



**ROWE**  
GROUP

Job Ref: 8948  
1 February 2021

Chief Executive Officer  
City of Wanneroo  
23 Dundobar Road  
WANNEROO WA 6065

Dear Sir/Madam

**Mixed-Use Development Application**  
**Lot 2810<sup>3</sup> Camborne Parkway, Butler**

Level 3  
369 Newcastle Street  
Northbridge 6003  
Western Australia

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Rowe Group acts on behalf of Fabcot and Axiom Properties Ltd, the owner and prospective owners of Lot 2813 Camborne Parkway, Butler ('subject site').

It is proposed to modify the approved plan to facilitate the modification of Building 3 from a Showroom to a Service Station. The proposal also includes the potential for tenancies 1 – 3 to be combined into 1 or more tenancies. This will include the non-operation of 1 or more of the entrance points fronting the North South Connection.

Please find enclosed the following:

- Certificate of Title;
- Plans and Elevations; and
- Forms and Landowner Approvals.

**Building 1**

As previously advised discussions are ongoing with a number of prospective tenants in relation to the various tenancies throughout the development. It is likely that all of Tenancies 1 – 3 may be utilised by one tenant. The updated plan shows how this is accommodated.

The general appearance has not changed from the approved plans and an entrance to the north / south accessway is proposed.

**Building 3**

It is proposed to modify Building 3 to accommodate a Service Station.



Service Station is defined by the City of Wanneroo District Planning Scheme No.2 (DPS2) as:

*means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for –*

- a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; or*
- b) the carrying out of greasing, tyre repairs and minor mechanical repairs to motor vehicles.*

In a recent decision of the State Administrative Tribunal, *Warr v Cambridge* (2020 WASAT 126), it was determined that a proposed AutoMasters in Cambridge, where the definition is almost identical to the DPS2 definition, was most appropriately defined as a Service Station.

*...the mechanical workshop component is now properly characterised as a 'service station' for the purposes of planning assessment under LPS 1. That is because based on the agreed facts for the mechanical workshop in the context of the Original Application (set out at [17] of the Warr SAT Reasons) and the New Application (explained at [20] above) the mechanical workshop would comprise premises 'the carrying out of greasing tyre repairs and minor mechanical repairs to motor vehicles'.*

The Town of Cambridge definition is as follows:

*means premises other than premises used for a transport depot, panel beating, spray painting, major repairs or wrecking, that are used for –*

- (a) the retail sale of petroleum products, motor vehicle accessories and goods of an incidental or convenience nature; and/or*
- (b) the carrying out of greasing tyre repairs and minor mechanical repairs to motor vehicles;*

Given that the operation of the proposed tenant is the same as an AutoMasters the most appropriate use is a Service Station. A Service Station is not a listed use within the Butler District Centre Activity Centre Structure Plan No.87 provisions for Precinct A. A Service Station is a discretionary use within the Commercial Zone.

As such the City is able to approve the proposed use.

Service Stations are commonly located within activity centres, and provide a valuable additional service for visitors to these centres. We are of the view that the use is an appropriate use in relation to the other uses within the centre. We are of the view that the use is located far enough away from the station, but also close enough for there to be increased pedestrian movements, but also appropriately separated from the surrounding residential development. The location of this use in proximity to the rail station and bus interchange will allow customers to easily access public transport.



It is important to note that the proposed building includes an area fronting the East West Connector that is intended to accommodate public art. The final art has not been determined, and this would be prepared in consultation with the chosen artist and the City of Wanneroo Art Coordinator. Attached is an indicative plan that shows how the building could look.

The building openings are all located facing the internal parking area, and will be visible from off the site, as this area of the site is screened by Buildings 1 and 2.

The design of the building is such that future tenants would be able to modify the internal wall to create entrances / shop fronts should the use of the building change. The width of building would allow for retail uses. The building does include the generous awning as previously approved.

There is a modification to the parking layout to accommodate the building reconfiguration. Rather than maximise the number the parking bays, increased landscaping areas are proposed. This results in a total reduction of 4 parking bays.

#### **Building 4**

Building 4 has been modified to better integrate the EOT facility and bin store. This will improve the use and appearance of this portion of the development.

#### **Building 5**

As with Building 1, the whole of Building 5 may be tenanted by one entity. This is yet to be determined. However there is no fundamental change to the building appearance, and this would not normally require planning approval.

All other components of the development remain the same.

Should you require any further information or clarification in relation to this matter, please contact undersigned on 9221 1991.

Yours faithfully,



**Sean Fairfoul**  
Rowe Group