

PART TWO

Explanatory Section

Amendment No. 1

Lots 1 + 2 Yanchep Beach Road, Yanchep (Jindowie East)

Agreed Structure Plan No. 76



Title: Lots 1 + 2 Yanchep Beach Road, Yanchep (Jindowie East)
Part Two - Explanatory Section

Prepared for: Department of Communities

CLE Reference: 2125Rep258

Date: 31 July 2020

Status: Final

Review date: 31 July 2020

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1.0 BACKGROUND

1.1 Purpose and Scope

The purpose of this amendment is to modify Agreed Structure Plan No. 76 ('ASP 76') in response to the deletion of the South Yanchep station from plans for the extension of the Joondalup railway. Specifically, it is proposed that Lot 9040 Yanchep Beach Road be rezoned from 'Mixed Use' to 'Residential' with a density coding of R30-60.

In addition to the proposed rezoning of the 'Mixed Use' area, this amendment proposes to insert reference to the R-MD Codes and bring the format of Part 1 of ASP 76 into consistency with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

1.2 Lot Details

This amendment relates to Lot 9040 Yanchep Beach Road, Yanchep ('the amendment area', refer to Figures 1 and 2). It appears on Deposited Plan 414976 and Certificate of Title vol. 2960, folio 638. The amendment area is in the ownership of our Client, the Department of Communities. The Certificate of Title appears at Appendix 1.

Lot 9040 has a total area of approximately 3.1 hectares. This amendment relates to the lot in its entirety.

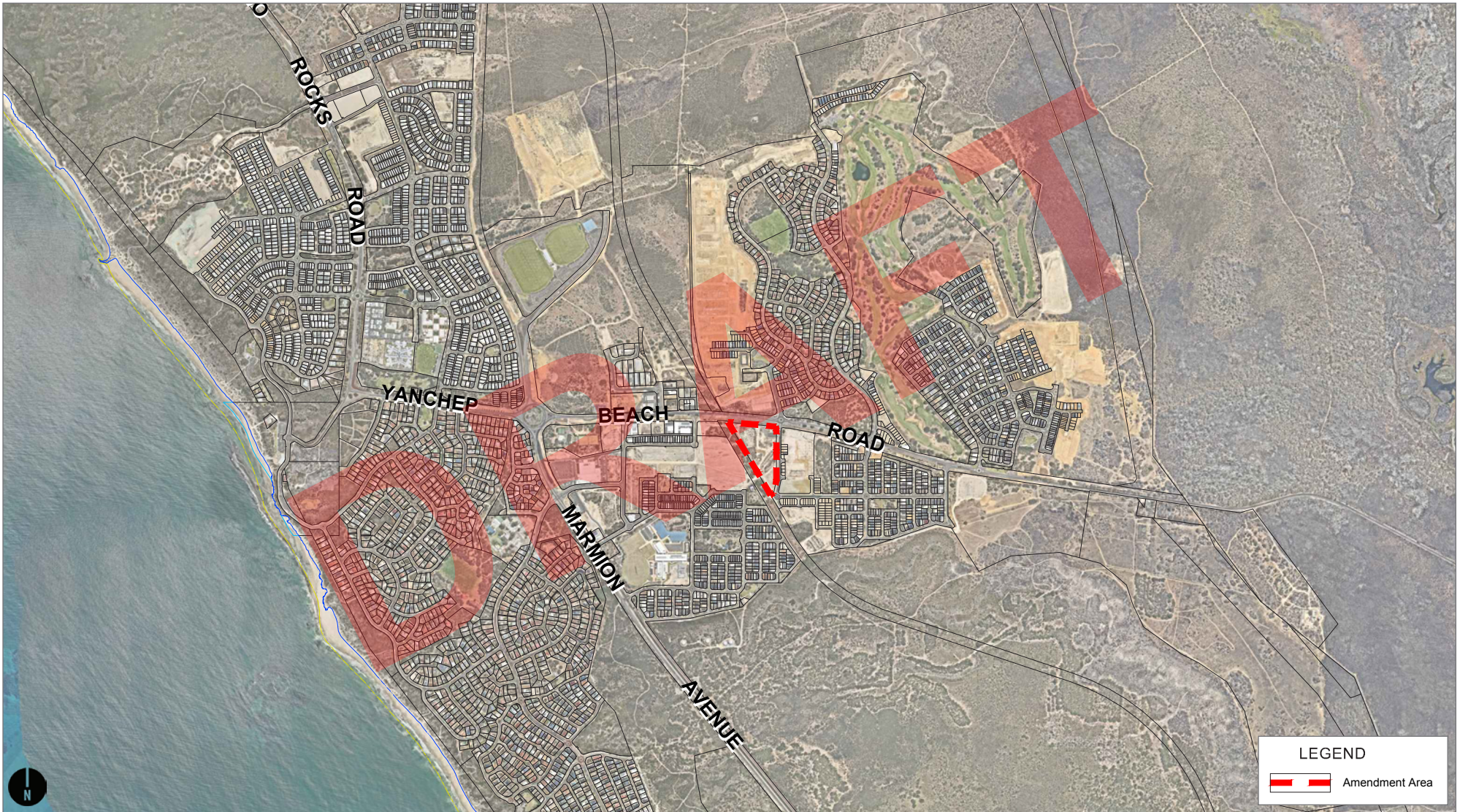
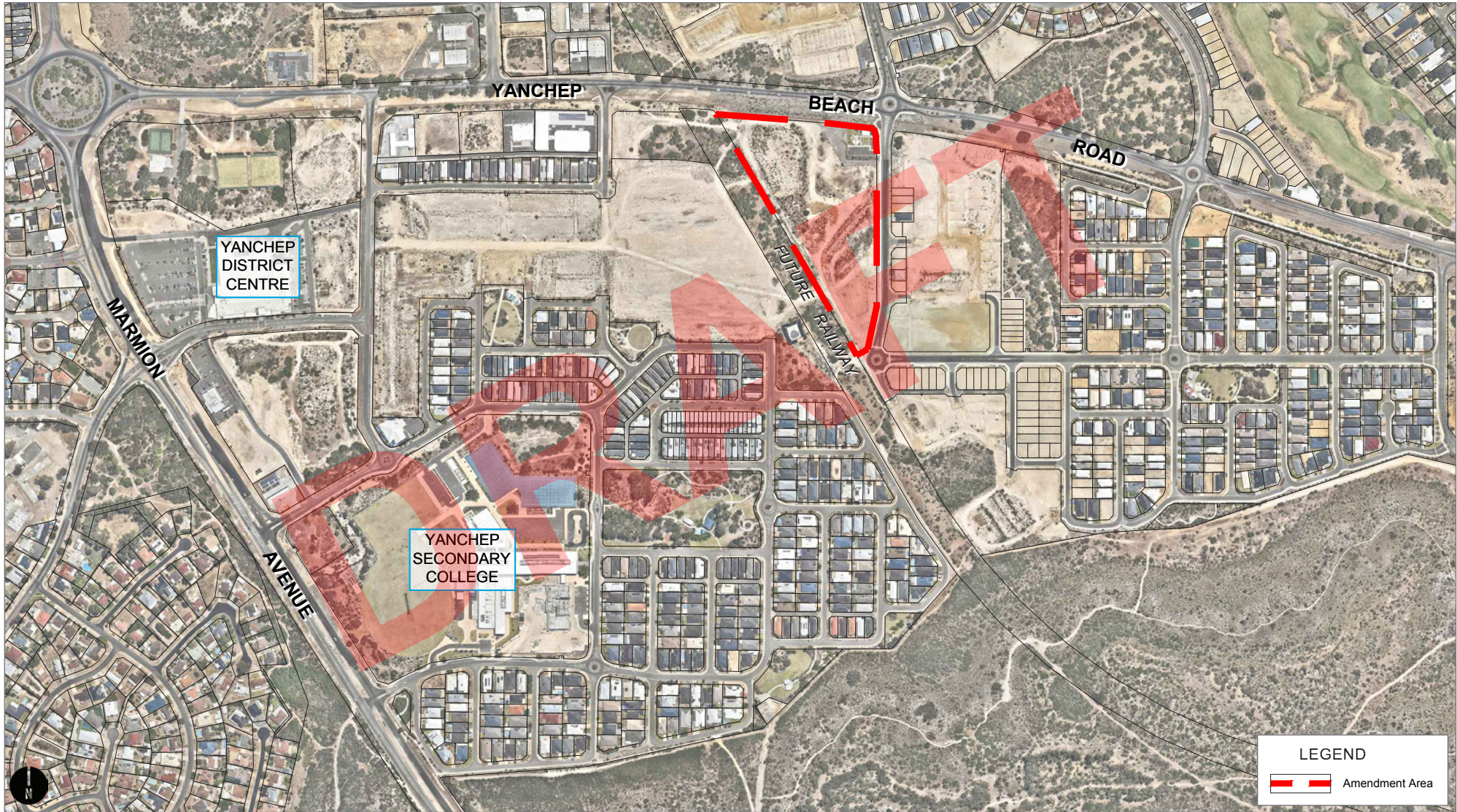


Figure 1 - Location Plan
Source: Nearmap



LEGEND
Amendment Area

Figure 2 - Site Plan
Source: Nearmap

1.3 Planning Context

The amendment area is zoned 'Urban' under the Metropolitan Region Scheme and 'Urban Development' under the City of Wanneroo ('City') District Planning Scheme No. 2 ('DPS 2'). Land in all directions is also zoned 'Urban' under the MRS. Abutting the amendment to the west is land reserved for 'Railways' in the MRS, and Yanchep Beach Road to the north is reserved for 'Other Regional Roads' (refer to Figures 3 and 4).

The amendment area is covered by the Yanchep-Two Rocks District Structure Plan ('the DSP', 2010), the provisions of which have guided subsequent, more detailed structure planning. The applicable Local Structure Plan is Agreed Structure Plan No. 76 ('ASP 76', refer Appendix 2), which is the subject of this amendment. ASP 76 was adopted by the City of Wanneroo in January 2011 and endorsed by the WAPC in May 2011 and has not been amended since. ASP 76 fulfills the requirement of DPS 2 (Section 3.14) for subdivision and development in the 'Urban Development' zone to be guided by a structure plan adopted in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The amendment area is located in the north-western corner of ASP 76, with frontage to Yanchep Beach Road to the north and abutting the planned extension to the Joondalup railway to the west. Plan 1 of ASP 76 indicates that the amendment area is for 'Residential' purposes, whilst Plans 2A and 2B clarify that to capitalise on the then-planned railway station south of Yanchep Beach Road, residential development should be within a 'Mixed Use' zone with a residential density coding of R80-R160 (refer to Figures 5 (a), (b) and (c)).

The amendment area is part of the Jindowie estate being developed by the Department of Communities. Land to the east and south-east is in the process of development for residential purposes in accordance with ASP 76 and subdivision approvals lodged pursuant to the 'Residential' zone and R30-R60 density code range applied via ASP 76. The amendment area itself remains vacant.

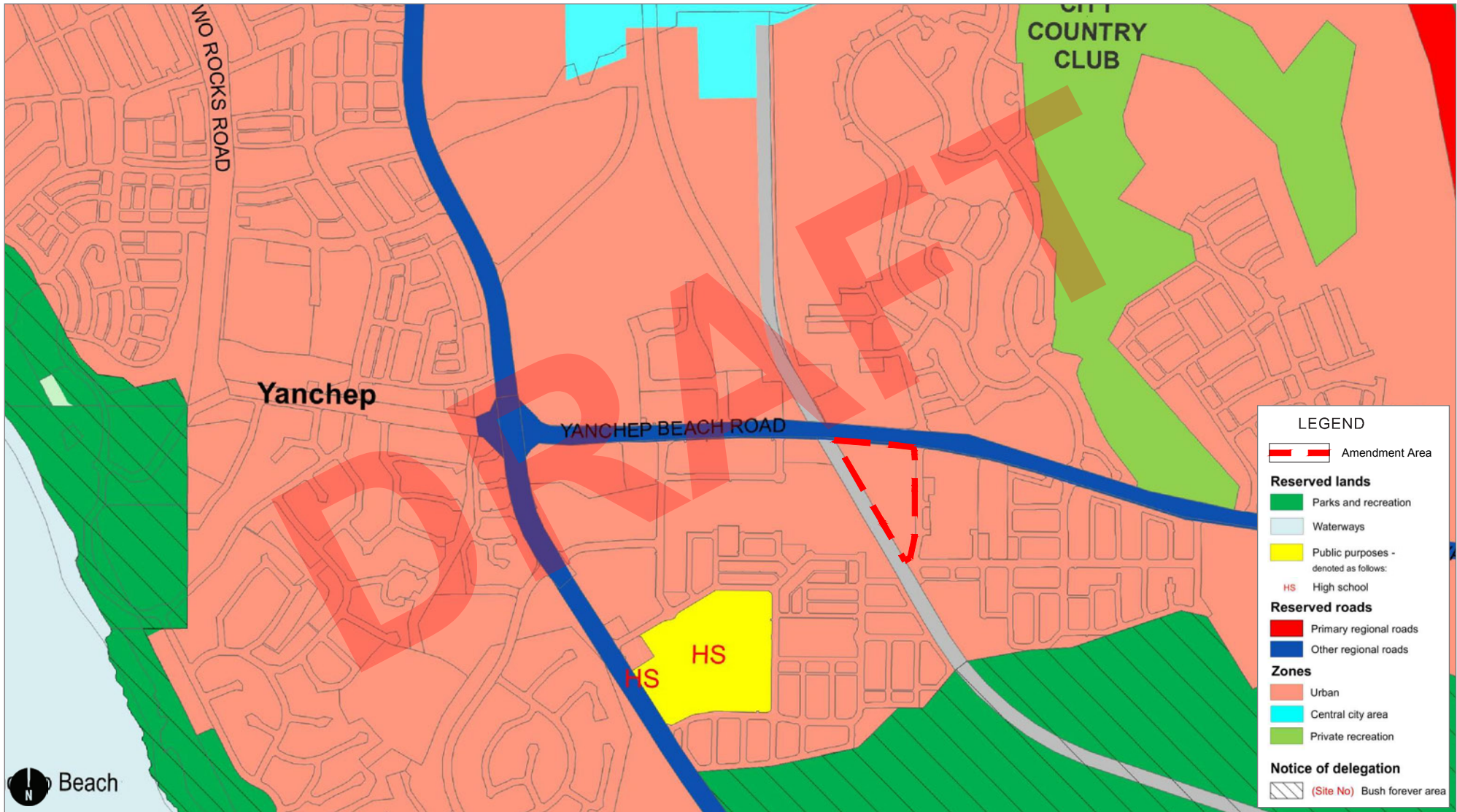


Figure 3 - Metropolitan Region Scheme Map
Source: WAPC

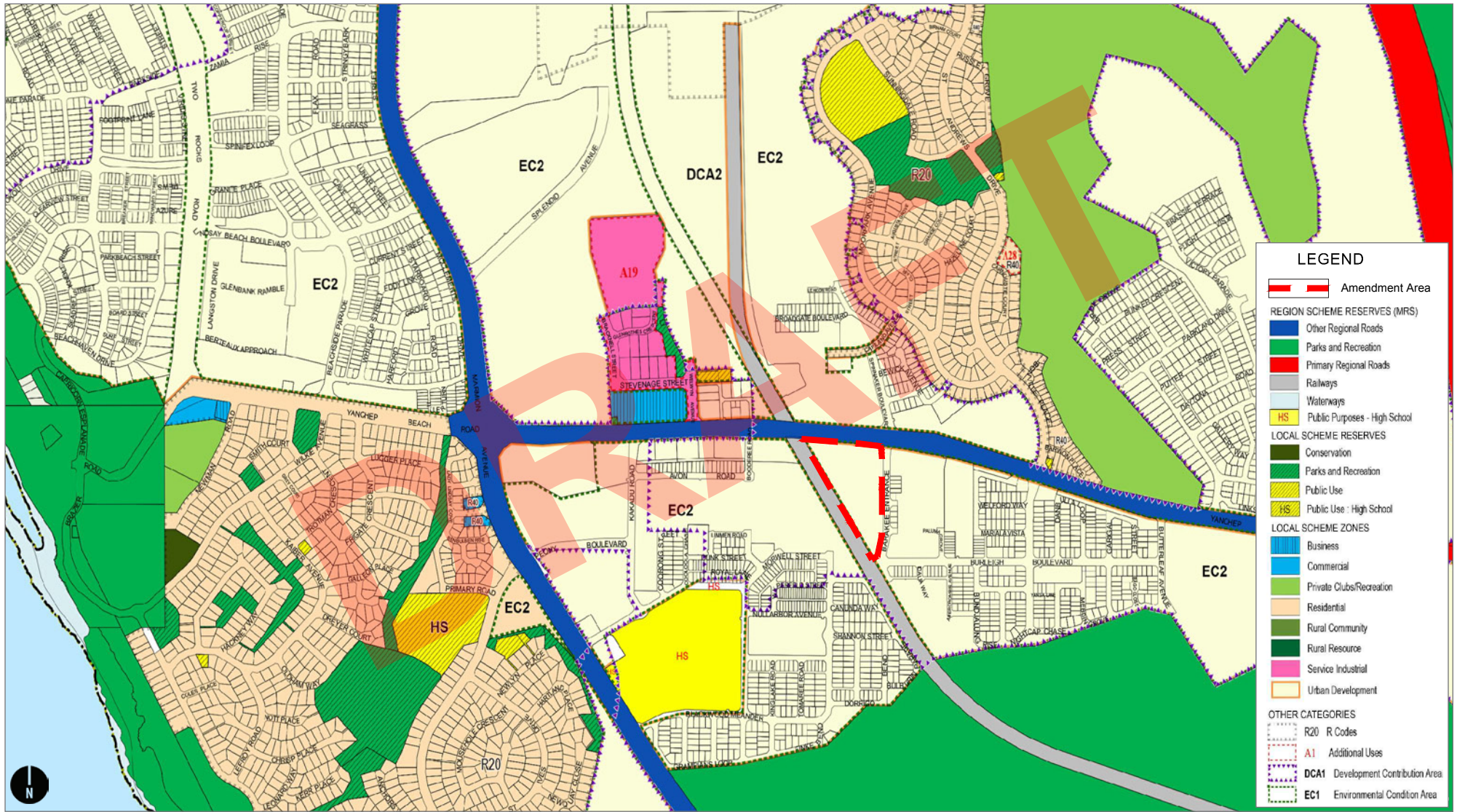
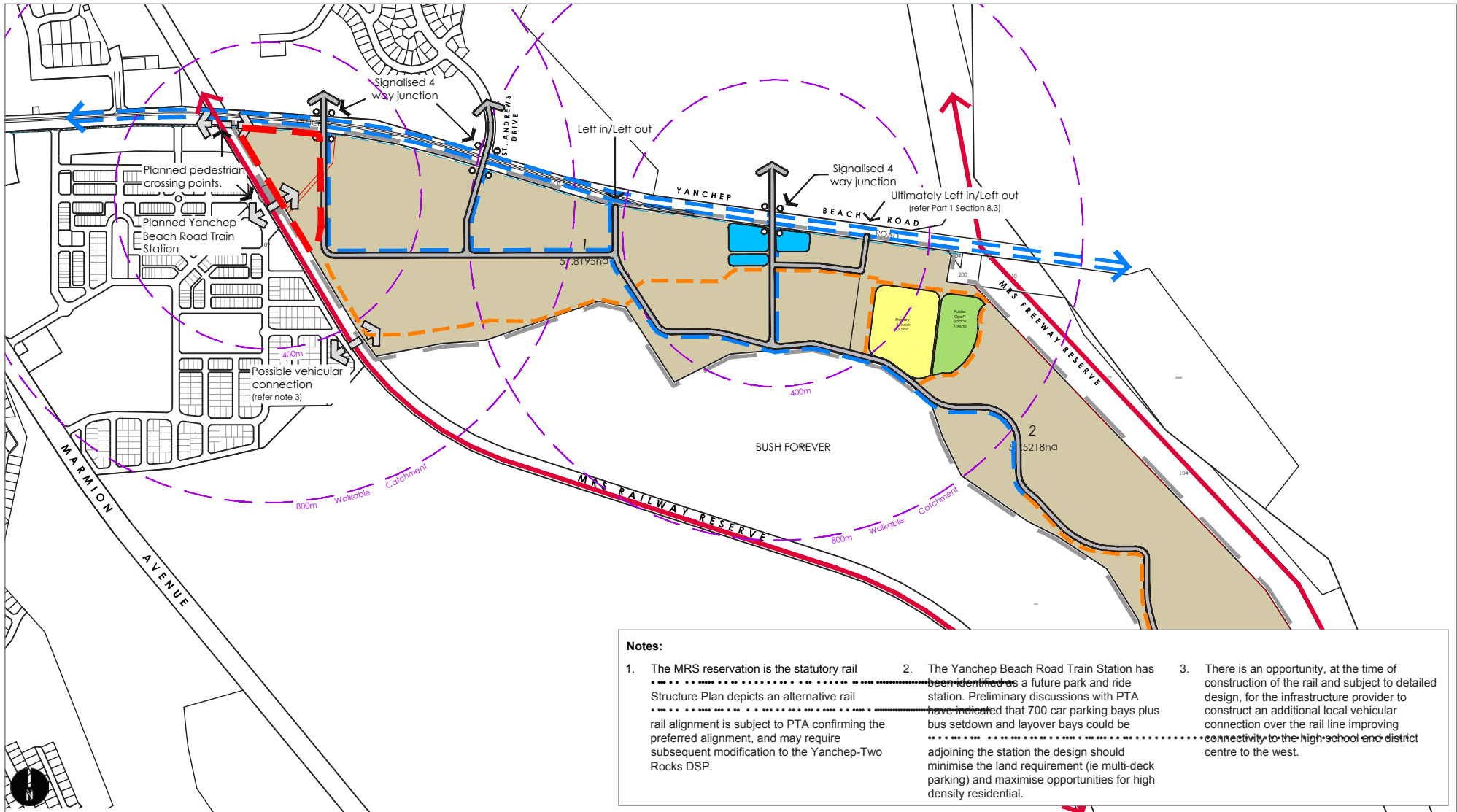


Figure 4 - City of Wanneroo DSP 2 Map
Source: WAPC



- Notes:**
1. The MRS reservation is the statutory rail Structure Plan depicts an alternative rail rail alignment is subject to PTA confirming the preferred alignment, and may require subsequent modification to the Yanchep-Two Rocks DSP.
 2. The Yanchep Beach Road Train Station has been identified as a future park and ride station. Preliminary discussions with PTA have indicated that 700 car parking bays plus bus setdown and layover bays could be adjoining the station the design should minimise the land requirement (ie multi-deck parking) and maximise opportunities for high density residential.
 3. There is an opportunity, at the time of construction of the rail and subject to detailed design, for the infrastructure provider to construct an additional local vehicular connection over the rail line improving connectivity to the high school and district centre to the west.

Figure 5 - Existing Structure Plan Maps (a)



Figure 5 - Existing Structure Plan Maps (b)



Figure 5 - Existing Structure Plan Maps (c)

2.0 PROPOSED AMENDMENT

2.1 Removal of 'Mixed Use' zone

When ASP 76 was approved in 2011, it was anticipated that a station on the extended Joondalup railway would be provided south of Yanchep Beach Road. This would be located between the planned Yanchep and Eglinton stations and be known as 'South Yanchep'. Planning for the Joondalup railway extension, which now forms part of the State Government's Metronet initiative, no longer includes South Yanchep station (refer Appendix 4: PTA Advice on South Yanchep Station). As such, it is necessary to review the planning initiatives that were included as a response to the station, including the 'Mixed Use' zone in ASP 76 and the associated R80-160 density code.

The 'Mixed Use' zone and the provisions relating to it reflect the location of the South Yanchep station. Part 1 of ASP 76 states that:

"Development within the mixed use zone shall be generally in accordance with transit-orientated design principles including:

- Provision of a range of high density residential accommodation;*
- Provision of areas of commercial activity in strategic locations that complement the nearby local and district activity centres;*
- Minimisation of land requirement for park and ride facilities through the use of multi deck parking or other alternatives to at-grade parking."*

Part 2 of ASP 76 also makes reference to transit-oriented development in relation to the 'Mixed Use' zone. Such references are now obsolete, and the potential of the site for commercial and high-density residential development is absent. The amendment area is now suitable for medium-density residential development with a more modest commercial component.

2.2 Proposed Residential Zone

Residential development is permissible in the existing 'Mixed Use' zone, but it is more appropriate for ASP 76 to be amended before any proposal for medium-density development is progressed. This ensures that appropriate controls on land use, density and built form are in place. The proposed ASP 76 plans appear as Figures 6(a), (b) and (c).

ASP 76 specifies the R80-R160 density code for any residential component of the amendment area. This reflects the locational criteria at Section 7.5.2 of Part 1 of ASP 76, which states that:

"A density code of up to R160 may be applied to land which is:

- Within 400m of a train station; or*
- Adjacent to arterial roads and around major intersections."*

In the absence of South Yanchep station, there is no justification within the structure plan or otherwise for densities of R80 to R160. The amendment area will not be within 400m of a railway station and although adjacent to an arterial road (Yanchep Beach Road), is not suitable for densities higher than R60. The amendment area is more than 800m from the Yanchep District Centre on Marmion Avenue and whilst a bus service does operate along Yanchep Beach Road, this does not justify anything other than medium residential densities. As such, an R-Code range of R30-60 is proposed, consistent with the approved densities on the land immediately east. Specific density codes will be assigned at the subdivision stage through approval of an R-Code Plan by the WAPC.

The proposed R30-60 density code range enables average lot sizes of between 300sqm and 150sqm and facilitates yields in excess of those required under Liveable Neighbourhoods. For the purposes of informing a likely dwelling yield, a subdivision concept (refer Appendix 7) has been prepared. This has no formal status but demonstrates that the proposed density codes facilitate delivery of a compliant lot yield, as detailed in Table 1 below.

Table 1: Lot yield, assuming Subdivision Concept at Appendix 7

Planning Instrument	Metric	Min dwellings per hectare	No. lots Proposed*	Area (ha)	Yield (dph)
LN	Gross urban hectare	15	79	4.39	18
LN	Site hectare	22	79	2.74	28.8

* Assumes that the grouped housing site supports delivery of 17 lots.

Table 1 demonstrates that the proposed R30-60 density code will enable achievement of the relevant yield targets in LN.

2.3 R-MD Codes

In its current form, ASP 76 contains estate-specific variations to the Residential Design Codes ('R-Codes') to guide medium-density residential development (refer to Tables 1A and 1B of Part 1 of ASP 76). Since ASP 76 was approved in 2011, the WAPC has adopted Planning Bulletin 112: *Medium-density single house development standards – Development Zones* (the 'R-MD Codes'). These are a set of standard variations to the Residential Design Codes for medium-density housing, including the R40 and R60 codes addressed in ASP 76.

To ensure consistency with other estates and standard house designs prepared by builders in accordance with the R-MD Codes, it is desirable to delete Tables 1A and 1B from ASP 76 and replace them with reference to the R-MD Codes. Reference to the R-MD Codes in a structure plan is not, in itself, statutorily effective, however, a head of power for the reference exists in the form of the City's Local Planning Policy 4.19: *Medium-Density Housing Standards* (R-MD), enabling its implementation.

Replacement of Tables 1A and 1B with reference to the R-MD Codes will necessitate associated changes to the text in Part 1 of the ASP 76 report, particularly in Section 9.



Figure 6 - Proposed Structure Plan Maps (a)

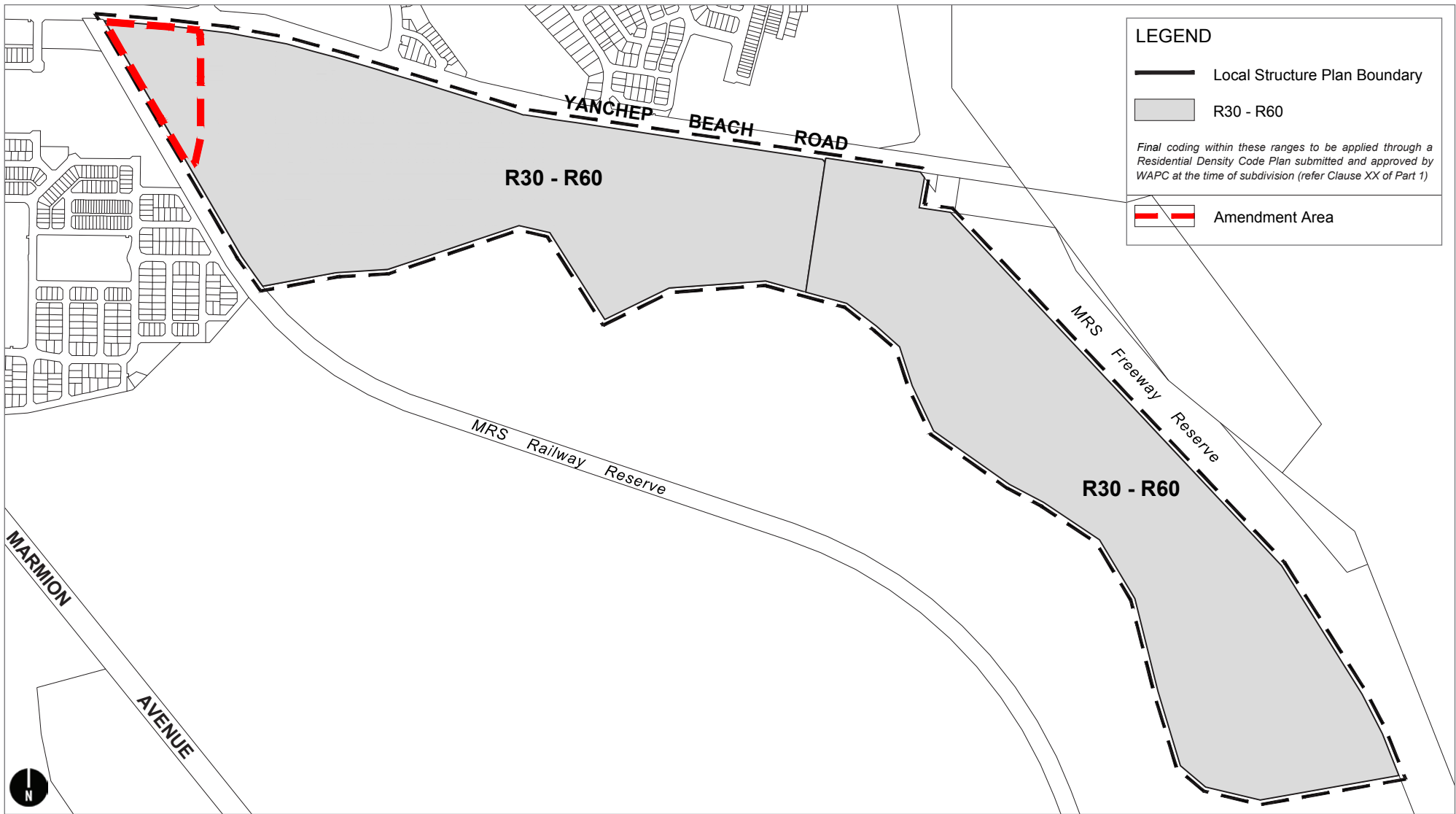


Figure 6 - Proposed Structure Plan Maps (b)

2.4 Planning and Development (Local Planning Schemes) Regulations 2015

In 2015, the *Planning and Development (Local Planning Schemes) Regulations 2015* came into effect and made changes to the format and effect of statutory structure plans. The opportunity is being taken to update Part 1 of ASP 76 to reflect the new Structure Plan Framework, which is part of the suite of Regulations documents.

2.5 Substantiality

With reference to the criteria listed in the Structure Plan Framework, we are of the view that this proposal constitutes a minor structure plan amendment. It responds to the contemporary planning framework and does not:

- Materially alter the purpose and intent of the structure plan;
- Change the intended lot / dwelling yield by more than ten per cent;
- Adversely impact upon the amenity of adjoining landowners;
- Restrict the use and development of adjoining land;
- Impact on infrastructure provision or the environment.

Consistent with the *Planning and Development (Local Planning Schemes) Regulations 2015*, minor structure plan amendments need not be advertised.

3.0 PLANNING CONSIDERATIONS

3.1 Dwelling Yield

Implementation of the Mixed Use zone and R160 density code designated for the site in the approved version of ASP 76 was wholly dependent on the South Yanchep station being delivered. In that event, it was expected that at least part of the site would be required for the station car-park. As such, even with the station, the potential of the site for residential development was limited. Progression of this proposed Amendment to ASP 76 makes residential development a viable and likely proposition for the Amendment area, contrasting with the previous framework.

The proposed R30-60 density code range facilitates provision of between 60 and 120 lots. Delivery of these, and the associated population growth, will assist in catalysing completion of the Yanchep District Centre to the west, commencement of the Local Centre shown in ASP 76 to the east, and progression of the Yanchep City Centre to the north.

3.2 Employment

[3.2.1 Yanchep-Two Rocks District Structure Plan](#)

The DSP contains an employment self-sufficiency target of 75%, which is envisaged to be achieved through the development of activity centres, employment precincts, corridors, industrial areas, education establishments and home-based businesses.

The DSP contains land use classifications named 'Mixed Use Corridors' and 'Mixed Use / Employment'. These are not the same as the 'Mixed Use' zone in DPS 2; they are significant, strategically-located employment nodes designated around the Yanchep City Centre and transit corridors. The Amendment area is identified for 'Residential' purposes in the DSP, and no 'Mixed Use' component is distinguished. A target of 48,469 dwellings is stated in Table 1 of the DSP, with 2680 "home-based businesses" envisaged (representing 5% of the total). Some of these are anticipated to be operative from homes within the Amendment area.

Achievement of the employment self-sufficiency target can only be achieved once development of commercial, employment-generating land has been catalysed. This occurs through local population growth, which depends on residential development such as that facilitated by this amendment. Progression of residential development within Jindowie will support the emergence of the Yanchep District Centre and Yanchep Secondary Centre (where 42% of the DSP target is envisaged to be accommodated) and maximise the likelihood of the small-scale commercial activities mentioned above being progressed.

3.2.2 ASP 76

Consistent with the requirement of Part 1, Section 7.8 of the DSP, an Economic and Employment Strategy was prepared as part of ASP 76. Given the lack of an employment target specific to the 'Mixed Use' zone in the DSP and its lack of distinction of a 'Mixed Use' component within the Residential zone, the *Economy, Employment and Activity Centres* report prepared by Shrapnel Urban Planning places no importance on the Amendment area as a source of employment land. It identifies the Local Centre proposed for a site further east along Yanchep Beach Road as the primary employment-generating site. Removal of the 'Mixed Use' zone will therefore have no impact on employment generation across the DSP or ASP 76.

3.2.3 Permissibility in the 'Mixed Use' zone

The objectives of the 'Mixed Use' zone in DPS 2 include facilitation of "small-scale businesses in a primarily residential-scale environment", with the predominant uses being "residential, office, consulting, dining and limited retail". In reality, the location of the 'Mixed Use' zone on the opposite side of the previously-planned railway station to the predominant attractors in the local area (including the Yanchep District Centre and Yanchep Secondary College) was always likely to limit the feasibility of anything other than small-scale and home-based commercial activity. In the absence of the station, the justification and likelihood of mixed-use or town centre-style development diminishes further.

The proposed 'Residential' zone facilitates a variety of commercial uses, including childcare centres, consulting rooms, corner stores and home businesses. This range is, by definition, narrower than that permissible in the 'Mixed Use' zone, but it does facilitate local-scale commercial activity in the event that local market demand is sufficient. The following land uses that might realistically have eventuated within the Amendment area are permissible in the 'Mixed Use' zone but not in the 'Residential' zone:

Use class	Residential	Mixed Use
Bakery	X	D
Beauty Parlour	X	P
Convenience Store	X	D
Hairdresser	X	P
Lunch Bar	X	P
Office	X	P
Pharmacy	X	D
Restaurant	X	D

In the absence of a railway station and the associated foot traffic and higher residential density, it is unlikely that any of the above land uses would eventuate within the Amendment area. The Yanchep District Centre is less than 700 metres to the west and will (and should) be the focal point for local commercial floorspace. On balance, it is very likely that the net effect on employment will be minimal. Replacement of the 'Mixed Use' zone with the 'Residential' zone is therefore a sensible response to the removal of the South Yanchep station from planning for the extension of the Joondalup railway. This has fundamentally altered the considerations relevant to land use within the amendment area.

3.3 Access

The amendment area comprises a triangular parcel of land bounded by the MRS 'Railways' reserve to the west, Yanchep Beach Road to the north and an emerging residential neighbourhood to the east. The residential area is developing in accordance with ASP 76 and is separated from the amendment area by a Neighbourhood Connector road that meets Yanchep Beach Road at a roundabout.

Access to the amendment area is currently, and will continue to be, from the Neighbourhood Connector road. No direct access to Yanchep Beach Road (an 'Other Regional Road' under the MRS and 'District Distributor' using Main Roads' classification system) is proposed. It is anticipated that the proposed 'Residential' zone and R30-R60 density will generate considerable less traffic than the existing 'Mixed Use' zone and its associated R80-R160 density. As such, it is reasonable to expect that the road network planned in ASP 76 and being progressively implemented will be more than adequate to accommodate the 50-70 lots likely to eventuate within the amendment area.

ASP 76 currently contains provision for a pedestrian link across the railway linking into the western part of the Jindowie estate, which is developing in accordance with Agreed Structure Plan No. 40 ('ASP 40'). This pedestrian link is intrinsically associated with the previously-planned South Yanchep station and is therefore proposed to be deleted from ASP 76. East-west pedestrian and cycle movement is facilitated via the shared-use path constructed along the southern side of Yanchep Beach Road, approximately 150m north of the pedestrian link shown in ASP 76.

Should a pedestrian link across the railway be considered necessary in future, one can be provided. Nothing in this proposed amendment precludes this, and future subdivision design will deliver a legible street network that facilitates provision of a pedestrian connection westward.

3.4 Transport Noise Management

The Amendment area is in close proximity to Yanchep Beach Road and the planned Joondalup railway extension corridor, both of which are triggers for consideration of State Planning Policy 5.4 – Road and Rail Transport Noise ('SPP 5.4'). In accordance with SPP 5.4, a Transportation Noise Assessment (Lloyd George Acoustics, 2020; refer Appendix 5) has been prepared to support this Amendment. This concludes that noise mitigation measures will be required to ensure compliance with SPP 5.4 for lots adjacent to the above-mentioned corridors, including:

- Noise barriers (preferably a wall) along both corridors;
- Implementation of 'Quiet House' construction standards;
- Inclusion of notifications on the Certificates of Title for noise-affected lots.

The noise mitigation treatment required for each individual noise-affected lots will be confirmed at the subdivision stage in accordance with SPP 5.4. The Transportation Noise Assessment provided with this Amendment provides assurance that, consistent with previous assessments, an acceptable level of acoustic amenity can be achieved for residential development within the Amendment area.

3.5 Bushfire Hazard Management

The western and north-eastern parts of the amendment area are identified as being bushfire-prone in the map database maintained by the Department of Fire and Emergency Services. In accordance with the requirements of State Planning Policy 3.7: Planning in Bushfire-Prone Areas ('SPP 3.7'), a Bushfire Management Plan incorporating a Bushfire Attack Level ('BAL') Contour Plan (Entire Fire Management, March 2020; refer Appendix 6) is included with this amendment request.

The BMP confirms that the primary bushfire hazards affecting the application area are temporary. They include:

- 'Forest' vegetation within the MRS 'Railways' reserve that forms the western edge of the amendment area. This will be cleared in the next 12 months or so to facilitate the extension of the Joondalup railway to Yanchep.
- 'Forest', 'Woodland', and 'Scrub' on various sites around the amendment area, all of which will be cleared or managed to a low-threat state as part of future development in accordance with ASP 76 and others.

These factors translate to temporary BAL ratings for very limited areas at the northern and southern ends of the amendment area. This confirms that the bushfire hazards affecting the application area can be managed in accordance with SPP 3.7. The BAL ratings for each individual lot will be updated through preparation of a new BAL Compliance Report pursuant to a condition of subdivision approval, which, depending on the progress of development on neighbouring land, may enable some of the BAL ratings to be deleted entirely.



4.0 CONCLUSION

This amendment proposes to respond to the deletion of South Yanchep station from planning for the extension of the Joondalup railway. The station had justified inclusion of a 'Mixed Use' zone in the north-western corner of ASP 76, but without it, that justification is no longer present. As such, it is proposed that the 'Mixed Use' area be rezoned to 'Residential', which will support development of nearby activity centres and ensure that the planning framework reflects the characteristics of the site.