



Your ref: ODP-37E
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Dear Sir/Madam

City of Swan
The Vines Outline Development Plan No. 37
Amendment Number 8

WESTERN AUSTRALIAN PLANNING COMMISSION DECISION - STRUCTURE PLAN AMENDMENT APPROVAL

Pursuant to Part 4, Clause 22(1)(a) of the deemed provisions of the City of Swan Local Planning Scheme No. 17 (the Scheme), the Western Australian Planning Commission (WAPC) has granted approval to Amendment No. 8 to The Vines Outline Development Plan No. 37 on 25 February 2016 (copy enclosed).

The City of Swan or CLE Town Planning is required to incorporate the Amendment into the Structure Plan.

Once the amendment is incorporated, please provide a final copy of the Structure Plan to the WAPC to allow for publishing in accordance with Clause 26 of the deemed provisions of the Scheme. Please provide a final copy of the Structure Plan within **42 days** from the date of this letter. The final document can be provided by using the Department's online eLodgement portal and selecting the 'Further Information' option.

The Department's eLodgement can be accessed at the Department's website, or at: <https://elodgement.planning.wa.gov.au/>.

Yours sincerely,

Kerrine Blenkinsop
Secretary
Western Australian Planning Commission
1 March 2016

cc: Daniel.Martinovich@cleplan.com.au



THE VINES OUTLINE DEVELOPMENT PLAN NO. 37

AMENDMENT 8

AMENDMENT
OUTLINE DEVELOPMENT PLAN



This Outline Development Plan is prepared under the provisions of Special Use Zone 3 of the City of Swan Local Planning Scheme No. 17



Prepared by:

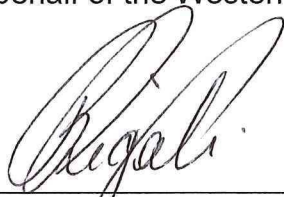


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554Rep165E
January 2016

IT IS CERTIFIED THAT AMENDMENT NO. 8 TO THE VINES OUTLINE
DEVELOPMENT PLAN NO. 37 WAS APPROVED BY RESOLUTION OF
THE WESTERN AUSTRALIAN PLANNING COMMISSION ON:
25 FEBRUARY 2016

Signed for and on behalf of the Western Australian Planning Commission

A handwritten signature in black ink, appearing to read 'Regali', is written over a horizontal line.

an officer of the Commission duly authorised by the Commission pursuant
to Section 16 of *the Planning and Development Act 2005* for that purpose.

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PLANS AND FIGURES

The Vines Outline Development Plan No. 37/8 (as amended)

Figure 1: Neighbourhood Centre Distribution and Catchment

APPENDICES

Appendix 1: Community Needs and Retail Sustainability Report

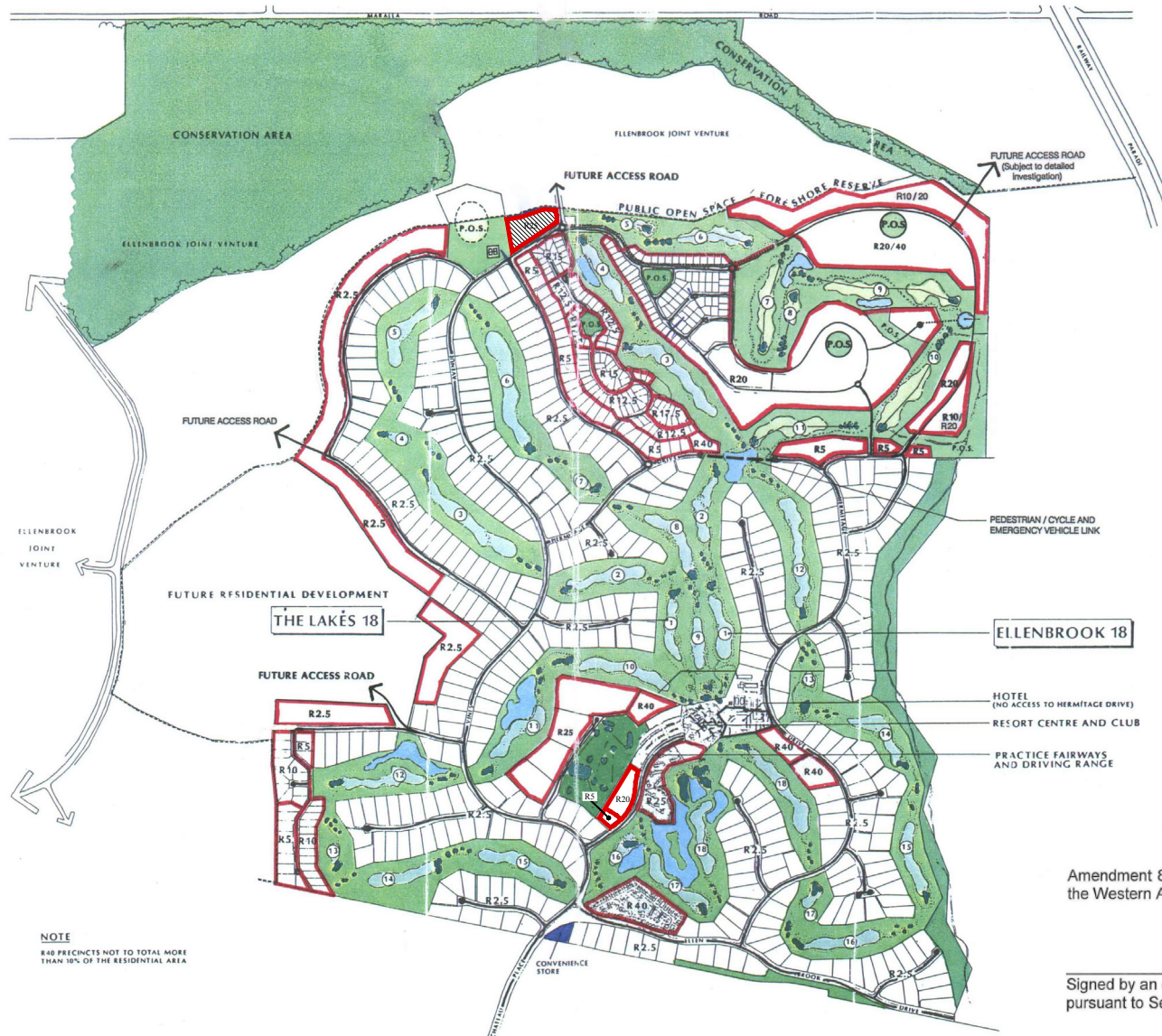
Appendix 2: Traffic Statement

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EXECUTIVE SUMMARY

This amendment to Outline Development Plan 37 (ODP37) for The Vines seeks to rezone the Neighbourhood Centre on the northern periphery of the ODP area to Residential R25.

The proposed amendment is a timely response to the fact that ODP 37, and other plans for commercial centres in the locality, overestimated the amount of retail floor space required to service the local population. Development of The Vines and the surrounding area since the preparation of ODP 37 has provided an opportunity to reassess local retail needs, informed by the current state of development. A Community Needs and Retail Sustainability Assessment has been undertaken with regards to The Vines Neighbourhood Centre site which concludes that development of all the originally planned commercial centres for the locality would be superfluous and excessive to the retail needs of the local population which may cause some of the planned commercial centres in the locality to become unsustainable. Development of the site for residential purposes is therefore a more appropriate outcome both in terms of retail sustainability for the commercial centres in the area and consistency with the established pattern of development.



Bushfire Prone Lot

This lot has been declared bushfire prone by modification to The Vines ODP No.37/8. Notwithstanding any statement to the contrary within AS3959-2009, (or relevant equivalent) any Class 1, 2 or 3 buildings or a Class 10a building or deck associated with a Class 1, 2 or 3 building to be erected on this lot that are either partly or wholly within 100 metres of the 'extreme' or 'moderate' Bushfire risk areas as identified in 'The Vines ODP 37 Appendix 3 Bushfire Hazard Assessment' shall comply with the requirements of AS3959-2009, or equivalent Australian Standard.

Amendment 8 to The Vines Outline Development Plan No. 37 has been approved by the Western Australian Planning Commission on 25 February 2016.

[Signature]
Signed by an officer duly authorised by the Western Australian Planning Commission pursuant to Section 16 of the Planning and Development Act 2005

THE VINES OUTLINE DEVELOPMENT PLAN No. 37/8

Revised January 2016



1.0 INTRODUCTION

Outline Development Plan 37 (ODP 37) covers an approximate eighty percent portion of the residential suburb known as 'The Vines', located on the north-eastern fringe of the Perth metropolitan area in the Swan Valley. Development of The Vines as a medium to low density suburb has been integrated with a 36 hole golf course resort, creating a unique lifestyle opportunity in the Swan Valley.

As the operative planning framework, ODP 37 has undergone a number of updates and modifications since its initial endorsement circa 1996. ODP 37 has historically identified a Neighbourhood Centre on lot 9031 Vines Avenue on the northern periphery of the ODP area between Chardonnay Drive and Cabernet Place (the subject site). The Vines is now an established suburb which in recent years has experienced the development of two large residential suburbs immediately to the south in Ellenbrook and Aveley. The subject Neighbourhood Centre site however, remains undeveloped as the market forces that are essential for a retail development such as this to become viable have never eventuated.

Development of The Vines and the surrounding area has now proceeded to a point where an informed decision can be made regarding the future development of the subject site. Based on the findings of a Community Needs and Retail Sustainability Assessment undertaken by Taktics4 as part of this ODP amendment (refer Appendix 1), it has become evident that the Neighbourhood Centre identified by ODP 37 is superfluous and excessive to the retail needs of the local community. Accordingly, this amendment to ODP 37 proposes to rezone the Neighbourhood Centre site to Residential R25 to allow the land to be developed commensurate with commercial reality, housing demand and the principles of orderly and proper planning.

2.0 PLANNING FRAMEWORK

Outline Development Plan No. 37

ODP 37 is the operative planning framework which currently zones the subject site Neighbourhood Centre. Part 4.3.5 of the ODP report outlines the need for a 2 ha Neighbourhood Centre site to satisfy local retail requirements. The ODP calculated the retail floor space for the Neighbourhood Centre site in accordance with the Western Australian Planning Commission's (WAPC) Metropolitan Centres policy by multiplying the expected population by a figure of 0.53m² of retail floor space. Based on an expected residential population at the time of 2350 households and 6600 people, it was determined that the population could sustain 3500m² of gross leasable retail area.

Since the endorsement of ODP 37, the development and planning of other commercial centres within proximity of the subject site have altered the previously anticipated population catchments which were used to calculate the size of the subject Neighbourhood Centre site. Population catchments have subsequently been diluted with overall population numbers not increasing sufficiently to achieve the critical mass required for development of the Neighbourhood Centre to proceed. Further discussion with regards to the viability of the Neighbourhood Centre is contained under section 3.1 of this report.

State Planning Policy 4.2 – Activity Centres for Perth and Peel

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP 4.2) specifies broad requirements for the planning and development of activity centres, aiming to coordinate the spatial distribution of these centres. Specific Neighbourhood Centres are not identified within SPP 4.2 unlike higher order centres such as Secondary and District centres. Notwithstanding this, the Community Needs and Retail Sustainability Assessment (refer Appendix 1) that accompanies this amendment report was prepared having due regard to the principles of SPP 4.2.

City of Swan Commercial Centres Strategy 2004

The City of Swan's Commercial Centres Strategy 2004 (CCS) aims to provide a basis for the development of commercial centres within the City of Swan for a 15 year period. Appendix 2 to the CCS depicts a map identifying the locations of various commercial centres throughout the City. The CCS acknowledges that in new areas where new centres are proposed, the locations are indicative only and subject to more detailed structure planning.

In relation to Neighbourhood Centres, the CCS states that they should generally serve a population radius of 1.5 km for each centre. As demonstrated at Figure 1 of this report, rezoning of the subject site to R25 will maintain a 1.5km catchment radius for the commercial centres in the locality with no overlapping of catchments.

The location of the 'Annie's Landing' Neighbourhood Centre is generally consistent with the Neighbourhood Centre identified in the northern vicinity of The Vines at Appendix 2 to the CCS and is the preferred Neighbourhood Centre site in the area, as outlined in further detail within Section 3.1 of this report.

3.0 PROPOSED AMENDMENTS TO OUTLINE DEVELOPMENT PLAN NO. 37

3.1 Rezone Neighbourhood Centre to Residential R25

This proposed amendment to ODP 37 seeks to amend the ODP map by rezoning the Neighbourhood Centre site on the northern periphery of the ODP to Residential R25.

The proposed amendment will facilitate an appropriate outcome that is consistent with the established pattern of development and will assist to prevent the overprovision of retail floor space in the locality. This will help to maximise the opportunities for the commercial success and sustainability of the other existing and planned commercial centres in the area. The proposed amendment is a timely response to the fact that previous plans for commercial centres were overstated and that development of the site for residential purposes is the most appropriate use of the land.

The following sections comprehensively demonstrate that the Neighbourhood Centre is not necessary to accommodate the retail needs of the local populace and that development of the site as a Neighbourhood Centre would result in an over-supply of retail floor space that is unsustainable in the locality.

Retail Needs Assessment

The existing and planned commercial centres in the locality can comfortably accommodate the retail needs of the local population once the subject site is developed for residential purposes. The 1.5km catchment radius of the planned 'The District' commercial centre to the south-west of the subject site and the future 'Annie's Landing' centre to the north-east can easily accommodate the retail needs of the local population without any overlap in catchments. The spatial distribution of these centres and their catchments is demonstrated at Figure 1.

A Community Needs and Retail Sustainability Assessment (the Assessment) has been prepared by Taktics4 (refer Appendix 1) and provides a comprehensive analysis of the retail needs in the locality of the subject site. The key findings and recommendations of the Assessment are:

- To retain the neighbourhood centre known as 'Annie's Landing' to the north-east of the subject site;
- To amend the Neighbourhood Centre zoning of the subject site on the basis that the retail floor space would be superfluous to the retail needs of the locality and would undermine the viability of 'The District' and 'Annie's Landing' commercial centres.
- The current and predicted local population is unable to sustain all three commercial centres ('The District', 'Annie's Landing' and the subject site).

Planning and development in the locality of The Vines and Ellenbrook has progressed significantly in the last 20 years since the original ODP for The Vines was endorsed circa 1996. At that time and in the early stages of planning for the locality, it was expected that a Neighbourhood Centre would be required within the ODP area based on the information available at the time. The floor space for this Neighbourhood Centre was calculated based on a requirement of 0.53m² of retail floor space per person in accordance with the WAPC's Metropolitan Centres Policy which was the relevant policy framework at the time. The decision to designate the subject site as a Neighbourhood Centre was made in isolation, only considering the retail needs of The Vines and not other potential commercial centres external to the ODP area. Since the approval of the ODP, other commercial centres have either been developed or planned in the locality which have the potential to undermine the commercial viability of the subject site as a Neighbourhood Centre. These other commercial centres could not have been foreseen in the original planning for The Vines however, given the benefit of time and the subsequent development of the surrounding area, we are now in a position to assess and consider the subject site's development as a Neighbourhood Centre in the context of the surrounding area.

As outlined in the Community Needs and Retail Sustainability Assessment, it is anticipated that development of the subject site as a Neighbourhood Centre would be unsustainable due to overlapping catchments with other commercial centres in the locality, resulting in competition between centres. If all three planned Neighbourhood Centres are developed ('The District', 'Annie's Landing' and the subject site) the 1.5km catchment of the subject site could provide for up to 1.47m² of retail floor space per person – almost three times the amount originally planned for, indicating a significant over-provision of retail floor space.

The analysis provided in the Assessment as outlined above leads to one conclusion – that only one of the planned commercial centres at the subject site and 'Annie's Landing' will be commercially sustainable and therefore viable. In this regard, a commercial centre at 'Annie's Landing' is the most appropriate outcome based on the following:

- The 'Annie's Landing' centre will have its own dedicated 1.5km catchment area and is located centrally to this catchment;
- The 'Annie's Landing' catchment does not overlap with other catchments in the vicinity and will importantly not compete with 'The District' commercial centre;
- The 'Annie's Landing' floor space allocation is greater than the subject site and can more readily accommodate a full line supermarket and accompanying specialty shops; and
- The 'Annie's Landing' centre will be co-located with other complimentary non-residential uses such as a school and childcare centre which will allow for multi-purpose trips, assisting to minimise traffic movements in the locality.

As demonstrated above, the subject site as a Neighbourhood Centre is unnecessary to adequately meet the retail needs of the local populace. Quite the contrary, development of the subject site as a Neighbourhood Centre in the context of other existing and planned commercial centre sites would result in competition between centres and the likelihood that some will become unsustainable.

Traffic and Movement Network

Development of the subject site in accordance with the proposed Residential R25 zoning will have less impact on the surrounding road network in terms of traffic numbers and intersection performance. As demonstrated in the Traffic Statement prepared by Jacobs (refer Appendix 2), development of the site at a R25 zoning is expected to generate a total of 180 two-way vehicle movements per day as compared to 3,240 vehicle movements if it were to be developed as a Neighbourhood Centre. It is reasonable to surmise that the substantially lesser number of vehicles will translate to improved intersection performance – a positive outcome for the locality that will minimise disruptions and potential impacts on the established road network.

Based on the above, it can be reasonably concluded that the proposed Residential R25 zoning will assist in minimising the potential impacts on the existing movement network as compared to a Neighbourhood Centre development.

Bushfire

In accordance with the Special Use Zone 3 provisions of Schedule 4 of the City of Swan's Local Planning Scheme No. 17(LPS17), a Bushfire Hazard assessment (BHA) has been prepared by bushfire consultants Natural Area Consulting (refer Appendix 3).

The BHA demonstrates that bushfire is not a constraint to development and that any risks associated with the development of the land for residential purposes can be reasonably managed.

The BHA identifies the site as being predominantly characterised by 'Low Hazard' vegetation with elements of 'Extreme Hazard' vegetation abutting the northern boundary. Development will require a response to the 'Extreme Hazard' vegetation within the north-east corner of the site and abutting the northern boundary. A 20m wide Building Protection Zone (BPZ) will be established and all lots within 100m of a bushfire hazard will be required to be developed in accordance with AS 3959 "Construction of buildings in bushfire-prone areas". The BHA estimates that BAL ratings for future lots within the subject site will range from BAL 12.5 to BAL 29 and will therefore be within the acceptable limits.

The determination of BAL ratings and other fire mitigation strategies will be provided in a subsequent Fire Management Plan (FMP) that will be prepared at subdivision stage once the design and lot layouts for the site have been finalised. Only at this stage can BAL ratings and other mitigation strategies be comprehensively and accurately addressed.

In summary the BHA identifies and categorises bushfire hazards within 100m of the subject site and concludes that bushfire hazard is not a constraint to development subject to the implementation of AS 3959.

4.0 CONCLUSION

Development of the subject site for residential purposes as compared to the current Neighbourhood Centre zoning under ODP 37 is an appropriate outcome that will increase housing diversity within The Vines and assist to ensure the commercial viability and success of commercial centres in the locality. As demonstrated in the attached Community Needs and Retail Sustainability Assessment (refer Appendix 1), development of the site as a Neighbourhood Centre is not necessary to satisfy the retail needs of the local populace. Quite the contrary, development of the subject site as a Neighbourhood Centre would be superfluous to the local retail needs and would compromise the sustainability of the planned 'The District' and 'Annie's Landing' commercial centres by creating overlapping catchments. Development of only 'The District' and 'Annie's Landing' centres will assist to ensure that there is no overlap in catchments and that the commercial centres in the locality will not be in a situation where they are competing for customers, therefore providing the greatest chance of retail sustainability.

Development of the site at residential R25 standards is an appropriate outcome that is consistent with the established pattern of development. It will result in significantly less vehicle movements generated on the local road network which will assist to minimise the potential traffic impacts on the established area and preserve local amenity. Further, there are no constraints that prevent the site's development for residential purposes. External bushfire hazards are able to be adequately managed through the implementation of a BPZ and construction to applicable BAL standards in accordance with AS 3959.

The residential outcome that the R25 zoning will facilitate is in the best interests of the community, other local business owners (existing and future) and the land owner.

This plan has been prepared for general information purposes only and uses potentially uncontrolled data from external sources. CLE does not guarantee the accuracy of this plan and it should not be used for any detailed site design. This plan remains the property of CLE.

