

**YANCHEP SOUTH  
LOCAL STRUCTURE PLAN**

Structure Plan No. 19

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

Date Adopted: 10 March 2005

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**CERTIFICATION OF AGREED STRUCTURE PLAN**  
(SCHEDULE 8)

CERTIFIED THAT AGREED STRUCTURE PLAN 19  
YANCHEP SOUTH LOCAL STRUCTURE PLAN  
WAS ADOPTED BY RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING  
COMMISSION ON 10 MARCH 2005

.....  
*Chairperson, Western Australian Planning Commission*

AND BY RESOLUTION OF THE COUNCIL OF THE CITY OF WANNEROO ON  
8 APRIL 2003  
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*

<b>Record of Amendment made to the Agreed Structure Plan Yanchep South Local Structure Plan</b>
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Amendment No.	Description of Amendment	Endorsed by Council	Endorsed by WAPC
1	Rezones a portion of Lot 1126 (154) Lagoon Drive, Yanchep from Special use Zone to Residential Zone R20	5.5.09	18.1.10

## OVERVIEW

### 1.0 Parts of the Structure Plan

This Structure Plan comprises two parts:

Part 1 : Statutory Planning Section

Part 2 : Explanatory Report

Clause 9.8 of the City of Wanneroo District Planning Scheme No. 2 (herein called “the Scheme”) provides, amongst other things, that a provision, standard or requirement of a Structure Plan approved under Part 9 of the Scheme shall be given the same force and effect as if it was a provision, standard or requirement of the Scheme. It is hereby provided that such force and effect shall only be given to Part 1 of this Structure Plan. Part 2 of this Structure Plan is for explanatory purposes only, providing a descriptive analysis of this Structure Plan.

Subclause 9.8.3 (f) of the Scheme states that, in the event of there being any inconsistency or conflict, between any provision, requirement or standard of the Scheme and any provision, requirement or standard of an Agreed Structure Plan, the provision, requirement or standard of the Scheme shall prevail.

### 2.0 Summary

This Structure Plan refers to the Yanchep South Local Structure Plan which relates to portion of Lots 614, 609 and 612 of Swan Location 1370 Lagoon Drive, Yanchep.

The Structure Plan area is bounded by existing residential development to the north, undeveloped land to the south and east and Foreshore Reserve to the west.

The Structure Plan area was re-zoned from ‘Rural’ to ‘Residential Development’ (R20 and R40), Commercial, Service Station and Special Zone (Restricted Use) Medical Centre under Amendment 562 to the City of Wanneroo Town Planning Scheme Number 1 on the 21 October 1994 (gazetted). This provided a maximum floor space of 800 m<sup>2</sup> GLA for the Commercial zoned site.

The Structure Plan area was subsequently rezoned by Amendment No. 805 to 'Urban Development Zone'. The Structure Plan area is currently afforded 1000m<sup>2</sup> NLA under Schedule 3 of District Planning Scheme No.2.

Structure Plan No. 19 was adopted by the Council and then the Western Australian Planning Commission on July 19, 1999. This Structure Plan determines the overall detailed land use and form for urban development within the Yanchep South area. The subject area is divided into three zones, which accommodate the appropriate land uses.

## **PART 1 - STATUTORY PLANNING SECTION**

### **PREAMBLE**

As provided under the provision of Part 9 of the Scheme, this part of the Structure Plan has the same force and effect as a provision, requirement or standard of the Scheme.

### **1.0 THE SCHEME**

Unless provided for by specific provisions in this Structure Plan, all requirements shall be in accordance with the Scheme.

### **2.0 DEFINITIONS**

The terms used within this Structure Plan shall have the appropriate interpretation as specified within the Scheme.

### **3.0 SUBJECT AREA**

The Structure Plan area comprises approximately 49 hectares, being portions of Lots 614, 609 and 612, Yanchep.

The subject site is located at the southern end of Lagoon Drive, south of the existing residential development.

### **4.0 ZONES**

The Structure Plan Map indicates the land use zones and reserves applicable within the structure plan area. The areas depicted on the Structure Plan Map are as follows:

- (a) Residential R20 Zone
- (b) Local Scheme Reserve - Parks and Recreation
- (c) Special Use Zone
- (d) Regional Reserve - Parks and Recreation

## **5.0 LAND USES AND DEVELOPMENT REQUIREMENTS**

Subdivision of land within the structure plan area shall generally be in accordance with that shown on the Structure Plan Map.

Land uses and development within the Residential Zone and Local Scheme Reserve - Parks and Recreation shall accord with the requirements applicable to the respective zone and reserve under the Scheme.

Land Uses within the Special Use Zone shall be in accordance with the Commercial Zone under the Scheme with the exception that a Single House, Grouped Dwellings and Multiple Dwellings shall not be permitted within this zone.

Development within the Special Use Zone shall be in accordance with the Commercial Zone under the Scheme, except where specified to the contrary on an endorsed Detailed Area Plan.

## **6.0 DETAILED AREA PLAN**

In order to ensure design coordination and integration of the development within Lot 1126 Lagoon Drive, Yanchep, a Detailed Area Plan shall be prepared and endorsed by the City prior to the development of this Lot.

Where a Detailed Area Plan has been endorsed by the City, all development within the Special Use zone shall be in accordance with the Detailed Area Plan.

## **7.0 RETAIL NET LETTABLE AREA**

The maximum permitted retail net lettable area for the Special Zone shall be as set out in Schedule 3 of the Scheme.

## **PART 2 - EXPLANATORY REPORT**

### **1.0 INTRODUCTION**

This part provides the explanation and justification for the proposed modifications to the structure plan in accordance with Part 9 of the City of Wanneroo DPS No. 2.

### **2.0 LAND DESCRIPTION**

The subject land is located immediately south of the existing Yanchep Townsite, approximately 48kms north/north-west of the Perth Central Business District. The land now comprises of a foreshore reserve, various residential lots and approximately 20 hectares of balance Title. The balance lot is described as Lot 9000 on Certificate of Title Volume 2519, Folio 556 and is owned by Yanchep Ocean Front Development Trust (C/- Peet and Company Ltd).

### **3.0 BACKGROUND**

#### **3.1 Zoning**

The land is zoned Urban under the Metropolitan Region Scheme (MRS) which was established by Amendment 872/33A (gazetted for final approval on March 13, 1992). A Clause 27 Amendment to the MRS (gazetted for final approval on May 8, 1992) rezoned portion of the subject land from Urban Deferred to Urban.

A structure plan to facilitate the subdivision of this land was first adopted as part of TPS Amendment 562 to former TPS N.1.

Amendment No. 805 to the City of Wanneroo TPS No.1 rezoned the land from Residential Development (R20 and R40), Commercial, Service Station and Special Zone (Restricted Use) Medical Centre to Urban Development Zone. This Amendment was gazetted for final approval on 5 February, 1999.

The zoning of the land under TPS No.1 is reflected in the City of Wanneroo District Planning Scheme No.2 zoning of the land.

### **3.2 Subdivision**

The original subdivision application (WAPC 84130) sought to subdivide Lots 609, 612 and 614 into 361 residential lots ranging from 480m<sup>2</sup> to 1,295m<sup>2</sup>. The application also proposed two grouped housing sites. A Local Centre was proposed including a Shopping Centre site, a Medical Centre and Service Station. The application was approved by the WAPC on September 12<sup>th</sup>, 1994.

Most of the area the subject of the original approval was subsequently approved under new applications. A new revised and improved design for the north-east residential cell was also approved in accordance with a modified Structure Plan.

Most recently, in 2001, the City of Wanneroo and WAPC approved modifications to the structure plan to provide a lake within the public open space adjacent to the foreshore, as well as residential lots fronting on to this open space. The subdivision application associated with this change and the remainder of the estate (WAPC reference 115747), was approved on May 16<sup>th</sup>, 2001 and is now under construction.

## **4.0 PROPOSAL**

This report seeks to facilitate a change to the commercial precinct to rationalise the land area to be set aside for commercial use. No change is intended to the floorspace allocation provided for the commercial centre and reflected in Schedule 3 of DPS No.2, and accordingly, no scheme amendment is warranted. The modified structure plan is considered more realistic in its expectations for commercial use within the estate.

A number of issues have arisen generating the basis upon which the proposed amendment request is submitted.

### **4.1 Viability of Existing Commercial Area**

The current scale of the existing centre is not viable given the extent of existing and planned retail facilities in the Yanchep locality. This includes the proposed district

centre at the corner of Marmion Avenue and Yanchep Beach Road approximately 800 metres from the subject site. The district centre, given its exposure, accessibility and size, will provide the majority of commercial and retail facilities at both a district and surrounding local level.

This is particularly relevant given that the existing commercial site contained in the structure plan makes provision for a medical centre and service station. A regional medical centre is proposed as part of the district centre proposal and therefore provision for a medical centre facility within the subject land is essentially superfluous. Furthermore, the trend in provision of service station facilities is to seek significant passing traffic, usually based on roads of at least a major district, if not regional, function with high exposure to high traffic volume. On this basis any future service station provision within the locality will occur at the district centre.

These views have been further reinforced by a lack of response from potential developers to the sites during a marketing programme completed by the proponent. This programme failed to attract any interest.

#### **4.2 Current Strategic Planning Approaches**

The current commercial configuration contained within the South Yanchep Local Structure Plan reflects dated planning approaches that have now been superseded by recognition of the need to ensure allocation of viable commercial land is achieved so that commercial and employment generating activities actually occur.

Allocation of commercial land that proves unattractive to the marketplace will not fulfil the purpose; the development of local commercial and community activities. The dated planning reflected in the current version of the local structure plan does not reflect the City of Wanneroo's new Centres Strategy, while the proposed alternative, is in keeping with this current strategic approach of the City.

#### **4.3 Previous Attempts to Address the Situation**

The City is aware that a previous submission was forwarded on behalf of the proponents seeking to address this situation. This was considered by the Council in October 2002 where the proposed alternative was given conditional support. This alternative proposed retaining approximately 1000 square metres of the subject site as a commercial land use, the remainder to be redesignated as mixed

use. It was intended that this land may initially develop for residential purposes, but ultimately could also accommodate commercial activity should/when a demand arise.

The relevant conditions placed upon the Council's support related to preparation of appropriate guidelines and a precinct plan which would ensure that as the interim residential uses evolved into commercial uses, that a coordinated approach to items such as car parking, servicing, street presentation, etc. could be achieved. They were intended to ensure that initial residential development was designed in such a manner as to facilitate conversion to commercial land uses in the future.

Since the Council's October 2002 resolution a number of options have been prepared and tested. A major problem arising from the topography of the land has been identified in achieving the coordinated approach across the whole of the cell in question. For the mixed use cell approach to work, there must be the ability for coordinated and reciprocal servicing and car parking provision across the lots to be created over time, in turn necessitating the ability to access across lot boundaries on the same level.

Given the range of topography across the subject area, securing a level surface to enable the mixed use precinct to work cannot be achieved. Substantial retaining would be required and this would have the effect of splitting the site, preventing the coordinated linkages to be secured. Without the ability to share access, servicing and car parking, the intention of the mixed use precinct cannot be achieved.

The first agreed alternative approach has proven, with further detailed assessment and testing, not to be practically achievable. In this regard the current proposed alternative is the only viable option.

#### **4.4 Additional Benefits of Proposed Approach**

The current proposed alternative effectively provides for the deletion of the medical centre and service station components within the existing structure plan and a realignment of the remaining commercial activity to better suit the topography. The effect is to reduce the commercial designated area by approximately half (reflecting the deletion of the service station and medical centre components). The result is still provision for local commercial activity within the locality but to a lesser extent than shown in the current structure plan. The commercial activity proposed is not,

however, land use specific and therefore provides greater flexibility than the current circumstance.

This approach also has the benefit of ensuring provision of commercial land use up front, rather than as a possible future activity. It means that the commercial designated area will be provided at a similar level, allowing servicing, car parking, etc. to be addressed in a coordinated manner.

#### **4.5 Alternatives**

All possible realistic and viable alternatives have been examined and for one reason or another, discounted. It is clear that the current structure planning designation is excessive and remains unviable. The initial preferred approach has also proven not to be achievable with the approach now proposed considered the best alternative available.

Other investigations including any opportunities to complete earthworks beyond the boundaries of the actual commercial cell in order to achieve a level area that would facilitate the mixed use proposal have been considered. Engineering advice has indicated that such an approach is not viable.

The implications for the surrounding area would be significant both in terms of the size of earthworking required, the implications for retaining, possible impacts upon other parts of the locality and designated open space areas.

### **5.0 OTHER ITEMS OF RELEVANCE**

#### **5.1 Local Employment**

The approach as proposed still facilitates the opportunity for local employment and in fact is more likely to see employment generating activities achieved in the shorter term than the mixed used proposal which would likely focus on residential activities initially, with no defined time frame for their conversion to commercial use.

It is proposed a variety of lot sizes be included within the proposed commercial designated, area on the basis that this will provide maximum flexibility and opportunity in attracting activities that may generate local employment.

## **5.2 Community Facilities**

The importance of retaining the opportunity for development of community related facilities within the locality is recognised. The retention of a component as now proposed, with its reorientation to enable efficient and effective development, maximises the ability for community related facilities to be secured within the locality.

## **5.3 Coordinated Development**

The need to ensure that coordinated development occurs within the proposed special use commercial component is also recognised. In this regard, the commercial special use component is designed at the same level and is reoriented to focus upon the major road abutting the subject area.

The application of a coordinated approach related to street presentation and façade, coordinated access, servicing and car parking provision remains a valid requirement to support the ultimate development of this land use component. On this basis the proposed modification to the Structure Plan includes a requirement for adoption of a Detailed Area Plain to guide development within the special use component.

## **6.0 SUBDIVISION**

The design and land use principles of the proposed estate are not varied in this proposal with the exception of The proposed public open space contribution for the existing structure plan which does change as a result of a reduced commercial area (and therefore reduced 'deductible land area'). The estate already provides well in excess of the 10% requirement, however, and this is not effected. The overall public open space contribution will remain in excess of 10%.

## **7.0 CONCLUSION**

Initial planning for the commercial cell within the South Yanchep Local Structure Plan was completed some years ago. This has proven to be outdated. Various alternatives have been investigated with the modification as proposed considered the most appropriate. The proposal provides for a reduction in the amount of commercial allocated land while introducing more detailed design mechanisms to ensure a coordinated development approach. The modification to the Local Structure Plan also acknowledges the outcome of a recent subdivision appeal regarding aspects of the proposed open space/residential foreshore development which requires minor changes to the manner in which development is shown as taking place on the earlier Structure Plan.