



AMENDMENT NO. 02

TO THE

NORTH EGLINTON

AGREED STRUCTURE PLAN NO. 93

RECORD OF AMENDMENTS MADE TO THE NORTH EGLINTON

AGREED STRUCTURE PLAN NO. 93

Amendment No.	Summary of the Amendment	Date approved by WAPC
01	<ol style="list-style-type: none"> 1. Incorporate provisions under Part One to allow for the implementation of the R-MD Codes within the Structure Plan area via the City of Wanneroo adopted Local Planning Policy 4.19: Medium Density Housing Standards (R-MD). 2. Increase the base density code within the Structure Plan area to R25 to facilitate application of the R-MD provisions. 3. Update the format of Part One to accord with the requirements of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> (Regulations) and the Western Australian Planning Commission's (WAPC) Structure Plan framework. 4. Incorporate agreed modifications to the distribution of 'conservation' open space within the Structure Plan area. 	31 January 2019
02	Include definition and permissibility for the land-use 'Community Hub' applicable to Lot 9502 (HN 5) Shiny Lane, Eglinton	

**AMENDMENT NO. 02 TO THE
NORTH EGLINTON AGREED STRUCTURE PLAN NO. 93**

The City of Wanneroo, pursuant to its District Planning Scheme No. 2, hereby recommends to the Western Australian Planning Commission to approve the abovementioned amendment by:

1. Amending Part One, Section 4.1 by the inclusion of new clauses 4.1.2 and 4.1.3 which introduce a definition and permissibility for the land-use 'Community Hub' within the Structure Plan area:

"4.1 Land Use Permissibility

- 4.1.1 Land use permissibility within the Structure Plan areas shall be in accordance with the corresponding zone or reserve under the Scheme.*
- 4.1.2 For the purposes of this Structure Plan 'Community Hub' means any land or buildings used on a temporary basis for the early activation of a residential estate and includes a combination of educational, social, commercial or recreational facilities or services. Such uses may include a sales office and the sale and serving of food, beverages and convenience goods.*
- 4.1.3 Community Hub is a 'D' Discretionary land use only for 5 Shiny Lane Eglinton and a non-permitted 'X' use for all other lots within the structure plan area."*

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

IT IS CERTIFIED THAT THIS STRUCTURE PLAN AMENDMENT NO. 02 TO THE NORTH
EGLINTON AGREED STRUCTURE PLAN NO. 93

WAS APPROVED BY

RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON

.....

Signed for and on behalf of the Western Australian Planning Commission

.....

an officer of the Commission duly authorised by the Commission pursuant to section 24 of the
Planning and Development Act 2005 for that purpose, in the presence of:

..... Witness

..... Date

..... Date of Expiry

PART 2 - EXPLANATORY REPORT

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NORTH EGLINTON AGREED STRUCTURE PLAN NO. 93

1.0 BACKGROUND

The purpose of the proposed amendment is to introduce a definition and permissibility for the land-use 'Community Hub' at Lot 9502 (HN 5) Shiny Lane, Eglinton, located within the North Eglinton ASP No. 93 (SP) area.

The Community Hub is proposed to be located in the existing temporary sales office at the Allara Estate, opposite the popular Kinkuna Park. The temporary sales office was conditionally approved in 2015 and closed late 2018. After its closure the joint venture partners for Allara took the opportunity to re-purpose the facility as an appointment only shared space for co-use by residents, local community groups and businesses. A development application to formalise this arrangement was held in abeyance while discussions were undertaken with the City to see if a more multi-purpose space could be developed which includes a cafe.

Unfortunately, despite the City agreeing with developer that the proposal had merit, the City noted that the cafe (restaurant) use is an 'X' use in the future 'Residential' zone and was not capable of approval.

Subsequent consultation with the City and the Department of Planning, Lands and Heritage (DPLH) determined that preparation of this SP amendment to introduce a definition and permissibility for the proposed Community Hub use within the SP area, would provide sufficient context to facilitate approval of the proposal.

In parallel with the proposed SP amendment, the City is proposing the preparation of a scheme amendment to introduce the Community Hub definition and permissibility for all zones within the Scheme. The scheme amendment will be accompanied by a local planning policy which sets out the objectives for community hub developments, time limits for approval, the quantum of non-community uses that can be considered, location criteria and landscaping and parking requirements.

2.0 PROPOSED AMENDMENT

The proposed amendment introduces the following land-use definition and permissibility for Community Hub into Part One, Section 4.1 of the SP:

4.1.2 For the purposes of this Structure Plan 'Community Hub' means any land or buildings used on a temporary basis for the early activation of a residential estate and includes a combination of educational, social, commercial or recreational facilities or services. Such uses may include a sales office and the sale and serving of food, beverages and convenience goods.

4.1.3 Community Hub is a 'D' Discretionary land use only for 5 Shiny Lane Eglinton and a non-permitted 'X' use for all other lots within the structure plan area."

Lot 9502 Shiny Lane is depicted in the SP as 'Residential'. Clause 3.14.4 of the Scheme notes that "the permissibility of uses in the Urban Development Zone subject to Clause 27 of the deemed provisions shall be determined with regard to the provisions of the relevant Structure Plan." Land-use permissibility within the 'Residential' zone precludes a number of the complementary commercial uses anticipated within the Community Hub. The new clauses provide a means to satisfy Clauses 3.14.4 and 27 without conflicting with other Scheme requirements, providing a pathway to approval of the new use.

The proposed definition is modelled on the model provisions which include a definition for a community purpose site, which means "premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit." The definition extends the breadth of land-uses contained in the standard definition to include complementary commercial uses, as well removing the restriction that operators be limited solely to organisations involved in activities for community benefit.

The definition also incorporates reference to the temporary basis of the facility, which is intended to provide services and amenities for residents only until such time as the designated Village Centre is brought on-line and these uses can be provided by independent operators.

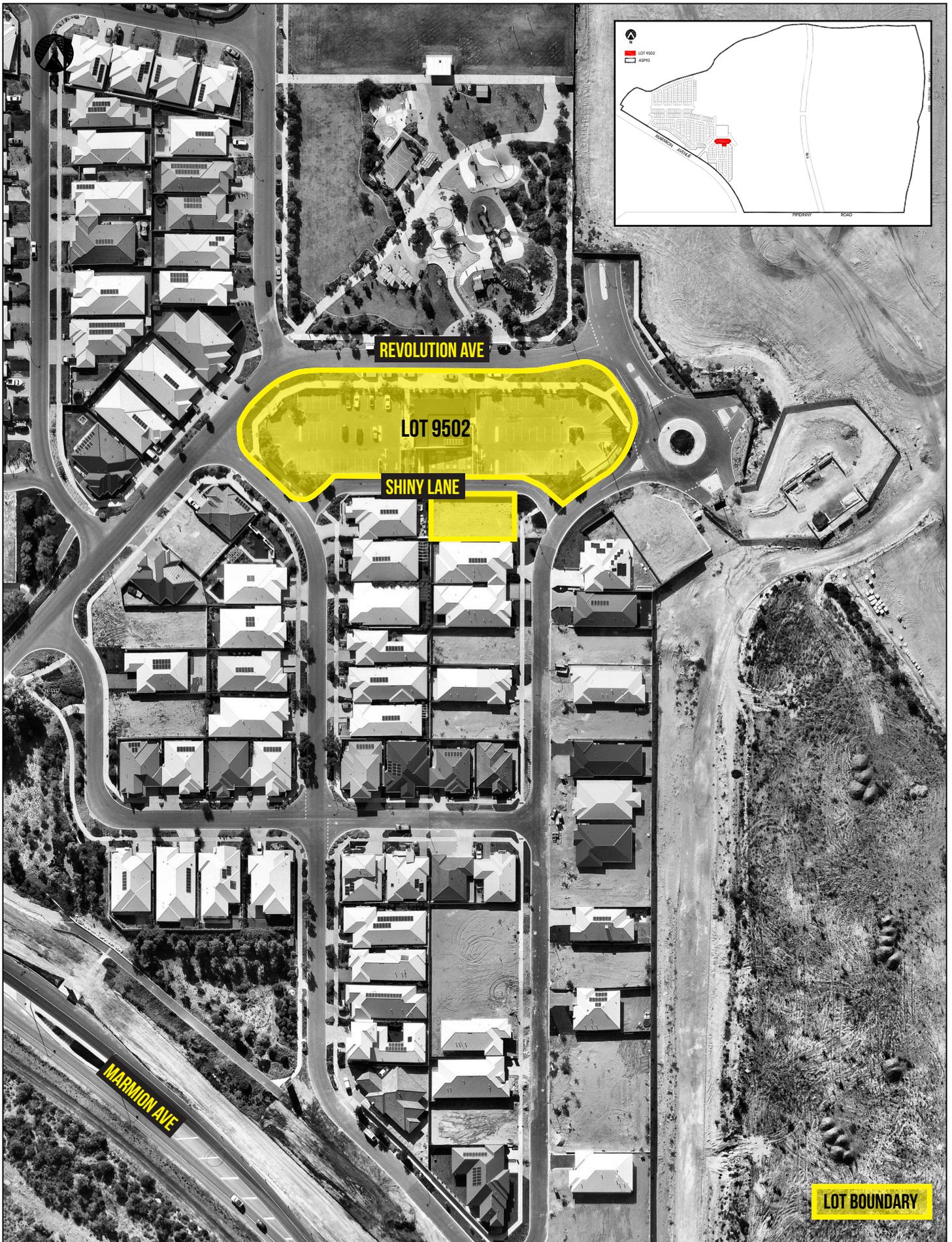
The need for the new use is in part a reflection of the increasing difficulty of establishing viable supermarket based commercial centres in the early stages of new greenfield developments. This leaves a structural deficiency in the ability to provide the daily services and amenities required by residents of new communities, reducing liveability and requiring people to drive long distances for basic amenities. The proposed community hub use provides a flexible and wide-ranging land use to facilitate this early activation, recognising that contemporary community needs extends beyond just the provision of traditional community purpose activities to a more comprehensive range of resident services, including basic commercial offerings.

In this particular instance linking land-use permissibility to the particular site under consideration, coupled with the requirement for development approval, ensures the discretion will not be mis-used.

3.0 RATIONALE

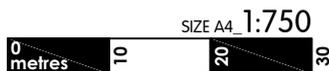
The proposed Community Hub on Lot 9502 Shiny Lane is consistent with the objectives and purpose of the 'Urban Development' zone applicable to the land in the Scheme and the proposed 'Residential' zone applicable to the land in the SP, as follows:

- a) As a temporary use the Community Hub will ultimately be discontinued and the land developed for its intended residential purpose detailed in the SP. This does not prejudice the "overall development potential" (Clause 27.2.b of the deemed provisions) or the long-term intent for the land described in the SP.
- b) Operation (and removal) of the Community Hub is consistent with the orderly and proper planning of the Estate (Clause 27.2.a of the deemed provisions) reflecting the objective of the Urban Development zone "to be flexible and responsive to changing circumstances throughout the developmental stages of the area" (Clause 3.14.1 of the Scheme). The objectives for the Urban Development zone provide a context for facilitating temporary activation while the Estate matures and transitions to its final form and allocation of land use.
- c) The Community Hub is consistent with the Scheme objective for the Residential zone of providing "for compatible urban support services" (Clause 3.14.1.d), providing an important, centralised local amenity and community gathering space until the necessary services can be provided elsewhere in the Estate.
- d) The anticipated uses (shared space, community uses, cafe, sales office) are not significant noise generators and are unlikely to provide nuisance or inconvenience. The existing building has been used as a temporary sales office, and more recently for community purposes without any detriment to the surrounding community.
- e) There is sufficient carparking available on Lot 9502 Shiny Lane to service the facility ensuring use of the Community Hub will not have a negative impact on the amenity of surrounding residential properties.



AGREED STRUCTURE PLAN NO. 93 AMENDMENT NO. 2 - CONTEXT PLAN
Lot 9502 (HN5) Shiny Lane, Eglinton
 City of Wanneroo

AERIAL PHOTOGRAPHY
 SOURCE: NEARMAPS
 YYMMDD: 190525



REF NO. DRAW NO. REV.
SAT EGL RD3 032 A

LOT BOUNDARY