



DISTRICT PLANNING SCHEME NO. 2

Amendment No. 186

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*Planning and Development Act 2005***RESOLUTION TO ADOPT AMENDMENT TO
LOCAL PLANNING SCHEME****CITY OF WANNEROO****DISTRICT PLANNING SCHEME NO. 2 - AMENDMENT NO. 186**

RESOLVED that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above local planning scheme by:

1. Inserting Additional Use No. A42 in Schedule 2 – Section 1 (Clause 3.20) – ADDITIONAL USES of District Planning Scheme No. 2, as follows:

NO		STREET/ LOCALITY	PARTICULARS OF LAND	ADDITIONAL USE AND CONDITIONS (WHERE APPLICABLE)
A42	1-42	187 Hawkins Road, Jandabup	Lot 60	Place of Worship and incidental Reception Centre.

2. Amending the Scheme Map accordingly.

Pursuant to Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* the Amendment is a Standard Amendment for the following reason:

- amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;

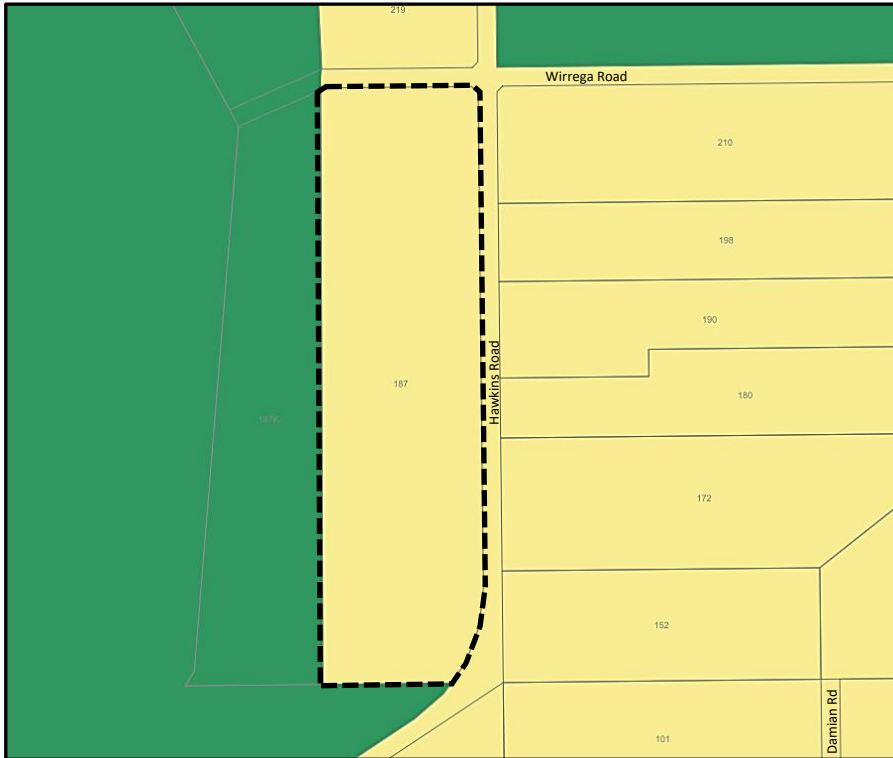
Date of Council Resolution: 17 November 2020

.....
(Chief Executive Officer)

Dated this day of 20.....

City of Wanneroo
DISTRICT PLANNING SCHEME No. 2
Amendment No. 186

EXISTING ZONING




LEGEND


METROPOLITAN REGION SCHEME (MRS) RESERVES


 Parks & Recreation

LOCAL SCHEME ZONES

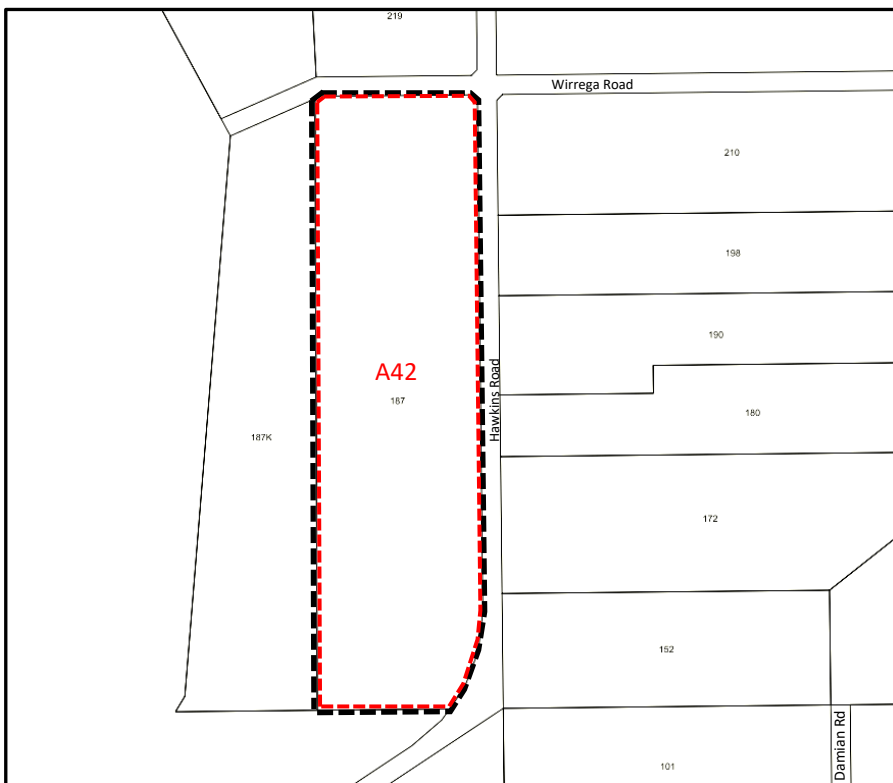
 General Rural

OTHER CATEGORIES

 Additional Uses

 Subject Land
 Lot 60 (No. 187) Hawkins Rd,
 Jandabup

PROPOSED ZONING



(NTS)

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SCHEME AMENDMENT REPORT

1.0 INTRODUCTION

The purpose of this amendment to the City of Wanneroo's District Planning Scheme No. 2 (DPS 2) is to introduce the Additional Uses of Place of Worship and Reception Centre for the land situated at 187 (Lot 60) Hawkins Road, Jandabup.

These Additional Uses are intended to facilitate the future development of a Hindu Temple (in the Swaminarayan faith) and associated Reception Centre, due to the existing facilities in the City of Wanneroo being outgrown and no longer fit for purpose.

2.0 BACKGROUND

2.1 LOCATION & OWNERSHIP

Lot 60 is 10.74 ha in area and is owned by the Wadia family.

The land is bounded by Hawkins Road to the east (a frontage of approximately 639 metres); the unconstructed Wirrega Road to the north (a frontage of approximately 165 metres); and the Jandabup Nature Reserve (Lake Jandabup) to the south and west (see Fig. 1).

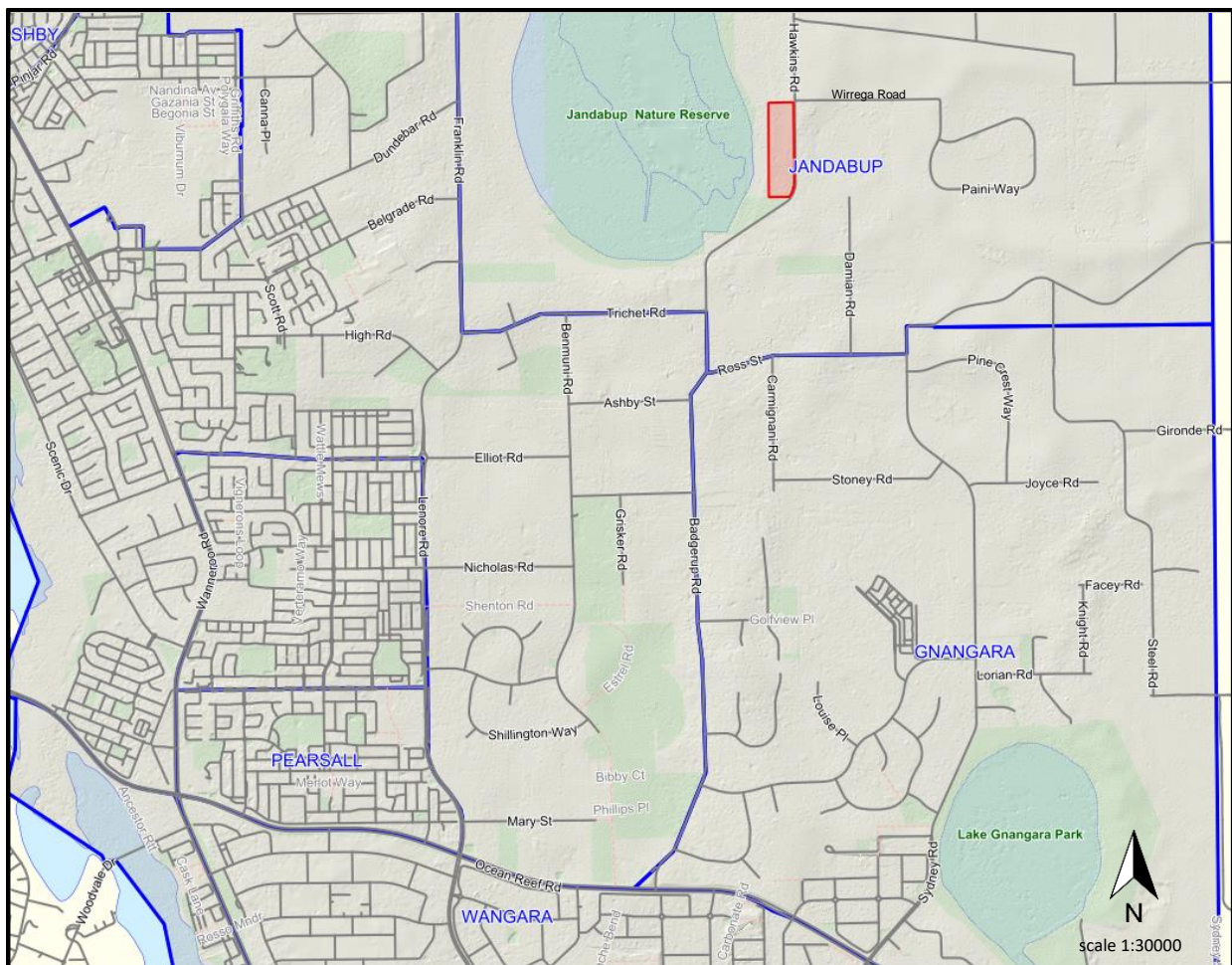


Fig. 1 – Location Plan (Lot 60 shown in red)

2.2 SITE CONTEXT & CHARACTERISTICS

Lot 60 is 636m long (north-south) and 170m wide (east-west).

The land slopes gently from Hawkins Road down towards Lake Jandabup, from a high point of 57m AHD in the north-eastern corner to 46m AHD in the north-western corner (see Fig. 2).

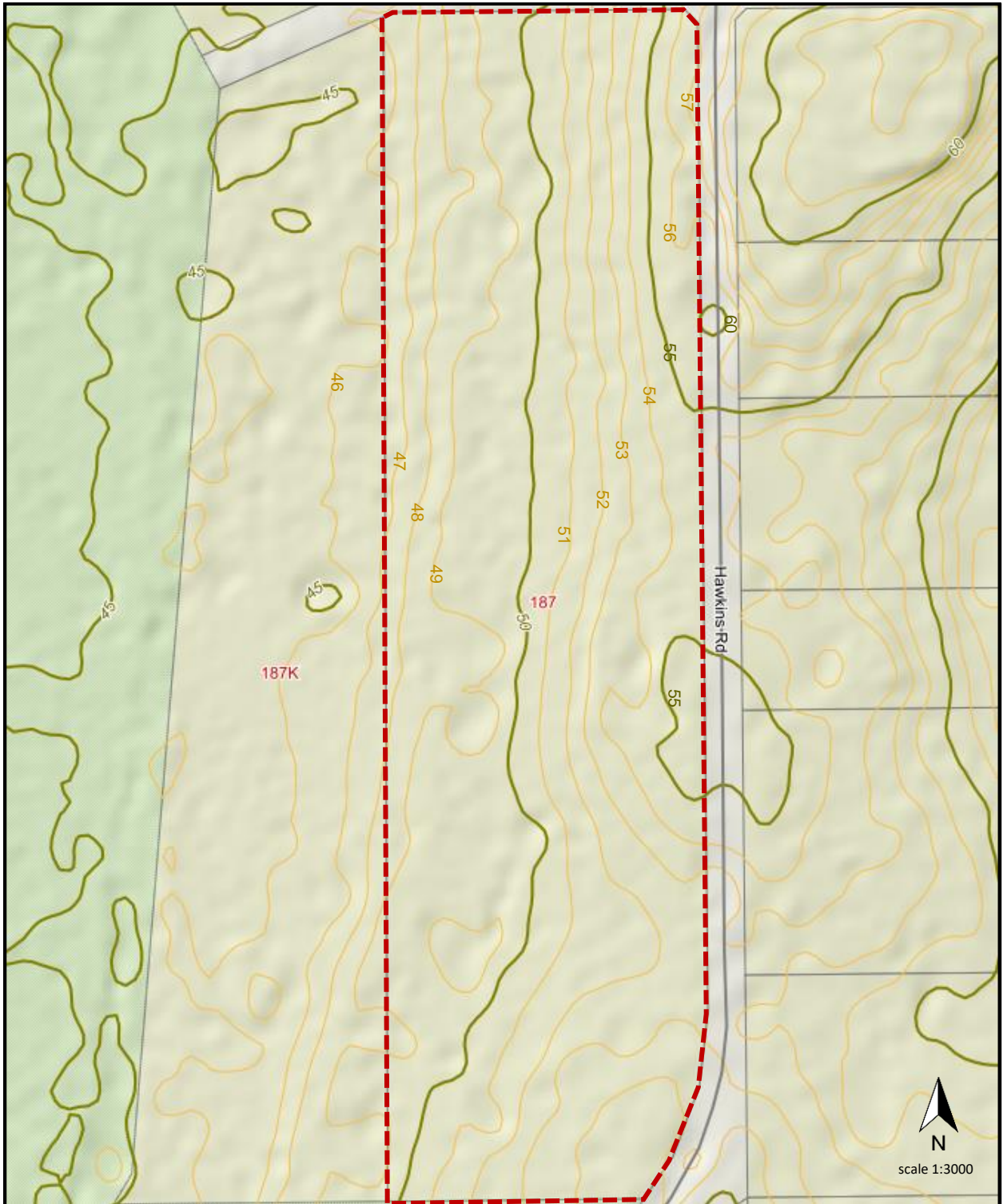


Fig. 2 – Topography (Lot 60 shown with red border)

Due to its sustained, historical use for cropping and grazing, the subject land is almost entirely cleared of vegetation, except for grasses, hay and some isolated pockets of trees planted by the previous property owners (See Fig. 3 – 10).



Fig. 3 – Aerial Image as at 2 March 2020 (Lot 60 shown with red border. Source: Nearmap)

Four structures remain on site, being relics of the former agricultural use of the property. These include a shed and lean-to (labelled Inset – A in Fig. 3 and depicted in Fig. 4); and a three-bedroom, one-bathroom house (labelled Inset – B in Fig. 3 and depicted in Fig. 5 and 6). These structures are severely dilapidated and not fit for use or occupancy.



Fig. 4 – View from western property boundary looking in a north-easterly direction towards the shed and lean-to (30 October 2019)



Fig. 5 – View from near Hawkins Road looking in a north-westerly direction towards the house, with Lake Jandabup in the background (circa 2017. Source: domain.com.au).



Fig. 6 – View from centre of Lot 60 looking south towards the house and water tank (30 October 2019).



Fig. 7 – View from centre of Lot 60 looking west over Lake Jandabup (30 October 2019).



Fig. 8 – View from western property boundary looking south (30 October 2019).



Fig. 9 – View from western property boundary looking north (30 October 2019).



Fig. 10 – View from centre of Lot 60 looking north (30 October 2019).

2.3 SERVICING

Western Power mains electricity supply and NBN Co Ltd broadband/telephony cables run along the eastern side of the Hawkins Road road reserve.

There are currently no reticulated water, sewer or gas supply services available to Lot 60 or in the immediate locality. Other properties in the area are serviced by bottled gas, bore water, rainwater harvesting and storage, on-site effluent disposal systems and solar power. The proposed future development of a Place of Worship and incidental Reception Centre on Lot 60 will employ equivalent servicing solutions until such time as these utilities are available to service the property.

3.0 PLANNING FRAMEWORK

3.1 REGIONAL PLANNING CONTEXT

3.1.1 Metropolitan Region Scheme

Lot 60 is zoned “Rural” under the Metropolitan Region Scheme (MRS).

Located to the immediate west and south of the property is the Jandabup Nature Reserve (Lake Jandabup), which is reserved for “Parks and Recreation” and designated as “Bush Forever” under the MRS. Land to the north and east of Lot 60 is zoned “Rural” under the MRS, whilst land diagonally opposite Lot 60, on the south side of Hawkins Road, is zoned “Urban Deferred” (See Fig. 8).

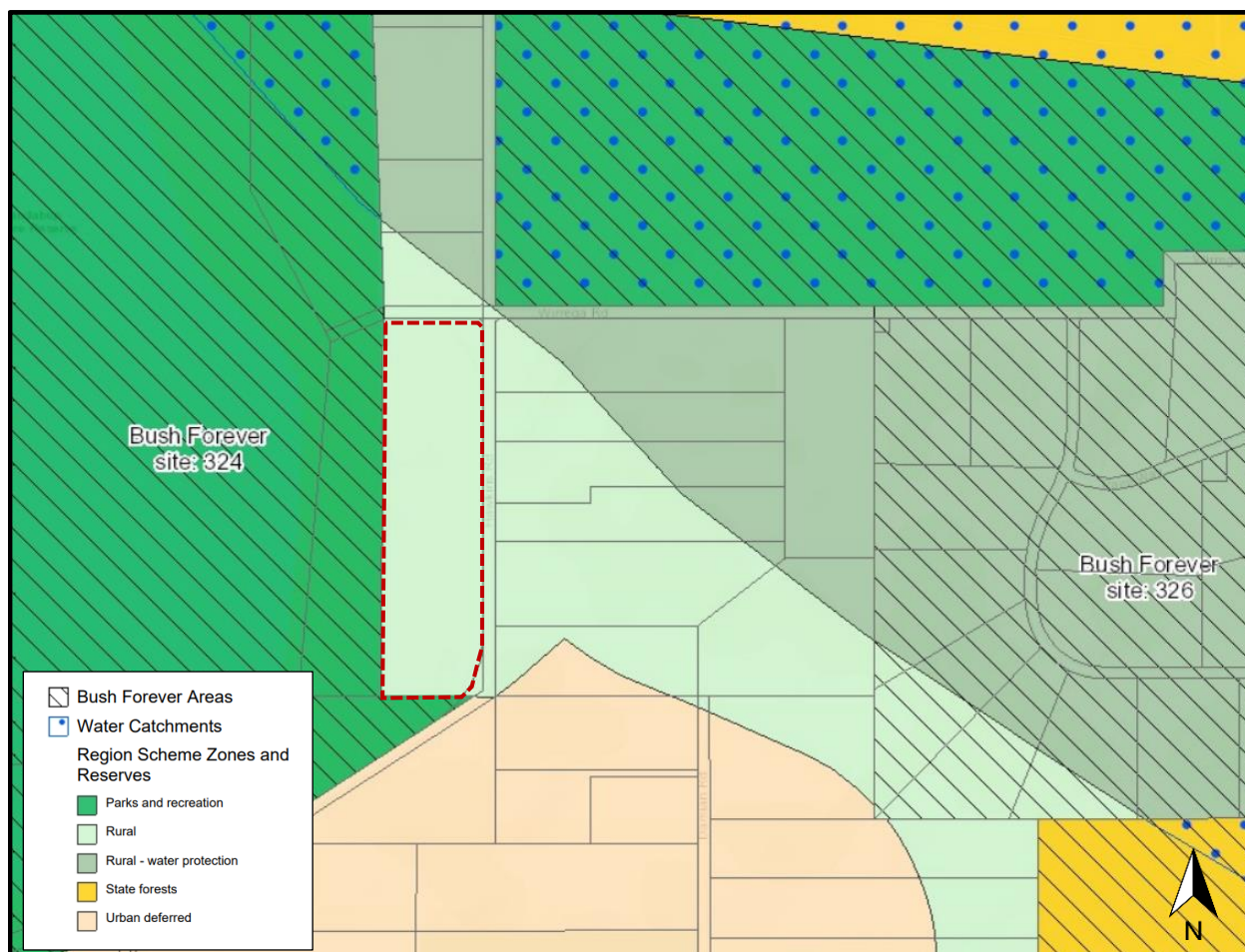


Fig. 11 – Metropolitan Region Scheme Map Extract (Lot 60 shown with red border)

3.1.2 Draft East Wanneroo District Structure Plan

Lot 60 is designated “Suburban Neighbourhood” under the Draft East Wanneroo District Structure Plan (EWDSP) (September 2019) (See Fig. 12). The property falls within Precinct 13 – Trichet Road on Fig. 1.15 – Precinct Plan of the EWDSP, which is described as follows (DSP pg. 46):

“The character area south of Lake Jandabup comprises medium-density residential development in an attractive public realm orientated to capture views across Lake Jandabup. The tree-lined character of Trichet Road is maintained.”

Suburban neighbourhoods carefully integrate with existing topography, bushland and wetlands and provide for medium-rise built form adjacent to the Gnangara district centre precinct.”

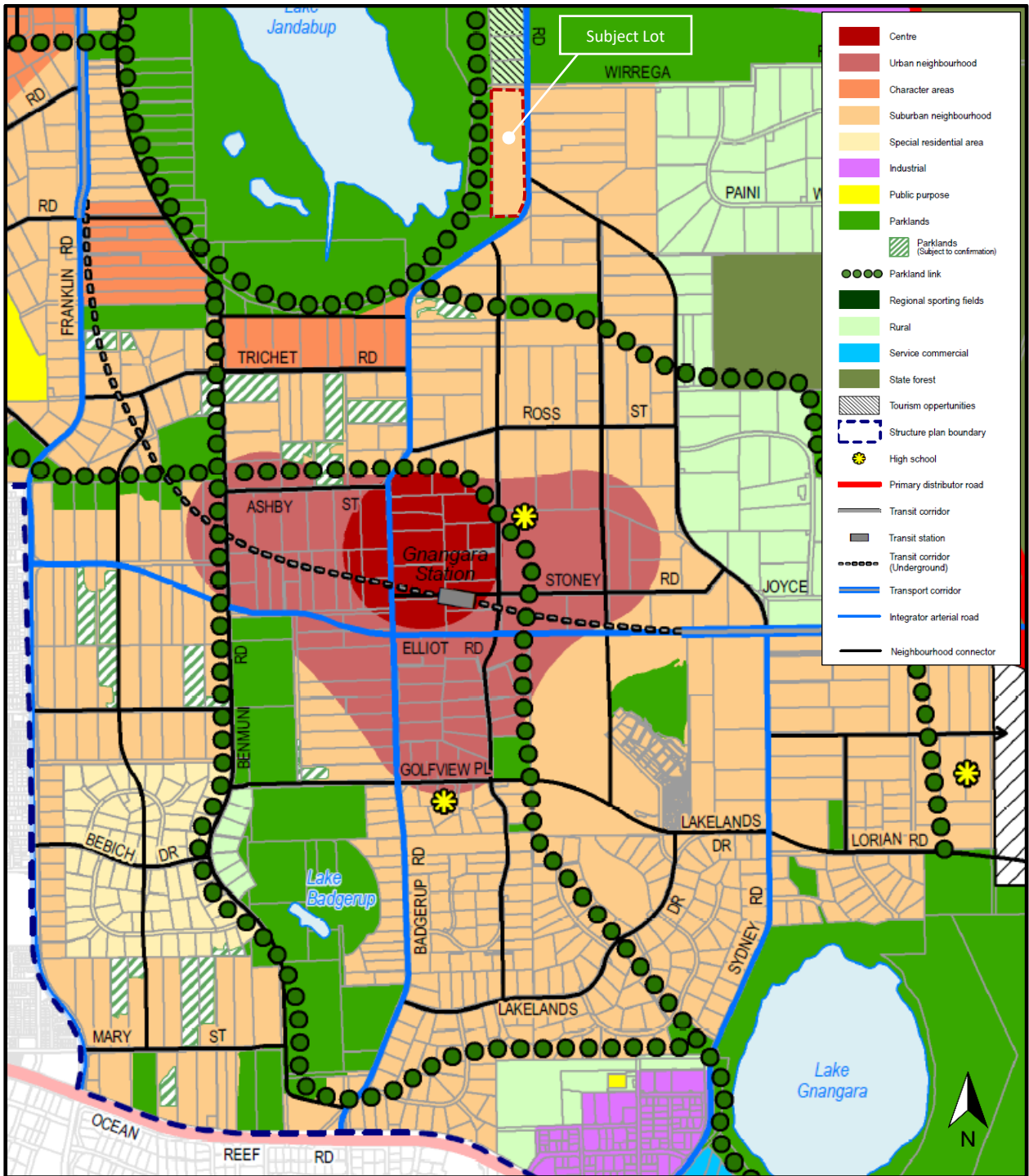


Fig. 12 – Extract of Draft East Wanneroo District Structure Plan (Lot 60 shown with red border)

Land to the north of Lot 60 is identified in the EWDSP for “Rural” and “Tourism Opportunities” while land opposite Lot 60, east of Hawkins Road (which is identified as an Integrator Arterial Road) forms part of a larger contiguous area designated as “Suburban Neighbourhood”.

Part One, Section 2.2 of the EWDSP explains that several changes need to be made to the existing planning framework “before land within the EWDSP area may be subdivided and developed”.

Taken literally and in combination with the City of Wanneroo’s Local Planning Policy 5.3 – East Wanneroo, this statement could be misconstrued and misapplied to prevent any and all subdivision and development from occurring within the EWDSP area until the District Planning Process identified in Figure 1.2 of the Structure Plan has been concluded. However, this is neither intended nor practicable, for the following reasons:

- a. Subdivision and development are currently permissible throughout East Wanneroo under the existing planning framework, requiring new planning proposals to be considered on their individual merits having regard to relevant policy considerations.
- b. From an orderly and proper planning viewpoint, the only planning proposals that could prejudice the more detailed plans and studies required by the EWDSP (and which should therefore be discouraged) are those which would either prevent or promote urbanisation of the area ahead of the necessary planning inputs and requirements being completed. The land uses proposed by this Scheme Amendment will not have this effect.
- c. The Staging Plan in Figure 1.16 of the EWDSP contemplates future subdivision and development of Precinct 13 occurring in 2051 or later. This timeframe might be reasonable for urbanisation of the area but should not (and cannot) be used as a basis to sterilise the entire precinct and prevent all development from occurring for the next 30+ years.
- d. Section 2.2.10 of the EWDSP states that “...*there is a presumption against any further development ... of land within the EWDSP area, except land zoned Rural or Rural Residential where it is consistent with State Planning Policy 2.5 – Rural Planning ...*” (emphasis added). This is discussed further in Section 3.1.3 (i) of this Scheme Amendment Report.

Section 2.2.11 of the EWDSP deals with the transition from Rural to Urban and acknowledges that some existing rural operations may need to relocate in future, due to their potential incompatibility with the approaching urban front. In this respect, there are no rural operations currently occurring on Lot 60 or proposed by this Scheme Amendment that would necessitate scaling down and relocation from the area in future. The additional uses proposed by this Scheme Amendment will also not require scaling down or relocation in future, as the proposed uses can harmoniously exist in both a rural and urban setting and are therefore well suited to this locality as an area in transition.

According to the Walkable Catchments depicted in Figure 2.9 of the EWDSP, Lot 60 will be situated within the 400m catchment centred south of Wirrega Road and east of Hawkins Road, making the site ideal for development of near-centre land uses, such as those proposed by this Scheme Amendment. Furthermore, Lot 60 is centrally located within the EWDSP area; fronts an Integrator Arterial Road (Hawkins Road) and is situated approximately 2 km north of the future Gnangara Train Station, thereby providing worshippers within and beyond the Structure Plan area with ready access to the site through a variety of private and public transport options.

3.1.3 State Planning Policies

(i) State Planning Policy 2.5 – Rural Planning (SPP 2.5):

SPP 2.5 focuses on the protection of rural land for primary production and provides guidance for subdivision of rural land. However, Section 5.11 of the SPP identifies that “*Some rural land may be suitable to accommodate facilities that serve a regional or sub-regional catchment. This could include regional attractors or facilities such as ... places of worship...*” (emphasis added).

The proposed Place of Worship and incidental Reception Centre on Lot 60 will service a broad regional catchment for Hindu worshippers throughout the EWDSP area and for the many worshippers generally residing north of Ocean Reef Road in the Cities of Wanneroo and Joondalup, who are not presently served by a Hindu Temple in that location. To this end, the proposed future development of Lot 60 for a Place of Worship and incidental Reception Centre will be the type of regional attractor and unique facility contemplated by SPP 2.5 in the Rural zone, prior to finalisation of the detailed planning framework under the EWDSP.

(ii) State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP 3.7):

The majority of land in the EWDSR area, including Lot 60, is designated by the Department of Fire and Emergency Services (DFES) as a “Bushfire Prone Area” (see Fig. 13).

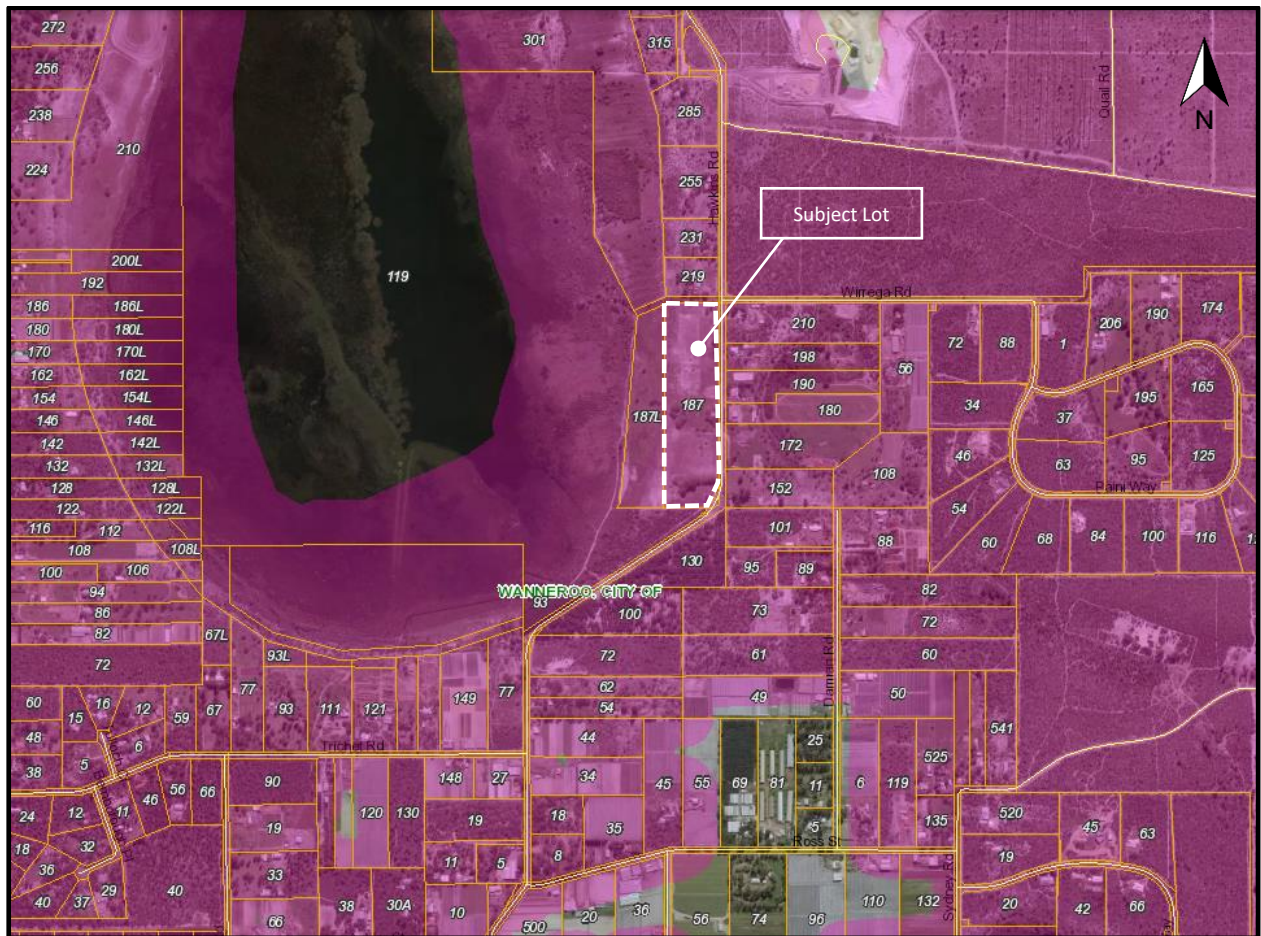


Fig. 13 – DFES Designated Bushfire Prone Areas coloured pink

A Strategic Bushfire Hazard Level Assessment Report prepared by Lush Bushfire and Planning informed the EWDSR and was included as Appendix C to the Structure Plan. This Strategic Hazard Assessment identifies the following:

- The vegetation on Lot 60 is classified as “Grassland” (Fig. 8 of the Assessment Report), which is assessed as having a moderate hazard rating. This rating is based on existing vegetation conditions and can be downgraded to low-threat if the grassland is maintained to less than 100mm in height.
- Fig. 22 of the Assessment Report illustrates the anticipated bushfire hazard levels post-development and depicts the western portion of Lot 60 with a moderate hazard rating, while the eastern portion of Lot 60 is shown with a low hazard rating (See Fig. 14 over page).
- Fig. 24 of the Assessment Report excludes Lot 60 from any area with significant bushfire constraints to development.
- The width (170m) and length (636m) of Lot 60 should provide ample opportunity for the proposed future development of a Place of Worship and Reception Centre to achieve the desired Bushfire Attack Level setbacks. This is reinforced in Table 9 (Bushfire Protection Criteria) of the Assessment Report, which identifies (for Jandabup Sub Area C, in which Lot 60 is situated) that asset protection can occur within the lot and should be able to meet relevant criteria depending upon the design of development.
- Any future development application (including for Lot 60) should be accompanied by a bushfire management plan incorporating a more detailed bushfire hazard assessment for the proposed site.

- Where practicable, consideration should be given to incorporating appropriate construction measures in future non-residential buildings to mitigate bushfire hazards.
- Section 8.0 – Conclusion and Recommendations confirms that Precinct 13, Sub Area C has only moderate constraints and can be developed in accordance with SPP3.7 and the Guidelines.

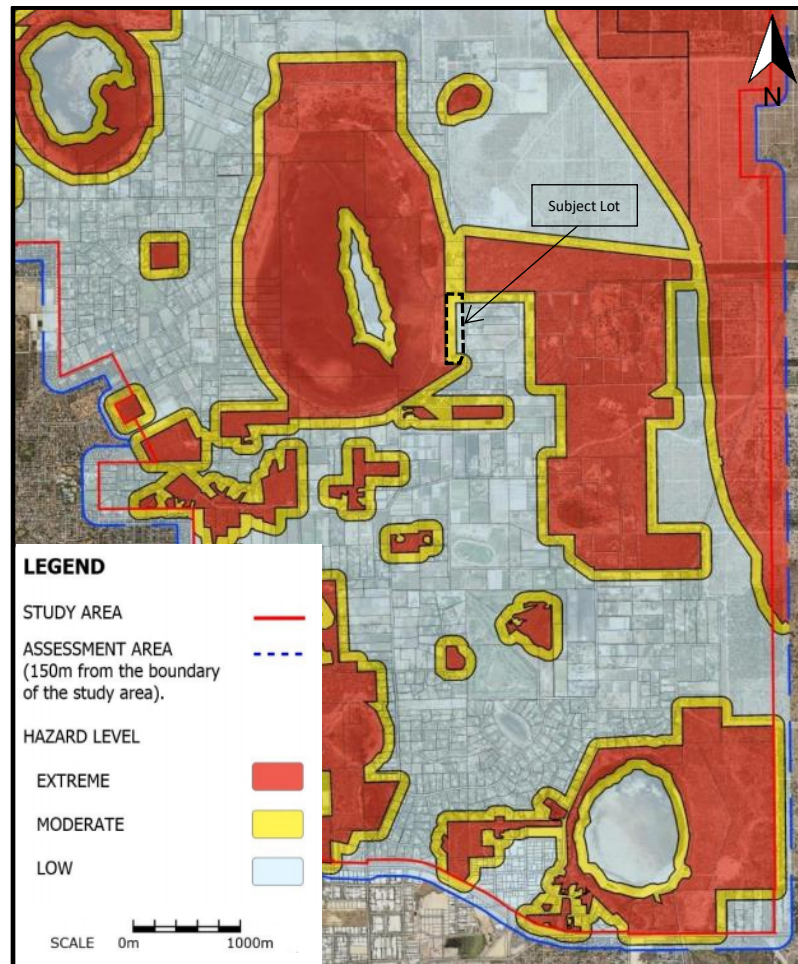


Fig. 13 – Extract of Fig. 22 from EWDS – Appendix C: *Strategic Bushfire Hazard Level Assessment Report* prepared by Lush Bushfire and Planning (August 2018).

Section 5.2.4.1 of the SPP Guidelines for Planning in Bushfire Prone Areas relates to local scheme amendments and stipulates that:

- For scheme amendments proposing the *rezoning* of an area, consideration should be given to whether the rezoning will increase the bushfire risk in that area, by way of higher fuel loads or changing the land use intensity or vulnerability; and
- The *rezoning* proposal should demonstrate that the land proposed to be rezoned has, or can be made to have, a low to moderate bushfire hazard level.

As this Scheme Amendment does not propose the *rezoning* of any land, the requirement to submit a Bushfire Management Plan need only apply at the development application stage. This position is reinforced by the Strategic Bushfire Hazard Level Assessment Report accompanying the EWDS, which has already demonstrated the suitability of Lot 60 for urban development, at an intensity far greater than the uses proposed by this Scheme Amendment.

In accordance with Section 5.4 of the Guidelines for Planning in Bushfire Prone Areas, any future development application for the proposed Place of Worship and incidental Reception Centre on Lot 60 will need to be accompanied by a Bushfire Management Plan incorporating a Bushfire Attack Level (BAL) assessment,

prepared by an accredited Bushfire Planning Practitioner. That Management Plan will then inform the size, scale, siting, and operation of the proposed future development on Lot 60.

The development proposed by this Scheme Amendment is not categorised as a vulnerable or high-risk land use under policy measure 6.6 of SPP 3.7 or Sections 5.5 and 5.6 of the SPP Guidelines, because it will not:

- Cause a concentration of vulnerable persons on the property who may be less able to respond in a bushfire emergency; or
- Lead to the potential ignition, prolonged duration and/or increased intensity of a bushfire.

Furthermore, the substantial size (10.7ha) and dimensions of Lot 60 (636m length and 170m width), coupled with its gentle topography, low grassland vegetation cover and dual road frontage (including almost 640m frontage to an arterial road), will provide ample opportunity to accommodate the proposed land uses, together with any separation distances and protection zones that may be required.

Appendix Four of the SPP Guidelines lists a range of bushfire protection criteria, divided into four Elements – location, siting and design, vehicular access, and water. The key requirements of each Element are summarised in the left column of the table below, with corresponding comments in the right column outlining how this Scheme Amendment and proposed future development on Lot 60 satisfy these provisions.

Element	Comment
<p><u>1 – Location</u></p> <ul style="list-style-type: none"> • Planning proposals should be located in areas with the least possible risk of bushfire to facilitate the protection of people, property and infrastructure. • The planning proposal should be located in an area where the bushfire hazard assessment is or will, on completion, be moderate or low and the risk can be managed. 	<p>The subject land is 10.74 ha in area, almost entirely cleared of vegetation, and provided with more than 600m of frontage to Hawkins Road – a future Integrator Arterial Road in the Draft EWDSF.</p> <p>Additionally, Lot 60 has been designated “Suburban Neighbourhood” in the Draft DSP and therefore its suitability as a location for more intensive development has already been determined. This has been informed and supported by the Strategic Bushfire Hazard Level Assessment Report accompanying the Draft EWDSF.</p>
<p><u>2 – Siting & Design of Development</u></p> <ul style="list-style-type: none"> • Siting and design of development should minimise the level of bushfire impact. • Siting and design of development should be appropriate to the level of bushfire threat that applies to the site, incorporating a defensible space to significantly reduce the heat intensities at the building surface, thereby minimising the bushfire risk to people, property and infrastructure. 	<p>No future subdivision is proposed as a result of this Scheme Amendment. Rather, Lot 60 will remain as a single development site. This will enable a single, comprehensive design approach to be applied for future development on Lot 60, which will ensure that development on the property is situated and designed to minimise the level of bushfire impact.</p> <p>Lot 60 is a large, cleared (with less than 5% canopy cover) and essentially unconstrained site with extensive road frontage and vehicular access opportunities. These characteristics will ensure a multitude of siting and design options are available to mitigate the bushfire risk for any future development on the property.</p> <p>Additionally, the nearest substantial vegetation on the adjacent Jandabup Nature Reserve is setback some 100 – 160m from the western boundary of Lot 60, thereby achieving the separation distances recommended in the Guidelines.</p>
<p><u>3 – Vehicular Access</u></p> <ul style="list-style-type: none"> • Public and private vehicular access and egress should allow emergency and other vehicles to move easily and safely through the development at all times. 	<p>Lot 60 has extensive frontage to two public roads – Hawkins Road (constructed) and the western extension of Wirrega Road (presently unconstructed). Additionally, the size of Lot 60 guarantees that ample circulation space will be available for emergency access/egress surrounding any future development on the property.</p>

Element	Comment
<p><u>4 – Water</u></p> <ul style="list-style-type: none"> A permanent and secure water supply should be provided that is sufficient for fire fighting purposes. 	<p>Appropriate arrangements will be made with DFES at the time of formulating the future development proposal for Lot 60, to ensure a sufficient and secure water supply is provided commensurate with the needs of that development. These arrangements will need to recognise that reticulated water supply services are presently not available in the locality but will be provided in future to enable urbanisation of the EWDSP area.</p>

3.2 LOCAL PLANNING CONTEXT

3.2.1 District Planning Scheme No. 2

Lot 60 is zoned “General Rural” under DPS 2 (see Fig. 10).

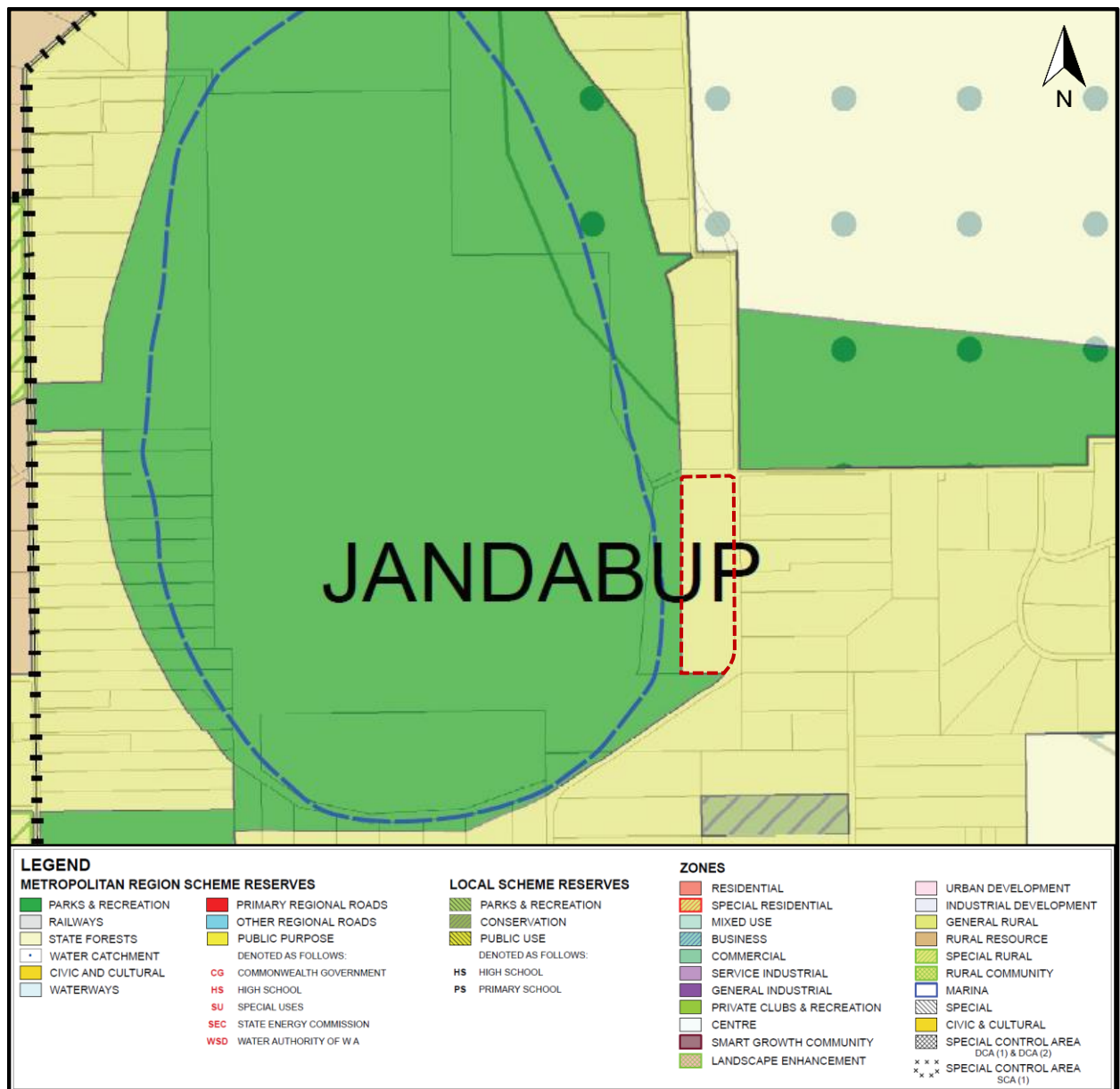


Fig. 10 – Extract of District Planning Scheme No. 2 (Lot 60 shown with red border)

A Place of Worship and Reception Centre are listed as prohibited (‘X’) uses in the General Rural zone under the Zoning Table of DPS 2. This Scheme Amendment proposes to allow these uses on Lot 60 as Additional Uses, subject to Council’s future development approval.

A Place of Worship and Reception Centre are defined as follows in Schedule 1 (Part 2) of DPS 2 –

place of worship: includes buildings used primarily for the religious activities of a church, but does not include an institution for primary, secondary or higher education, or a residential training institution.

reception centre: means premises used for functions on formal or ceremonial occasions, but not for unhosted use for general entertainment purposes, and may include catering facilities.

Once the review of DPS 2 has been concluded and a new District Planning Scheme adopted, then the following definitions from Schedule 1 (Model Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) are expected to apply to the proposed future development on Lot 60 under the new Scheme.

place of worship means premises used for religious activities such as a chapel, church, mosque, synagogue or temple;

reception centre means premises used for hosted functions on formal or ceremonial occasions;

In time, if required for normalisation under the City's future District Planning Scheme, the Additional Use zoning proposed by this Scheme Amendment can be readily converted to a "Private Clubs, Institutions and Places of Worship" zone (or equivalent), as provided for in Schedule 1 (Part 3) of the Regulations.

3.2.2 Places of Worship & Reception Centres in Rural Zones

There are many examples of Places of Worship and Reception Centres harmoniously existing in Rural zones throughout the metropolitan region and in the City of Wanneroo, including:

- Dhammasara Buddhist Temple at 203 Reen Road, Gidgegannup;
- Bodhinyana Buddhist Temple at 216 Kingsbury Drive, Serpentine;
- Free Reformed Church of Baldivis at Outridge Road (cnr Mandurah Road), Baldivis;
- Ahlulbayt Community Mosque at 32 Dulwich Street, Bennett Springs;
- Sikh Gurdwara Temple at 10 Cheltenham Street, Bennett Springs;
- Shree Swaminarayan Temple (Mandir) at 211 Marshall Rd, Bennett Springs;
- Barrett Lane Function Centre at Lot 2909 Lennard Street, Herne Hill;
- Peel Manor House at 164 Fletcher Road, Karnup;
- Bala Murugan Hindu Temple at 12 Mandogalup Road, Mandogalup;
- Countless Wineries, Breweries and Distilleries with Reception Centre facilities;
- St Mark & St George Coptic Orthodox Church at 238 Elliot Rd, Wanneroo; and
- Bridgeleigh Reception Centre at 198 Mary St, Wanneroo.

Importantly, the Place of Worship and incidental Reception Centre uses proposed by this Scheme Amendment on Lot 60 will be compatible with the existing rural context of the locality and will also:

- Have less impact on the environmental characteristics of Lake Jandabup and will be less prejudicial to future urbanisation of the area than many land uses already capable of being approved in the General Rural zone under DPS 2, such as intensive agriculture, rural industry, extractive industry, piggery and winery;
- Be complementary to the "Rural" and "Tourism Opportunities" precinct designated for the land immediately north of Lot 60 in the EWDSP; and
- Provide an ideal transition between the "Suburban Neighbourhood" land proposed by the EWDSP on the opposite (east and south) side of Hawkins Road and the corridor of privately owned land west of Hawkins Road fringing the eastern extent of Lake Jandabup.

3.2.3 Local Planning Policy 5.3: East Wanneroo

Local Planning Policy 5.3 (LPP 5.3) expresses a general presumption against subdivision and development that may detrimentally impact on the orderly and proper planning of the area, prior to the finalisation of a district structure plan, a local structure plan and development contribution schemes. The Policy further states that the City "shall not support" any planning proposals that may compromise the preparation of a planning framework which will enable urban development to occur in the East Wanneroo area in an orderly and proper manner.

Notwithstanding the Policy’s absolute wording that the City “shall not support” certain proposals, the Policy cannot strictly bind the City or Council to a particular position. Rather, the Policy is to be given due regard (only) by the City and Council when considering a planning proposal in the Policy Area on its individual merits. In this respect, the land uses proposed by this Scheme Amendment will not:

- detrimentally affect the orderly and proper planning of the area;
- impede or adversely impact finalisation of the EWDS, future local structure plans, or development contribution arrangements;
- generate a demand for new development contribution-funded community facilities in the locality; or
- necessitate the construction, upgrading or extension of development contribution-funded transport or other physical infrastructure required for urbanisation of the area.

Clause 1.2 of LPP 5.3 states that the City “shall not support” any application to amend DPS 2 that is “intended to facilitate any form of urban or similar development” unless the subject land has first been zoned Urban under the MRS. Relative to this clause, the future development of a Place of Worship and incidental Reception Centre contemplated by this Scheme Amendment do not constitute an ‘urban form of development’, as those land uses are already permitted and exist in a multitude of non-urban/residential areas, such as rural, industrial and commercial zones.

Clause 2 of LPP 5.3 states that the City “shall not support” any application for planning approval of a rural nature for land within the East Wanneroo area that may compromise the progressive development of that area for urban and similar uses. In this respect, a Scheme Amendment is not an application for planning approval and therefore clause 2 of LPP 5.3 does not apply. Nonetheless, the Scheme Amendment will lead to such an application being lodged with the City in future for a Place of Worship and incidental Reception Centre on Lot 60, thus providing an opportunity for the City to impose approval conditions aimed at managing any impacts the proposal might have on the eventual urbanisation of the area, which is still 30+ years into the future.

Due to the size of Lot 60 and its substantial separation distances from other nearby land uses, the proposed Hindu temple and incidental reception centre are expected to have very little, if any, impact on:

- the existing rural area as it transitions to urban development over the next 30+ years; and
- future urban development in the area

by way of odour, noise, light spill, vibration, chemical spray drift, dust, traffic, or other offsite impacts.

While the proposed development on Lot 60 will generate more traffic from the site than is currently or was historically the case, the volume and frequency of that traffic is expected to be inconsequential compared with the traffic that could be generated from residential development of Lot 60, as reflected in the table below:

Lot size:	10.74ha
Density Target Range under EWDS (Precinct 13):	15 – 20 dwellings/gross ha
Potential Dwelling Yield on Lot 60:	160 – 214
Vehicle Movements Generated by residential development of Lot 60 (assuming an average of 9 vehicle trips/dwelling/day):	1,440 – 1,926 vehicle trips per day

The additional uses proposed by this Scheme Amendment on Lot 60 will also generate less (and less impactful) traffic than the many daily heavy vehicle movements associated with rural businesses operating in the locality and also the Holcim Australia sand mining activity at 360 Hawkins Road, Jandabup (Pt State Forest No. 65), approximately 780m north of Lot 60.

4.0 PROPOSAL

4.1 OVERVIEW OF SCHEME AMENDMENT

This scheme amendment proposes to introduce Place of Worship and Reception Centre as Additional Uses capable of being approved at 187 (Lot 60) Hawkins Road, Jandabup.

These Additional Uses will facilitate the future development of a Hindu Temple (in the Swaminarayan faith) and associated incidental Reception Centre, in response to increased demand from worshipers and due to the existing facilities in the City of Wanneroo being outgrown and no longer fit for purpose.

4.2 SCHEME AMENDMENT CLASSIFICATION

This scheme amendment is classified as a “standard amendment” under Regulation 34 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, meaning:

standard amendment means any of the following amendments to a local planning scheme —

- a) an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
- b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- c) an amendment to the scheme so that it is consistent with a region planning scheme that applies to the scheme area, other than an amendment that is a basic amendment;
- d) an amendment to the scheme map that is consistent with a structure plan, activity centre plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones of all the types that are outlined in the plan;
- e) an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- f) an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- g) any other amendment that is not a complex or basic amendment.

5.0 PLANNING JUSTIFICATION

In addition to the matters already outlined in this Scheme Amendment Report, set out below is further planning justification for this proposal:

- a. The large size of the property and dual road frontage will enable ample setbacks for future development from lot boundaries, allowing for generous amounts of on-site car parking, vehicular access/egress and circulation, landscaping and utility areas for water storage, effluent disposal and the like;
- b. The proponent has developed positive relationships with neighbouring property owners, who are all aware of the proposed Place of Worship and Reception Centre use and have not expressed any opposition to the proposal;
- c. The Swaminarayan Hindu community in the Cities of Wanneroo and Joondalup:
 - Promotes inner peace and harmony between individuals, within families, and among the Cities' diverse communities;
 - Is widely recognised for its humanitarian and charitable services and commitment to holistic social uplift;
 - Is inclusive and welcoming of all cultures and religions;
 - Is long-established and fast-growing;

In recognition of its proud and impactful contributions in the City of Wanneroo, the Swaminarayan Hindu community was awarded with the prestigious Australia Day Award for a Community Group at the City's 26 January 2020 Australia Day Citizenship and Awards Ceremony.

Adoption of this Scheme Amendment will demonstrate support for the growth of the Swaminarayan Hindu community and its continued investment in celebrating the Hindu faith and providing compassionate outreach services to all community members in the north metropolitan region.

- d. The proposed Place of Worship (Hindu Temple) and incidental Reception Centre will not be an intrusive or offensive land use that impacts on existing rural or future residential neighbours. Rather, it will be a destination for spiritual growth and enlightenment, relaxation, peaceful worship, meditation, quiet contemplation, cultural celebration, and community and family festivities – open to all persons to visit and enjoy.
- e. Amending DPS 2 to specifically enable approval and development of a Place of Worship and incidental Reception Centre on the property will ensure that present, future and prospective landowners/occupiers in the area are fully aware of the pre-existing entitlement to operate a Place of Worship and Reception on the property, thereby mitigating any (unlikely) complaints arising from perceived land use conflicts in future.
- f. Under the Draft East Wanneroo DSP, land to the north of Wirrega Road and west of Hawkins Road is designated "Rural" with "Tourism Opportunities". In this regard, the development of a Hindu Temple on Lot 60 will itself be a cultural tourism attractor, representing the perfect transitional use between the "Suburban neighbourhood" designation to the south of Wirrega Road and the tourism-oriented rural land to the north.
- g. The uses proposed by this Scheme Amendment are better suited to the long-term urbanisation of the area over the next 30+ years than a commercial rural/agricultural use of the property, which would likely need to be scaled down and relocated out of the area in future, due to its potential incompatibility with the approaching urban front.

6.0 CONCLUSION

This scheme amendment proposes to introduce Place of Worship and Reception Centre as Additional Uses capable of being approved at 187 (Lot 60) Hawkins Road, Jandabup.

These Additional Uses will facilitate the future development of a Hindu Temple (in the Swaminarayan faith) and associated incidental Reception Centre on the property, in response to growing demand from an increasing population of worshippers, and due to existing facilities in the City of Wanneroo being outgrown and no longer fit for purpose.

Uniquely, the proposed additional uses are relatively benign and will comfortably integrate into the rural character of the locality, whilst not prejudicing the planning for and realisation of urban development in the area over the next 30+ years, in accordance with the EWDSP.

Lot 60 lends itself well to this proposal, due to (among other factors) its size, location, site characteristics, dual road frontage and proximity to the future Gnangara Train Station. These attributes will provide for a range of development scenarios on the site, with ample space for separation distances, parking, landscaping, protection zones and the like.

The proposed Place of Worship and Reception Centre uses on Lot 60 will have less impact on existing rural and future residential neighbours in the area than many uses that can already be approved in the rural zone under DPS 2. The proposed uses can also exist harmoniously in both rural and urban zones, making them ideally suited for transition of the area from rural to urban over the next three decades and beyond. Additionally, these proposed uses will establish a sympathetic development interface between the EWDSP's "Suburban Neighbourhood" designation to the east and south of Lot 60, and the "Rural/Tourism Opportunities" precinct north of Lot 60.

Adoption of this Scheme Amendment will allow more detailed planning and design considerations to be investigated and addressed at the development application stage, relating to the size, scale, servicing, siting and management of the proposed future Place of Worship and Reception Centre.

It is respectfully recommended that the Scheme Amendment be adopted for the reasons outlined in this report.

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PLANNING AND DEVELOPMENT ACT 2005

CITY OF WANNEROO

DISTRICT PLANNING SCHEME NO. 2 - AMENDMENT NO. 186

The City of Wanneroo under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above local planning scheme by:

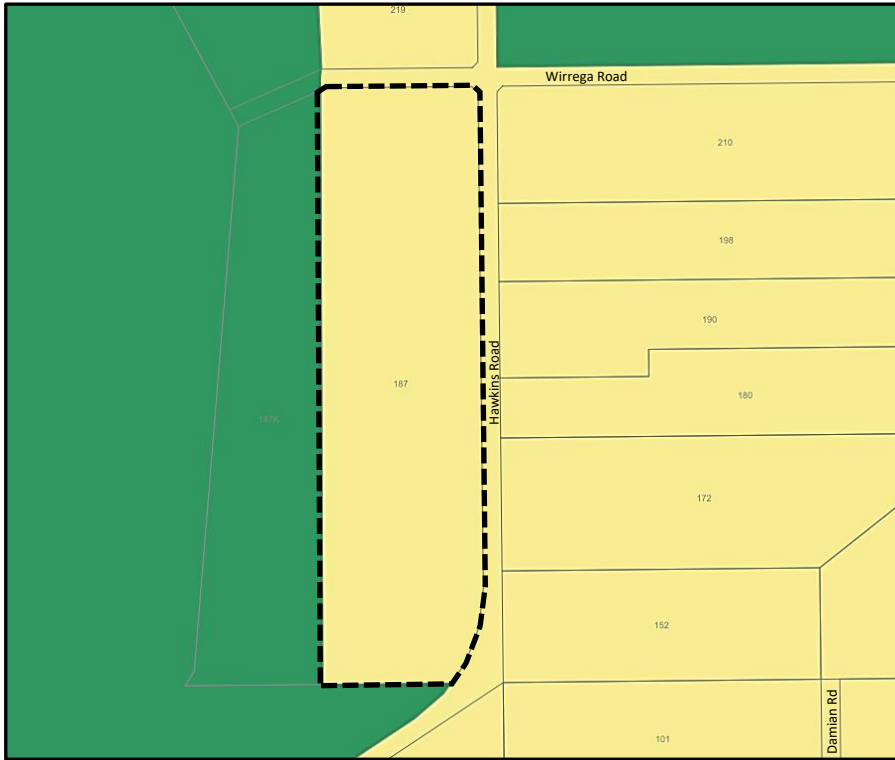
1. Inserting Additional Use No. A42 in Schedule 2 – Section 1 (Clause 3.20) – ADDITIONAL USES of District Planning Scheme No. 2, as follows:

NO		STREET/ LOCALITY	PARTICULARS OF LAND	ADDITIONAL USE AND CONDITIONS (WHERE APPLICABLE)
A42	1-42	187 Hawkins Road, Jandabup	Lot 60	Place of Worship and incidental Reception Centre.

2. Amending the Scheme Map accordingly.

City of Wanneroo
DISTRICT PLANNING SCHEME No. 2
Amendment No. 186

EXISTING ZONING



LEGEND


METROPOLITAN REGION SCHEME (MRS)
RESERVES


 Parks & Recreation

LOCAL SCHEME ZONES

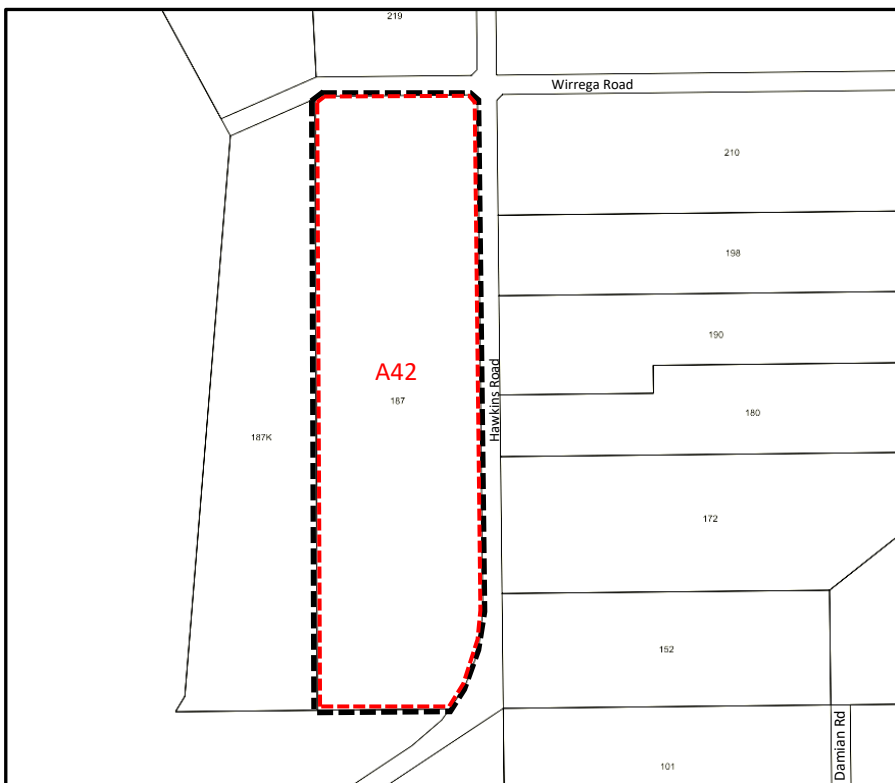
 General Rural

OTHER CATEGORIES

 Additional Uses

 Subject Land
 Lot 60 (No. 187) Hawkins Rd,
 Jandabup

PROPOSED ZONING



(NTS)

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the City of Wanneroo at the Ordinary Meeting of the Council held on the 17th day of November 2020

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

By resolution of the Council of the City of Wanneroo at the Ordinary Meeting of the Council held on the 17th day of November 2020, proceed to advertise this amendment.

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for _____ by resolution of the City of Wanneroo at the Ordinary Meeting of the Council held on the _____ day of _____, and the Common Seal of the City of Wanneroo was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDATION FOR APPROVAL

.....
DELEGATED UNDER S.16 OF
PD ACT 2005

DATE

Approval Granted

.....
MINISTER FOR PLANNING, LANDS AND
HERITAGE

DATE