plan No. 59.....

Adopted:

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

CERTIFICATION OF AGREED STRUCTURE PLAN

CERTIFIED THAT AGREED STRUCTURE PLAN:

KINGSWAY CITY ACTIVITY CENTRE

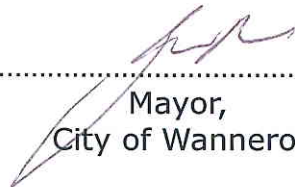
WAS ADOPTED BY RESOLUTION OF
THE WESTERN AUSTRALIAN PLANNING COMMISSION
ON 12/11/10



.....
for Chairperson,
Western Australian Planning Commission

Subject of SAT determination DR 164 2008;
pursuant to 9.6.3 (b) and (d) of DPS 2,
Council resolution to adopt not required.

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


.....
Mayor,
City of Wanneroo
.....
Chief Executive Officer, City of Wanneroo

6.12.2010 DATE

RECORD OF AMENDMENTS TO THE
AGREED STRUCTURE PLAN

KINGSWAY CITY ACTIVITY CENTRE

Amendment No.	Description of Amendment	Finally Endorsed by Council	Finally Endorsed by WAPC

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Development Control Plan

PART 1: STATUTORY SECTION

This Structure Plan is in two parts. In accordance with clause 9.8.3 (f) of the City of Wanneroo District Planning Scheme No. 2, this Part, which includes the attached Development Control Plan, has the same force and effect as a provision, standard or requirement of the Scheme. Part 2 is for explanatory and guidance purposes only.

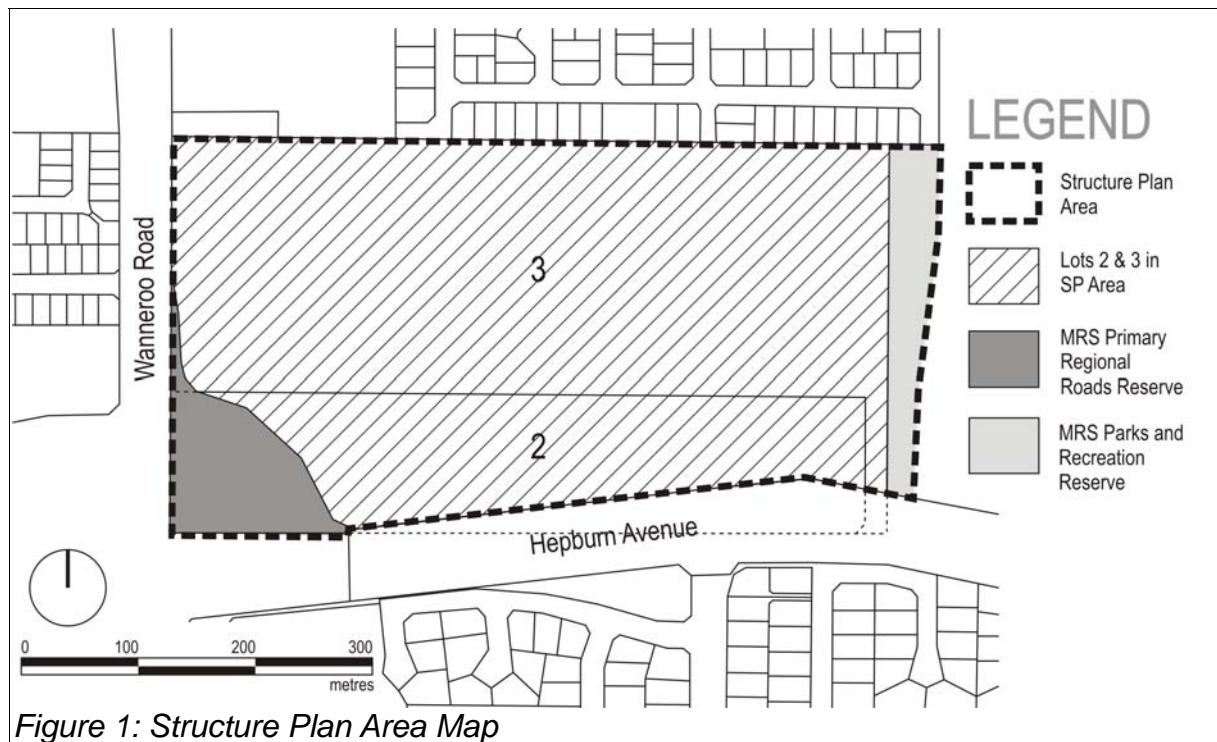
1. Interpretations

In this Part:

- (i) "Structure Plan" means this structure plan – City of Wanneroo Agreed Structure Plan No. 59.
- (ii) "The Scheme" means the City of Wanneroo District Planning Scheme No. 2.
- (iii) Any term used in this Part that is identical to a term listed in Schedule 1 of the Scheme shall have the same meaning as in Schedule 1 of the Scheme.
- (iv) "Shop/Retail" means Planning Land Use Category 5 retail uses as defined in State Planning Policy 4.2 Metropolitan Centres Policy Statement, or any State Planning Policy which may replace that State Planning Policy.

2. Structure Plan Area

The Structure Plan Area is depicted in Figure 1. Most of the area comprises part of Lots 2 and 3 on Diagram 24051 (hatched where within the Structure Plan Area).



3. Purpose

The purpose of the Structure Plan is to facilitate and guide development of the land within the Structure Plan Area generally in accordance with the Development Control Plan, which is attached to this Part.

4. Regional Roads Reserves

The uses and other relevant aspects of any development within a Regional Road Reserve shall accord with such reasonable agreements that may from time to time be made between the land owner, the Council and/ or the Commission, where appropriate.

5. Development Control Plan

- (i) The Development Control Plan comprises eleven separate diagrams as follows (by Diagram number):
1. General Land Uses
 2. Maximum Extent of Retailing as a Sole Use
 3. Active Frontages
 4. Principal Service Routes and Service Areas
 5. Main Street
 6. Town Square
 7. Pedestrian Routes
 8. Cycle Routes and Parking
 9. Anticipated Future Bus Routes
 10. Open Spaces Network
 11. Height Limitation Zone.
- (ii) Development proposals involving one or more minor changes to the Development Control Plan shall be considered to be generally in accordance with the Development Control Plan.

5.1. General Land Uses

- (i) Diagram 1 in the Development Control Plan depicts the following general land uses in the Structure Plan Area:
- Existing Shopping Centre and Retail;
 - Mixed Use;
 - Mixed Use (Civic);
 - Residential;
 - Open Space.
- (ii) Where reference is made within this Structure Plan to zones or residential design codings under the Scheme, the objectives, standards and requirements

applicable to those zones and residential design codings under the Scheme shall apply, unless specific provision to the contrary is made in this Part.

- (iii) 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.
- (iv) Within the Structure Plan Area, the amount of floorspace used for Shop/ Retail purposes shall not exceed 32,000 square metres (NLA).

5.1.1. Existing Shopping Centre and Retail

- (i) The main purpose of the Existing Shopping Centre and Retail area is to facilitate the expansion of the existing shopping centre.
- (ii) In this area development standards and requirements shall, except as otherwise provided for in this Part, be in accordance with the “Commercial” zone of the Scheme.
- (iii) In this area Shop/ Retail floorspace may be developed as the sole use (Diagram 2 also refers).
- (iv) Uses within the area are not limited to Shop/ Retail uses. The following types of uses are also permitted:
 - Banks, Travel Agents, Optometrists, Hairdressers and other such retail services commonly located within shopping centres;
 - Restaurants/ Cafes;
 - Cinema/s and other entertainment facilities;
 - Multiple Dwellings;
 - Offices;
 - Car Parks.
- (v) Any cinema, or other large entertainment use that trades outside normal shopping hours, shall be directly accessible from either the Main Street or the Town Square.

5.1.2. Mixed Use

- (i) The main purpose of the Mixed Use areas is to facilitate development over time of a wide variety of commercial, entertainment and residential uses that will contribute to the creation of an attractive mixed use activity centre in the Structure Plan Area.
- (ii) In the Mixed Use areas land use permissibility shall be in accordance with the “Commercial” zone in Table 1 (the Zoning Table) of the Scheme; except that the use “Motor Vehicle Repairs” may also be permitted at the discretion of the Council.
- (iii) Subject to Clause 5.10, there should not be any limitation placed on the height of buildings within a mixed use development except as shall be necessary to meet overshadowing and wall height/ length to setback standards specified in the Residential Design Codes of Western Australia in respect to adjoining properties.

- (iv) The Residential Density Code for the Structure Plan Area shall be as depicted in the Residential Density Code Map (Figure 2 in Sub-Clause 5.1.4.).

5.1.3. Mixed Use (Civic)

- (i) The main purpose of the specifically identified Mixed Use (Civic) area is to provide a prime location for the establishment of a City of Wanneroo Civic and Cultural facility within the Mixed Use area.
- (ii) The size, form, nature, tenure and use of the Civic and Cultural facility will be the subject of a new reasonable agreement between the land owner and the City of Wanneroo.
- (iii) It is intended that the new agreement referred to in clause 5.1.3 (ii) will replace the existing deed of agreement between the land owner and the City regarding the provision of Civic and Cultural land in the Structure Plan Area.

5.1.4. Residential

- (i) The main purpose of the specifically identified Residential area is to facilitate the development of multiple dwellings as the predominant use.
- (ii) Residential development in the area shall conform to the Residential Design Codes of Western Australia and the Residential Density Code depicted in the Residential Density Code Map (Figure 2).
- (iii) In the Residential area land use permissibility shall be in accordance with the "Mixed Use" zone in Table 1 (the Zoning Table) of the Scheme; except that the following uses may also be permitted at the Council's discretion:
- Club (Non-Residential)
 - Dry Cleaning Premises
 - Hotel
 - Laundromat
 - Laundry
 - Liquor Store
 - Market (Retail)
 - Motel
 - Shop
 - Showroom
 - Supermarket
 - Take-Away Food Outlet
 - Tavern
 - Telecommunications Infrastructure
 - Video Hire.
- (iv) In the Residential Area a convenience store selling petrol or petroleum products shall not be permitted.
- (v) Non-residential development may only be permitted if it forms part of a mixed use development comprising residential development.
- (vi) Any non-residential use in the Residential area shall be limited to the ground and first floor levels, unless such use is intended to cater primarily for the

residents of the building containing the non-residential use.

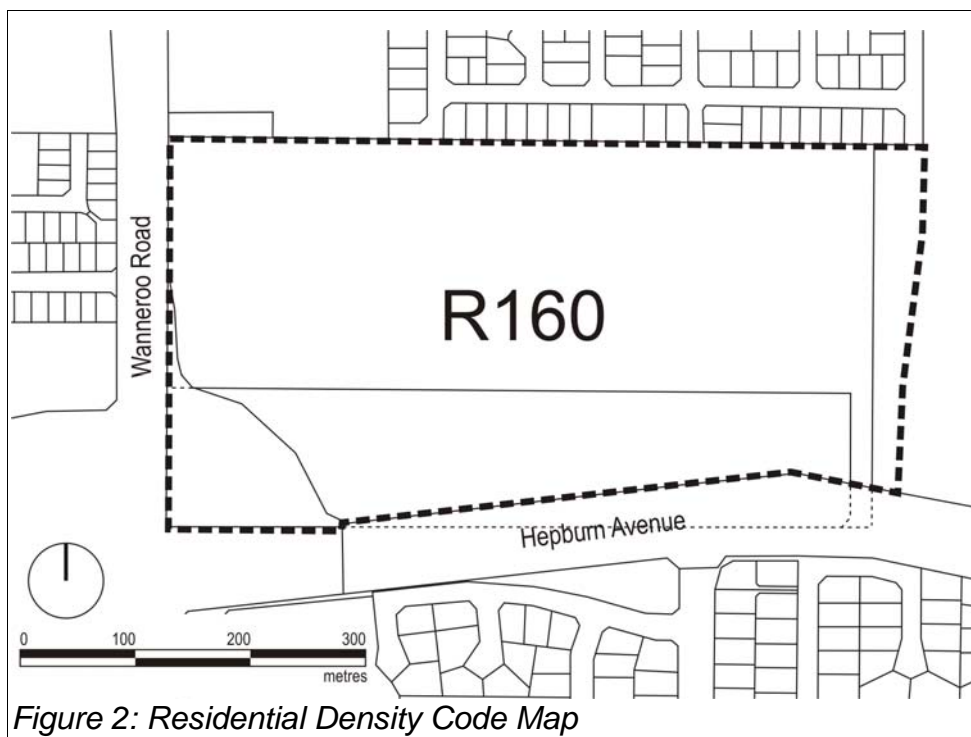


Figure 2: Residential Density Code Map

5.1.5. Open Space

The main purpose of the specifically identified Open Space area is to facilitate the provision of landscaped passive recreational areas, pathways and/ or visual buffers at appropriate locations, particularly in the vicinity of residential development.

5.2. Active Frontages

Development should incorporate active frontages (i.e. street-level frontage incorporating the main entrances to commercial and other premises as well as a reasonable amount of shopfront-style glazing) generally in accordance with Diagram 3 of the Development Control Plan.

5.3. Principal Service Routes and Service Areas

Principal service routes and service areas should be generally in accordance with Diagram 4 of the Development Control Plan.

5.4. Main Street

The following provisions shall apply to any development which is either fully or partially within the Main Street precinct depicted in Diagram 5:

- (i) The term “Main Street” refers to the whole of the area so designated in Diagram 5 of the Development Control Plan.
- (ii) The term “Street” refers to those areas of the Main Street used for vehicular and pedestrian movement, and other public spaces.

- (iii) Buildings or parts of buildings adjacent to the Street shall be a minimum of two storeys and be oriented towards the Street.
- (iv) Any building or tenancy adjacent to the Street shall have its primary public entrance from the Street.
- (v) Horizontal sections of wall without openings on the ground floor shall not exceed 10 metres.
- (vi) At least 70 percent of the length of the façade of buildings shall be glazed.
- (vii) The setback to all building façades adjacent to the Street shall be zero.
- (viii) The façade of any building adjacent to the Street shall have awnings attached that provide cover to the footpath.
- (ix) The awnings on both sides of the Street shall be of the same or complementary style and be made of the same or complementary materials.
- (x) The façade of each building either fully or partially within the Main Street Precinct shall exhibit a high standard of design.
- (xi) Signs shall not project above a building parapet or extend beyond an eave line unless they are part of a design feature that was identified in an approved development application.
- (xii) Footpath widths on the Street shall be sufficient to allow for at least one rank of alfresco dining without restricting movement along the footpath.

5.5. Town Square

The Town Square is intended to provide a sense of place and an attractive focal point for visitors to the centre. The following provisions shall apply to any development which is either fully or partially within the Town Square precinct as depicted in Diagram 6 of the Development Control Plan, except that the Council may at its discretion vary or not require any provision in a particular case if it considers that doing so would result in more appropriate development of the Town Square than would occur if strict adherence to the provisions was maintained:

- (i) The term “Town Square Precinct” refers to the whole of the area so designated in Diagram 6 of the Development Control Plan.
- (ii) Buildings or parts of buildings adjacent to the Town Square shall be a minimum of two storeys and be oriented towards the Square.
- (iii) Buildings located at a corner of the Town Square and the Main Street shall also have an active frontage to the Main Street.
- (iv) Any building or tenancy adjacent to the Town Square shall have its primary public entrance from the Town Square.
- (v) Horizontal sections of opaque wall without openings on the ground floor shall not exceed 2 metres.
- (vi) At least 90 percent of the length of the façade of buildings shall be glazed.
- (vii) The setback to all building façades adjacent to the Town Square shall be zero.
- (viii) The façade of any building adjacent to the Town Square shall have awnings attached that provide cover adjacent to the building facade.

- (ix) The awnings fronting the Town Square shall be of the same or complementary style and be made of the same or complementary materials.
- (x) The façade of each building either fully or partially adjacent the Town Square shall exhibit a high standard of design.
- (xi) Signs shall not project above a building parapet or extend beyond an eave line unless they are part of a design feature that was identified in an approved development application.
- (xii) The design of buildings adjacent to or in the vicinity of the Town Square shall ensure that there is no more than 50% shadow coverage of the Town Square at 12pm on 21st June; and that shadows remain clear of major openings to the habitable rooms of dwellings for at least 3 hours on 21st June.

5.6. Pedestrian Routes

Development should incorporate pedestrian routes generally in accordance with Diagram 7 of the Development Control Plan.

5.7. Cycle Routes and Cycle Parking

Development should incorporate cycle routes and cycle parking facilities generally in accordance with Diagram 8 of the Development Control Plan.

5.8. Anticipated Future Bus Routes

Anticipated future bus routes and stops are depicted in Diagram 9 of the Development Control Plan. The actual location of future bus routes and stops shall be determined to meet the requirements of the Public Transport Authority.

5.9. Open Spaces Network

Development should incorporate the various open spaces generally in accordance with the Development Control Plan.

5.10. Height Limitation Zone

- (i) The purpose of the height limitation zone depicted in Diagram 11 of the Development Control Plan is to protect the amenity of existing residential areas to the north of the Structure Plan Area
- (ii) No building or part of any building within 20 metres of the northern boundary of the Structure Plan Area shall be higher than 3 storeys above natural ground level.
- (iii) “Natural ground level” has the same meaning as used in the Residential Design Codes of Western Australia.

5.11. Car Parking Generally

- (i) On-street car parking should generally be provided on streets constructed within the Structure Plan Area, particularly the Main Street.

- (ii) Having regard to the provisions contained in Clause 4.2 of the Scheme, the number of off-street parking bays to be provided shall be sufficient to cater for the size and nature of the particular development/s proposed in the Structure Plan Area, as determined by the Council.
- (iii) Prior to lodgement of a development application for the first stage of additional development as described in Clause 6., the proponent shall prepare a comprehensive car parking study detailing the proposed parking provision and internal circulation to the reasonable satisfaction of the Council.

5.12. Vehicular Circulation and Traffic Management

- (i) Development should incorporate the vehicular circulation routes shown on the Development Control Plan, subject to the outcome of the processes described in clauses 5.12 (ii) and (iii).
- (ii) Prior to the lodgement of a development application for the first stage of additional development as described in Clause 6., the proponent shall undertake a comprehensive transport study which assesses on and offsite impacts, for all transport modes as well as infrastructure requirements necessary to service both the interim and ultimate development of the Structure Plan Area, including assessment of the proposed road link to Old Trafford Road and the proposed pedestrian link to Lilac Hill Vista.
- (iii) Prior to the lodgement of a development application for the first stage of additional development as described in Clause 6., the proponent shall make reasonable arrangements with relevant transport agencies for the provision of the transport infrastructure identified in the transport study referred to in Clause 5.12 (ii) above, as necessary to accommodate the interim and ultimate development of the Structure Plan Area.

5.13. Cross Sections

Prior to the lodgement of a development application for the first stage of additional development as described in Clause 6., the proponent shall provide cross-sections of the centre to give a clear indication of how levels are intended to be addressed, especially in the eastern and north-eastern parts of the Structure Plan Area.

5.14. Ecological Sustainability

Detailed design and development within the Structure Plan Area shall provide for best practice ecological sustainability elements including energy, water and waste minimisation strategies and initiatives incorporated into the design and functioning of the centre.

6. Staging of Development

6.1. Agreements

Unless the Council is otherwise reasonably satisfied that any development in respect of Stage 1 can be approved in the absence of agreement, the proponent of

development of Stage 1 shall, prior to the Council's determination of a development application for Stage 1, negotiate and enter into agreements on reasonable terms with the City as follows:

- (i) An agreement to facilitate the relocation of the proposed Civic and Cultural facility referred to in Clause 5.1.3.(ii) from the existing Civic and Cultural Reserve to the location identified in the Structure Plan; and
- (ii) An agreement to provide for the completion of Bellerive Boulevard as part of Stage 1, including resolution of any land tenure matters necessary to facilitate completion of that road.

6.2. Hepburn Avenue

Prior to the commencement of Stage 1 of any additional development, reasonable arrangements (satisfactory to the Commission) are to be made for the ceding, free of cost, of the area of road widening for Hepburn Avenue, such widening as defined by:

- (a) the Other Regional Roads reservation in the Metropolitan Region Scheme (as at the date of this Structure Plan); or
- (b) alternatively as may be defined by a review study undertaken at the applicant's full cost and satisfactory to the Commission acting reasonably.

6.3. Stage 1

Stage 1 of any additional development shall comprise the construction of:

- (i) The proposed extension of the shopping centre.
- (ii) The Town Square.
- (iii) Commercial tenancies on the northern side of the Main Street sufficient to generate some pedestrian activity on the street.
- (iv) The Civic and Cultural facility, unless Council agrees to it being included in a later stage, or agreement for its inclusion in Stage 1 is delayed for any reason.
- (v) A minimum of 1,000 sqm of office floorspace adjacent to, or in the vicinity of, the Town Square, or otherwise integrated with Stage 1.
- (vi) A minimum of 2,000 sqm of residential floorspace adjacent to, or in the vicinity of, the Town Square. The location of the Stage 1 residential floorspace can vary if it is significantly greater than 2000 sqm in area, provided the residential development is appropriately integrated with Stage 1.
- (vii) Appropriate agreed quantities of additional car parking.
- (viii) Bellerive Boulevard and necessary access treatments.
- (ix) All services infrastructure and road access treatments required for Stage 1.

**Development Control Plan,
Comprising Diagrams 1 to 11**

Diagram 1 General land uses

— Off-street car parking not permitted as the ground floor external interface

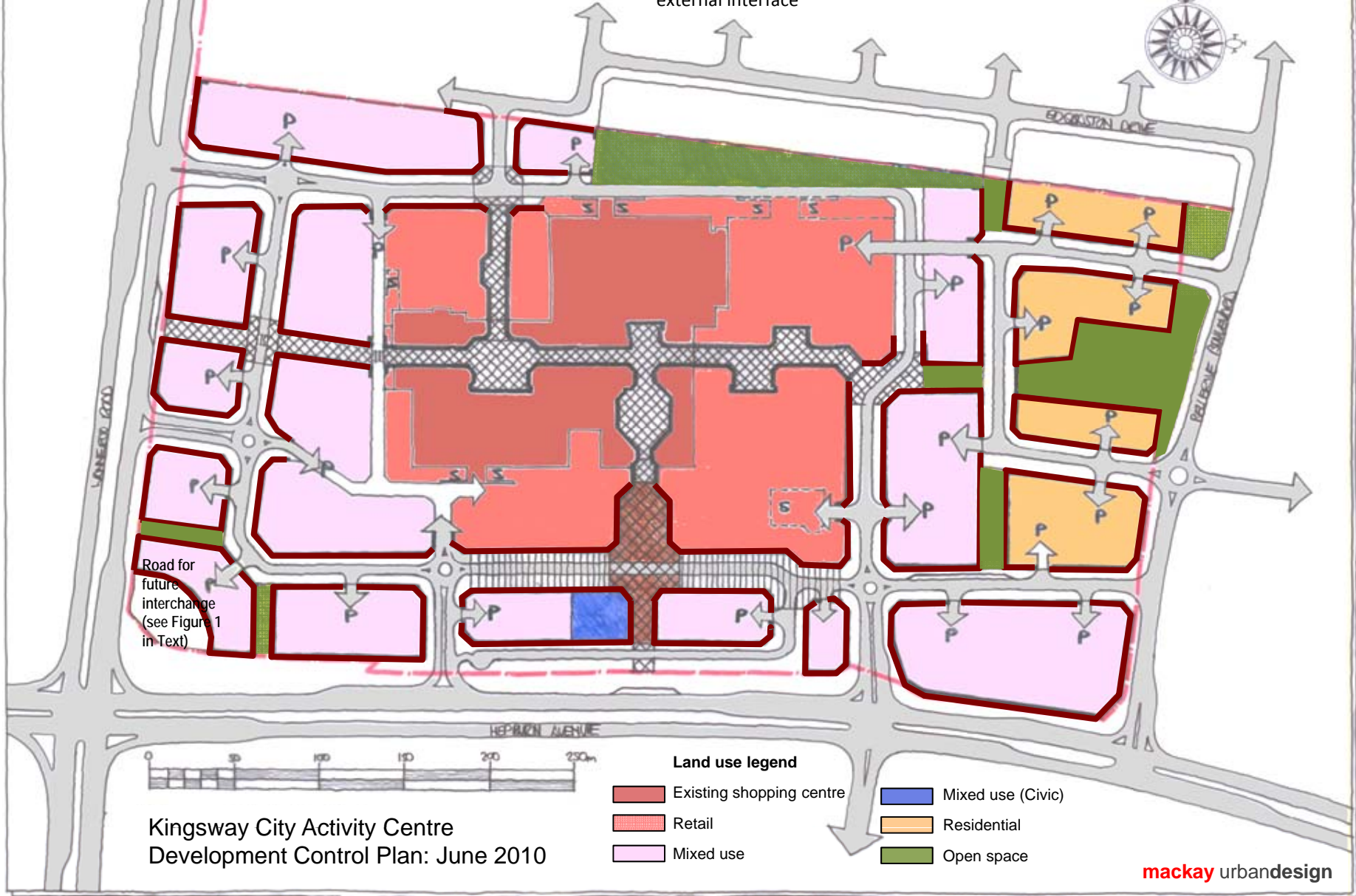
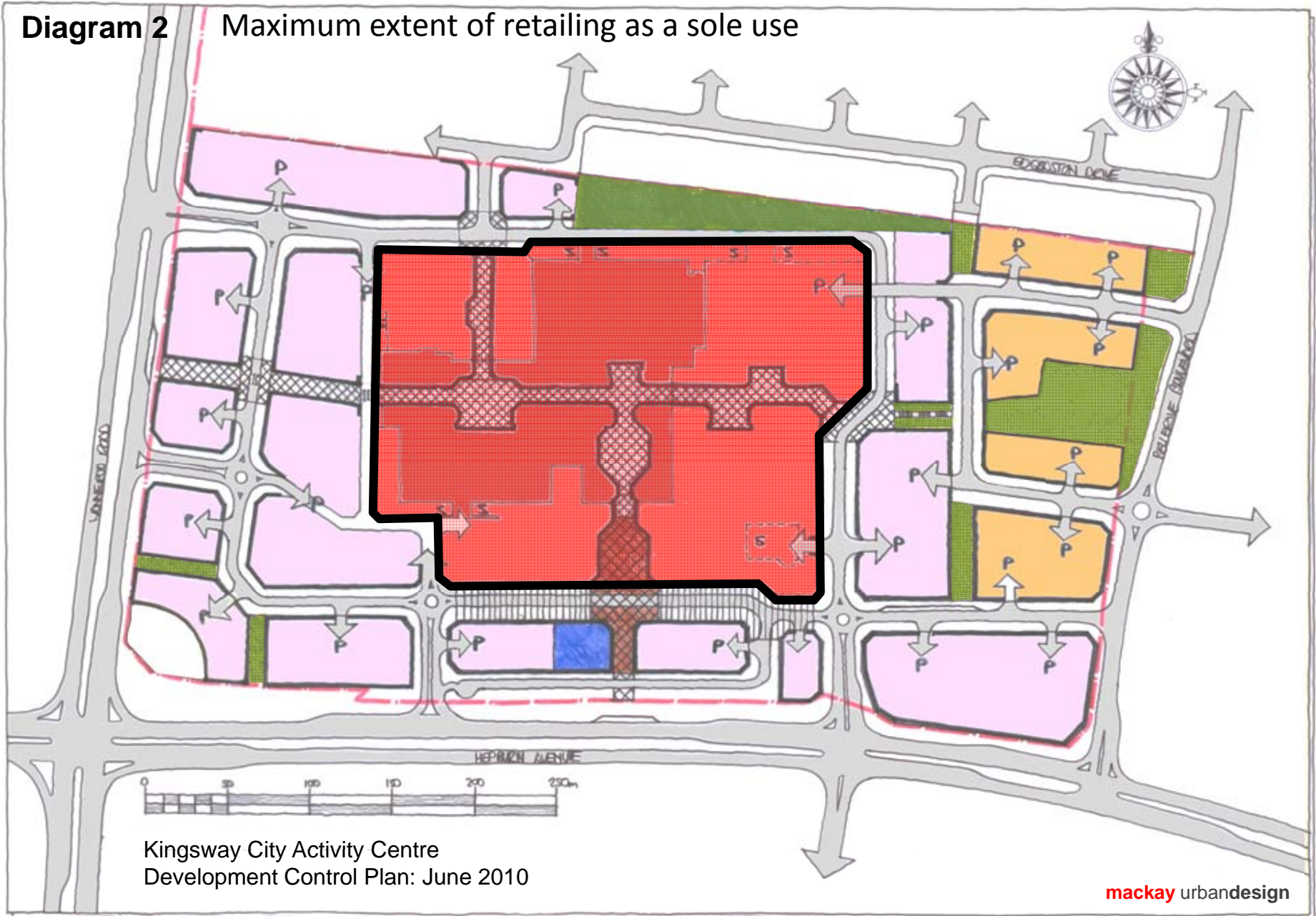
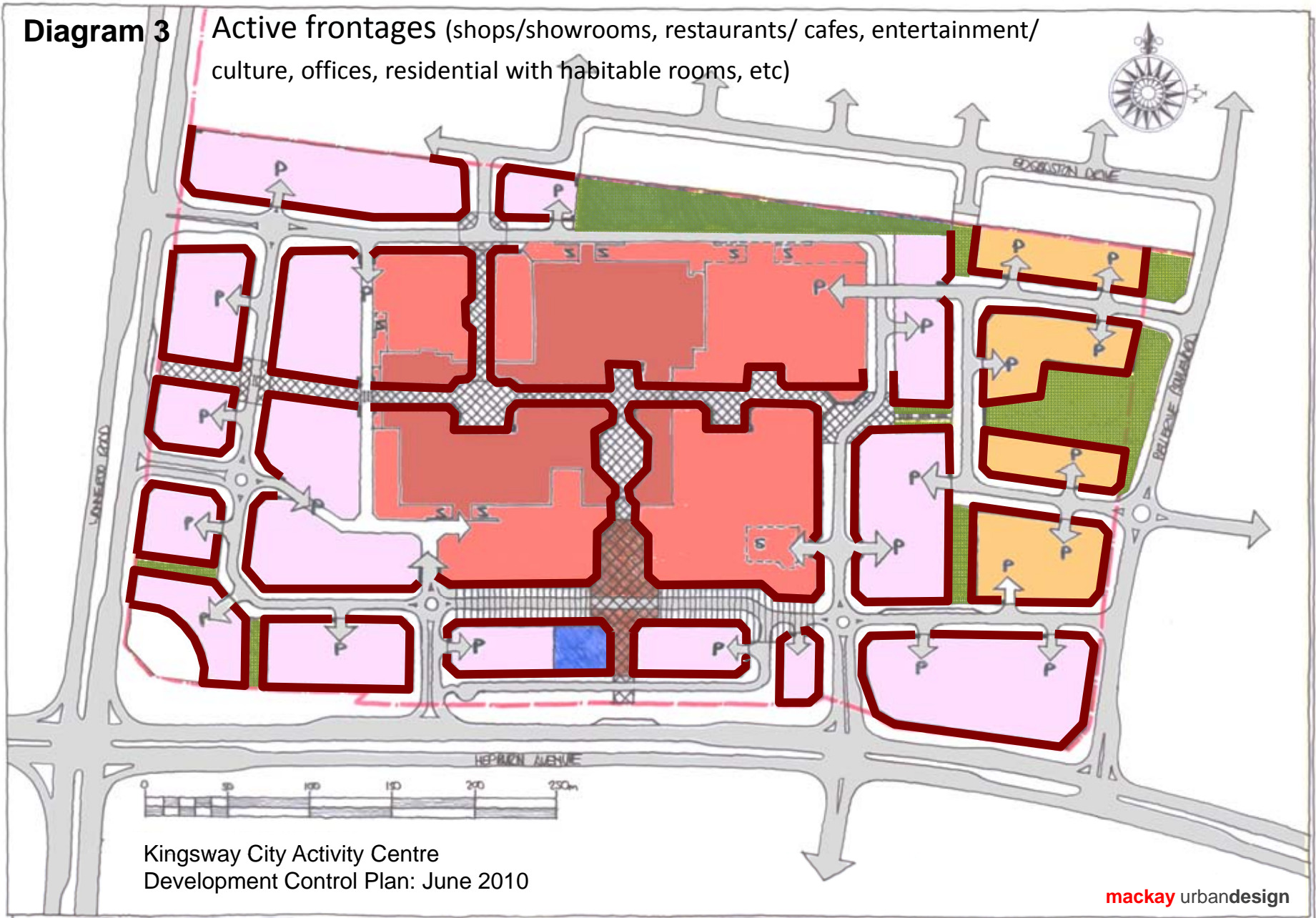


Diagram 2 Maximum extent of retailing as a sole use



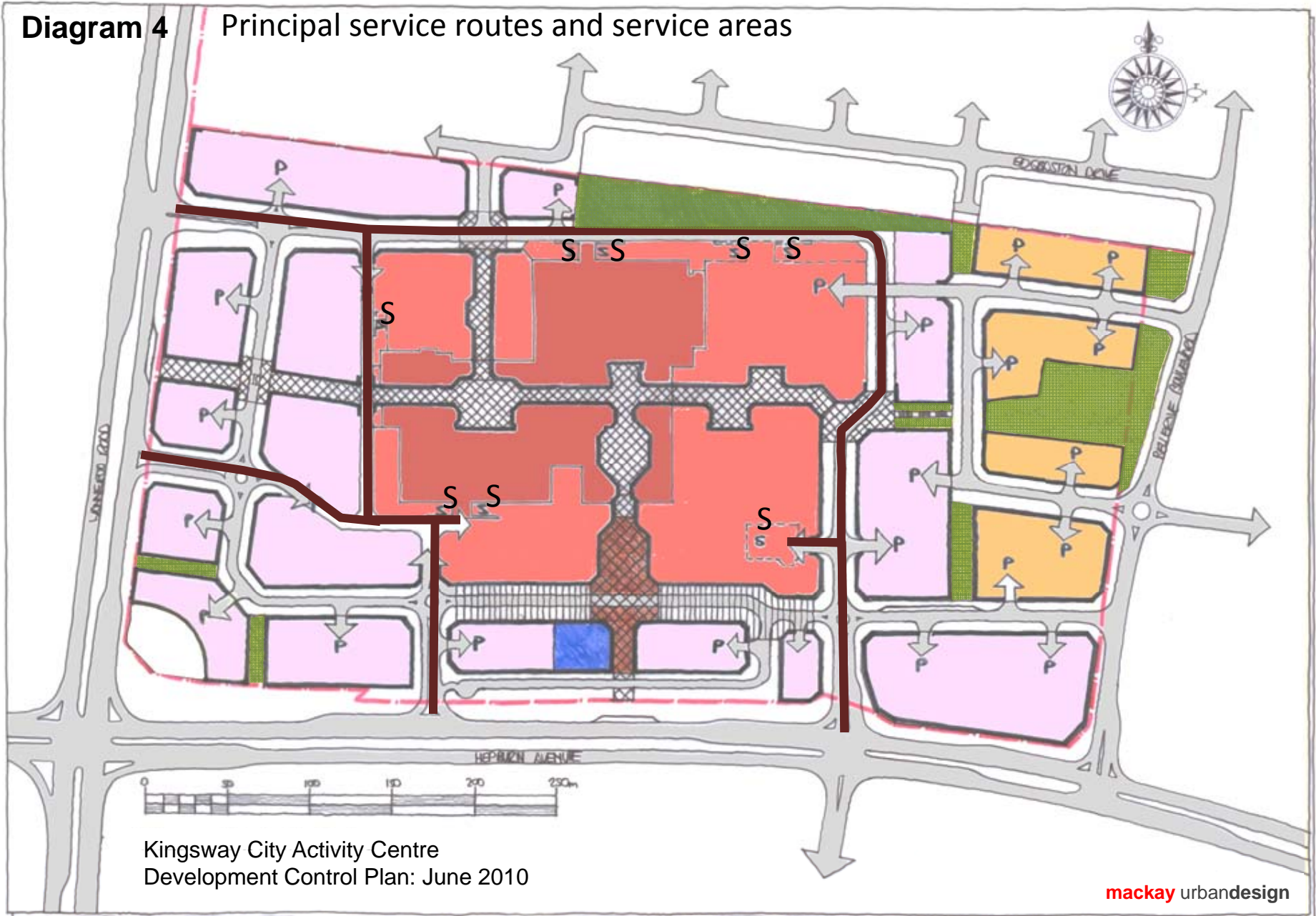
Kingsway City Activity Centre
Development Control Plan: June 2010

Diagram 3 Active frontages (shops/showrooms, restaurants/ cafes, entertainment/ culture, offices, residential with habitable rooms, etc)



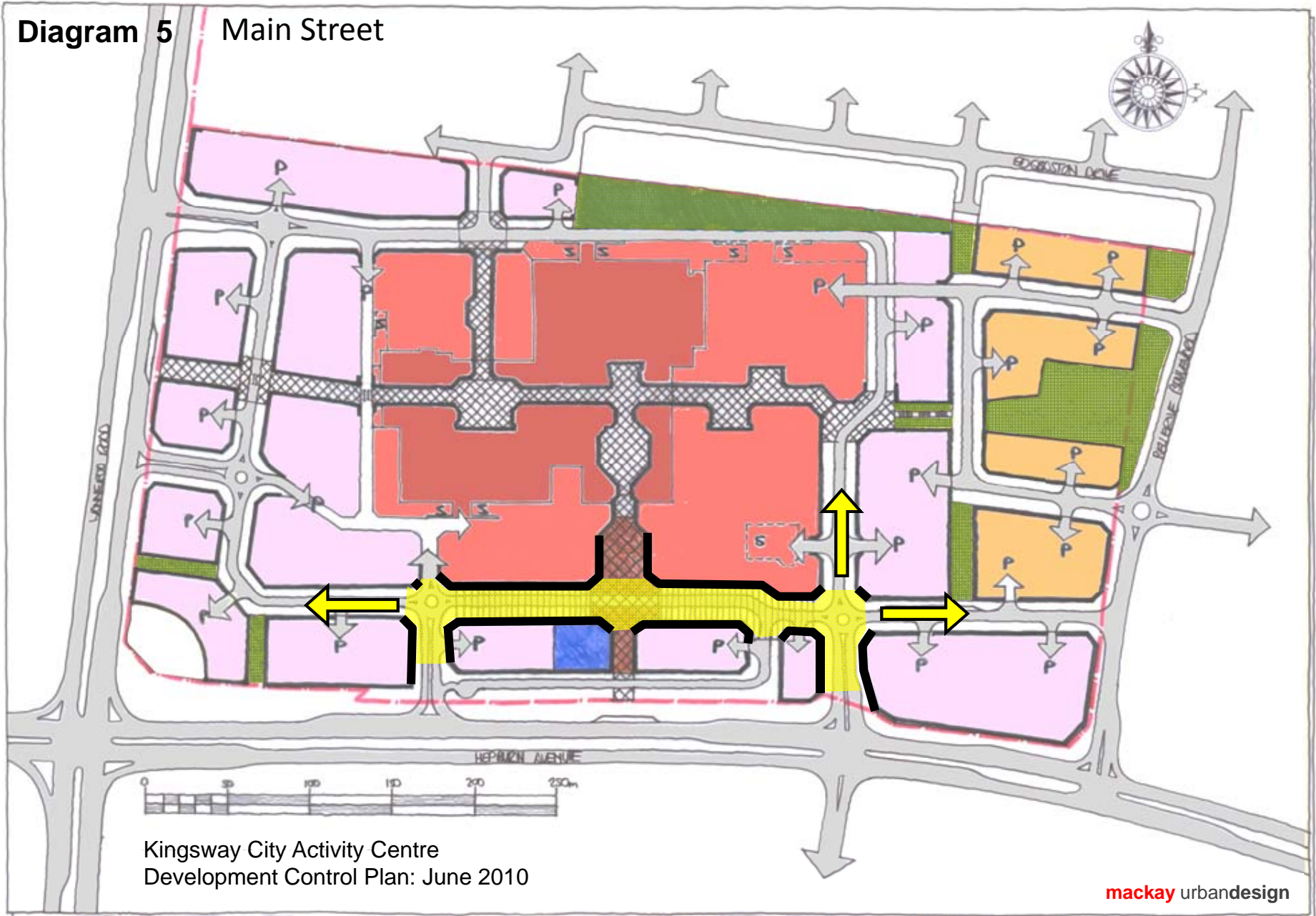
Kingsway City Activity Centre
Development Control Plan: June 2010

Diagram 4 Principal service routes and service areas



Kingsway City Activity Centre
Development Control Plan: June 2010

Diagram 5 Main Street



Kingsway City Activity Centre
Development Control Plan: June 2010

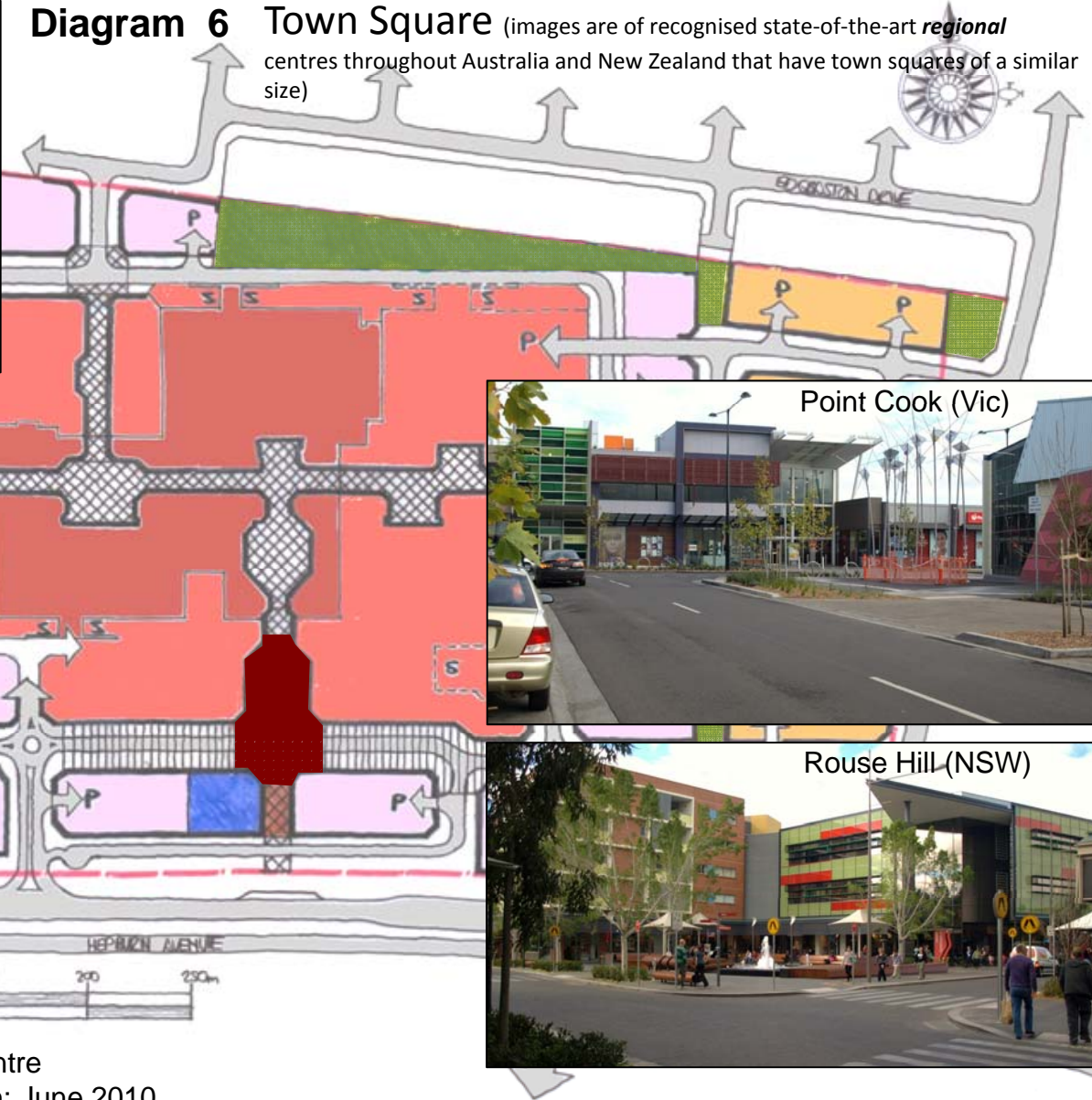


Botany Downs (NZ)



Springfield (Qld)

Diagram 6 Town Square (images are of recognised state-of-the-art regional centres throughout Australia and New Zealand that have town squares of a similar size)



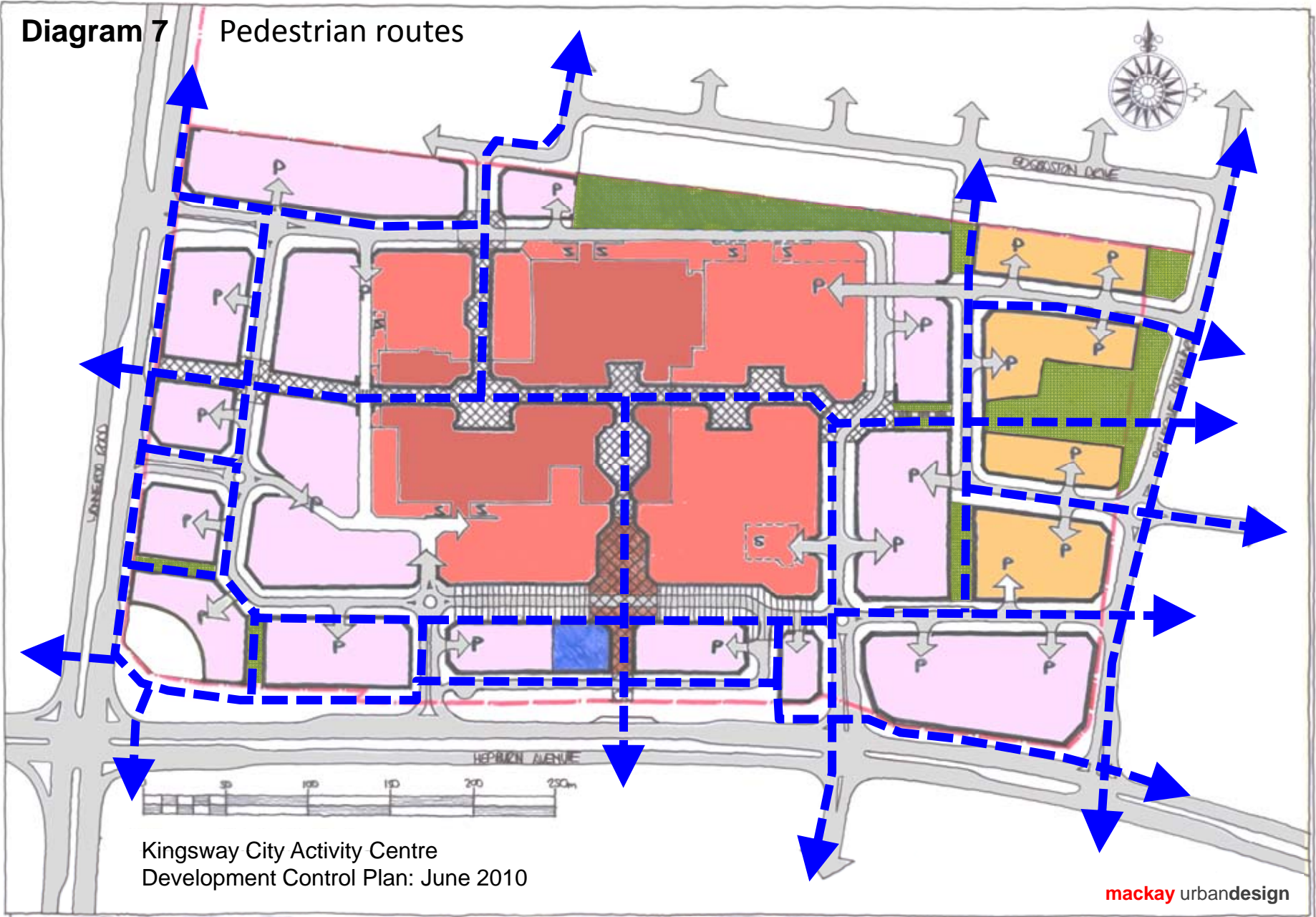
Point Cook (Vic)



Rouse Hill (NSW)

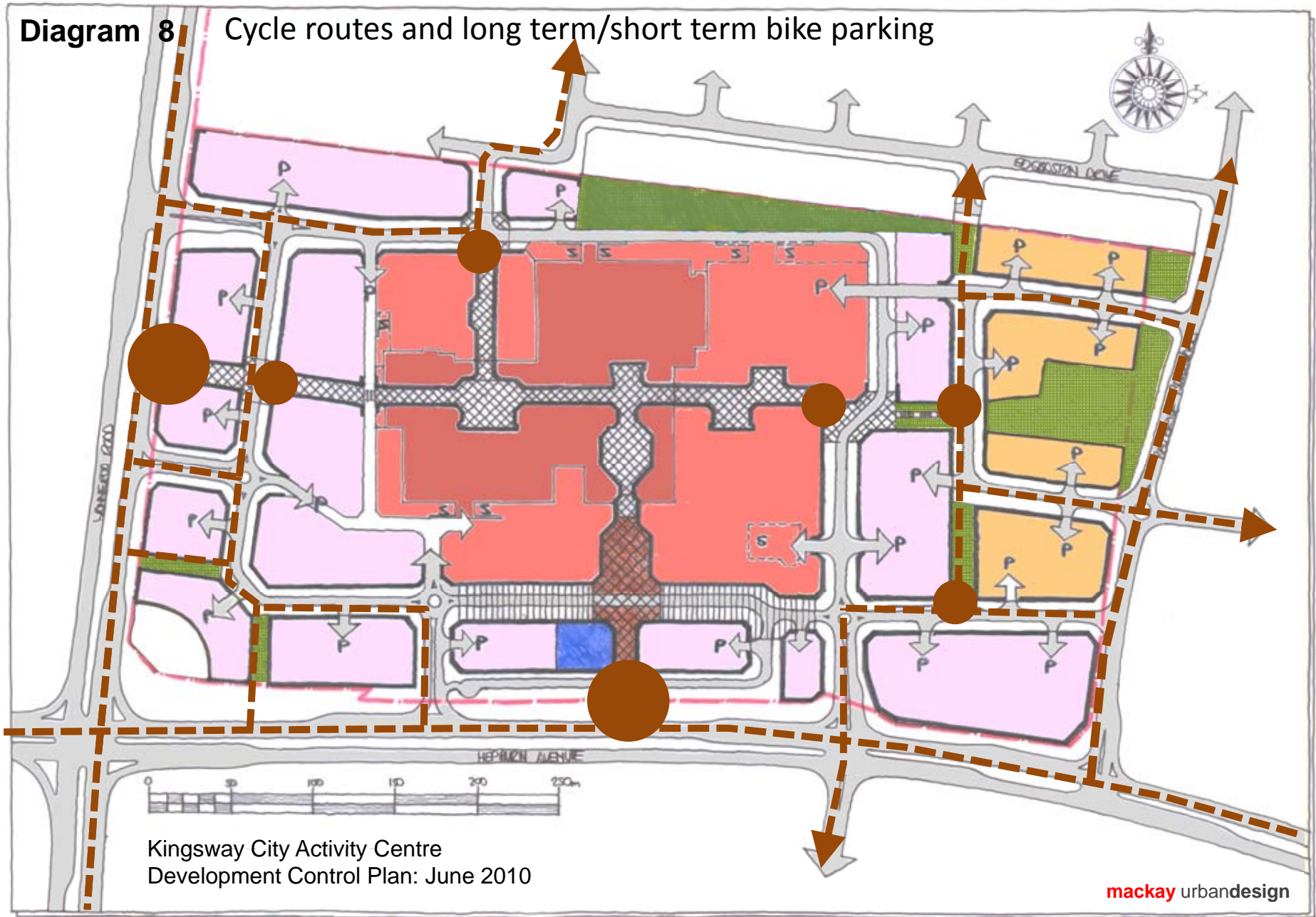
Kingsway City Activity Centre
Development Control Plan: June 2010

Diagram 7 Pedestrian routes



Kingsway City Activity Centre
Development Control Plan: June 2010

Diagram 8 Cycle routes and long term/short term bike parking

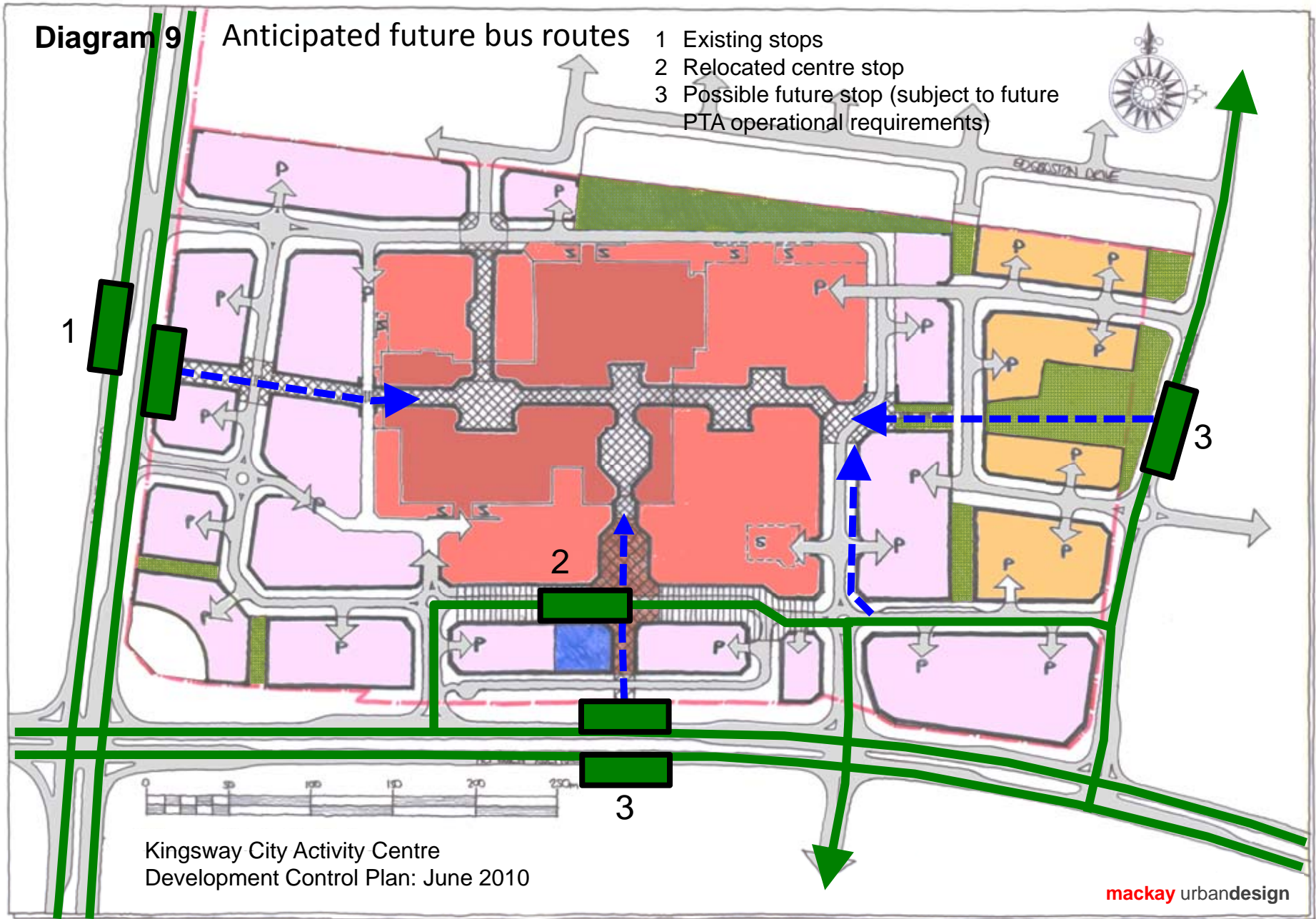


Kingsway City Activity Centre
Development Control Plan: June 2010

Diagram 9

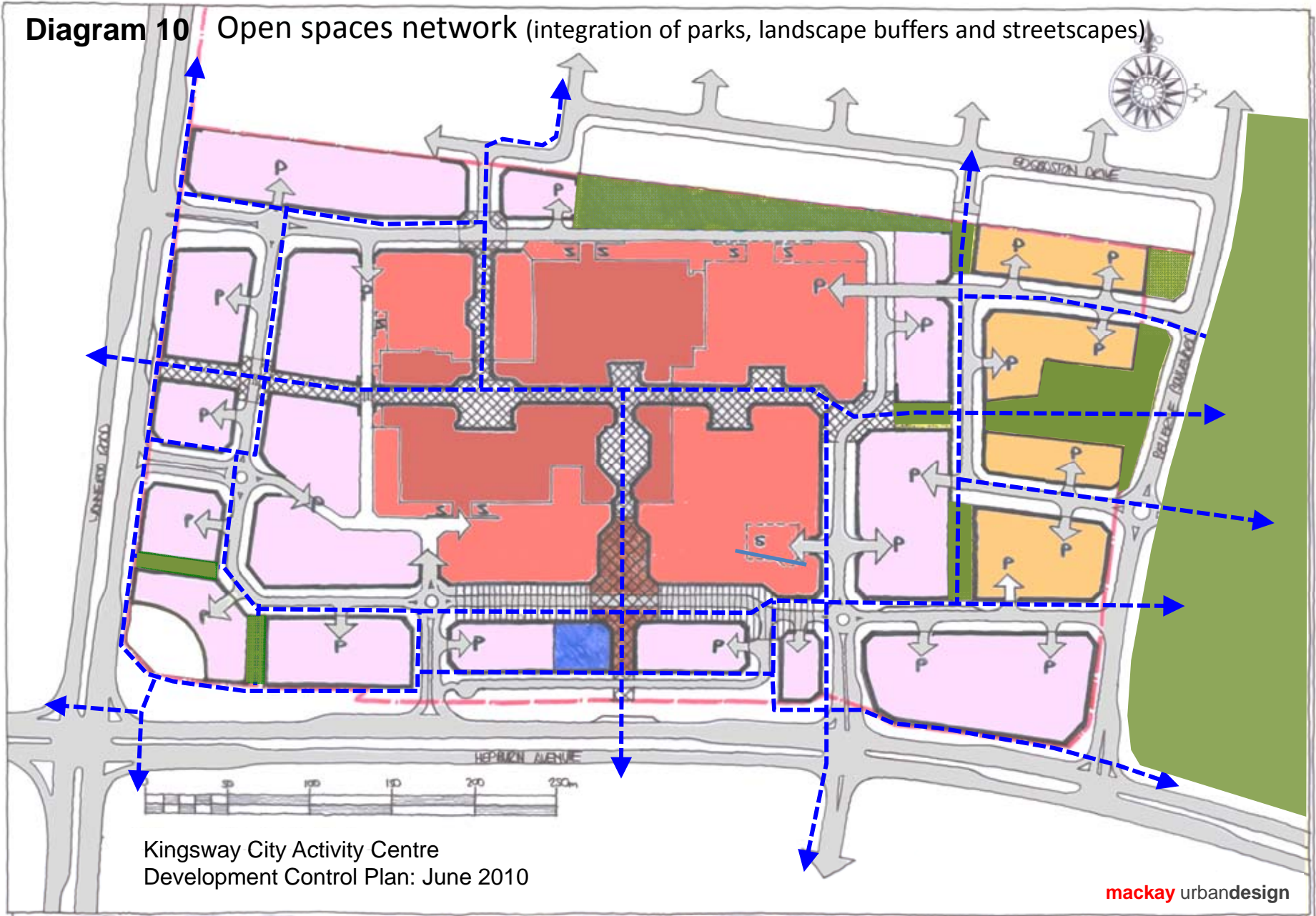
Anticipated future bus routes

- 1 Existing stops
- 2 Relocated centre stop
- 3 Possible future stop (subject to future PTA operational requirements)



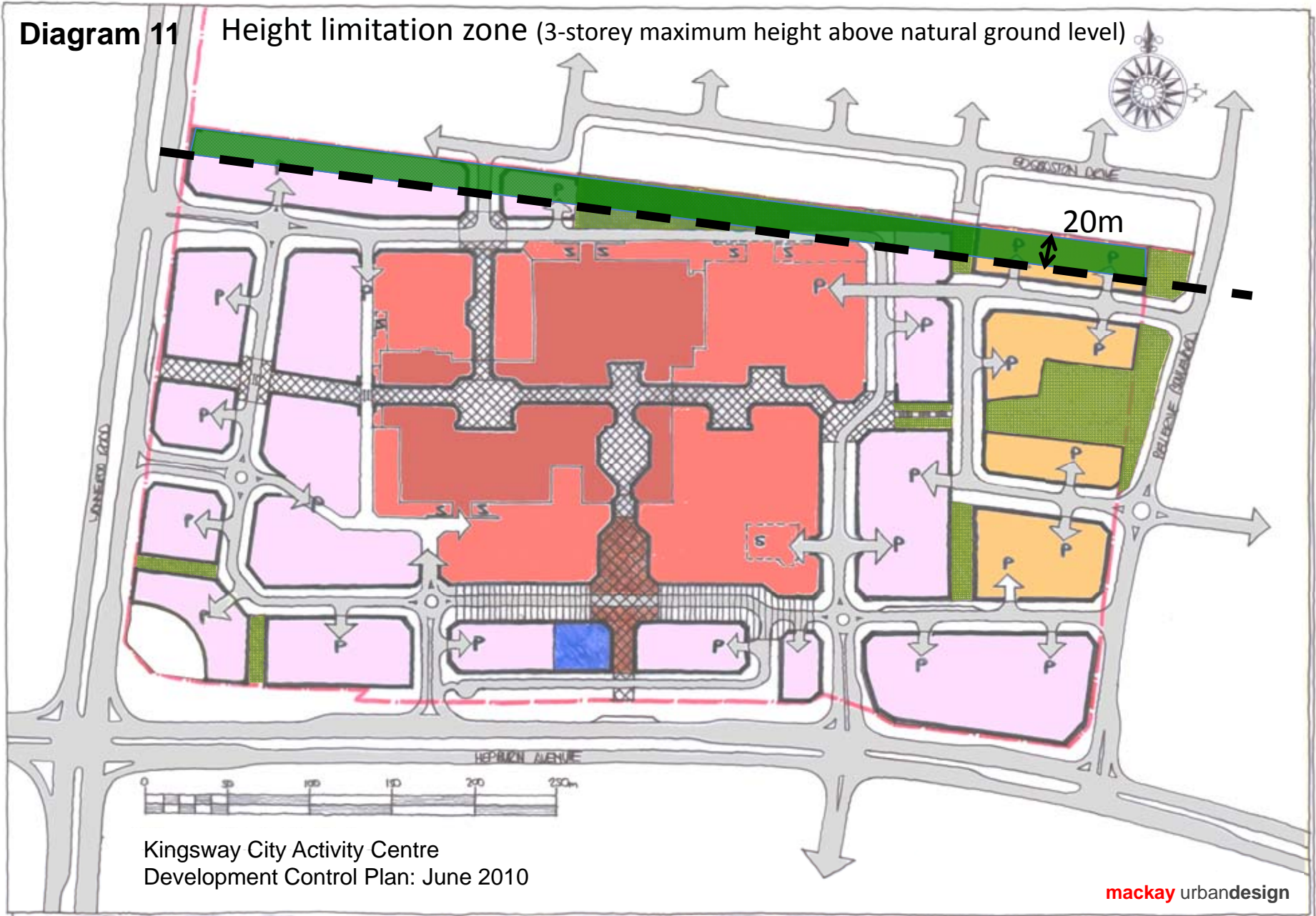
Kingsway City Activity Centre
Development Control Plan: June 2010

Diagram 10 Open spaces network (integration of parks, landscape buffers and streetscapes)



Kingsway City Activity Centre
Development Control Plan: June 2010

Diagram 11 Height limitation zone (3-storey maximum height above natural ground level)



Kingsway City Activity Centre
Development Control Plan: June 2010