3.2 PROPOSED MODIFICATION TO THE PARK STREET LOCAL STRUCTURE PLAN 3A - VARIOUS LOTS IN BRABHAM (SP17-23/C)

Ward: (Altone Ward) (Statutory Planning)

Disclosure of Interest: Nil.

Authorised Officer: (Executive Manager Planning and Development)

KEY ISSUES

- The application seeks to modify the Park Street Local Structure Plan 3A (SP17-23) by relocating the Activity Node (commercial site), increasing its area and adding permissible land uses.

- The modification has been requested to allow for better services by locating the Activity Node near the primary school and Public Open Space (POS) contained in Local Structure Plan 1 along Palfrey Street.

- The proposed modification was advertised to all residents within 200m of the subject land outlining the nature of the proposed modifications.

- At the close of advertising a total of 30 submissions were received, of which 3 objected to the proposal and 27 provided no objection. The primary concerns raised related to non-compliance with State Planning Policy 4.2 - Activity Centres of Perth and Peel, and the hindrance the new location will have on the Brabham District Centre, as well as a Medical Centre being inappropriate within an Activity Node.

- The proposed modification, including the range of uses, is considered consistent with SPP4.2 and will adversely impact on any surrounding commercial centres.

It is recommended that the Council resolve to recommend to the Western Australian Planning Commission to approve the proposed Structure Plan modifications, subject to a range of City recommended modifications as listed within the Recommendation section of this report.

AUTHORITY/DISCRETION

In accordance with Schedule 2 Part 4 Clause 20 of the Planning and Development (Local Planning Scheme) Regulations 2015 (the Regulations) Local Government is required to prepare a report on the proposed structure plan and provide it to the Commission no later than 60 days after the last day for making a submission (unless otherwise agreed to by the Commission). Council has the power to provide a recommendation as to whether or not the Structure Plan should be approved or not, including any recommended modifications.
BACKGROUND

Applicant: Veris (Justin Page)
Owner: Sandhurst Trustees Ltd (Directors: Bruce Speirs and Richard Baker)
Zoning: LPS17 - Special use Zone 10 (Albion)
        MRS - Urban
Strategy/Policy: Swan Urban Growth Corridor Sub-Regional Structure Plan (WAPC)
                Swan District Water Management Plan (DoW)
                SPP4.2 Activity Centres for Perth and Peel
                SPP 3.6 Development Contributions for Infrastructure (WAPC)
Development Scheme: Local Planning Scheme No.17
                Albion District Structure Plan
Existing Land Use: Vacant
Lot Size: 51.26Ha

DETAILS OF THE PROPOSAL

This structure plan looks to relocate the Activity Node from the northern part of the structure plan area to the south west corner, as well as increase the size of the Activity Node and provide for additional permissible uses.

The proponent seeks to introduce a land use table to make the following uses ‘P’ permitted uses subject to being located within the Activity Node:

- Medical Centre - 900m² nett lettable area (nla)
- Shop (Pharmacy only) - 200m² nla
- Recreation-Private - nla not defined
- Café - 100-150m²
- Convenience Store -600- 650m² nla

The following use is proposed broadly within the Park Street Structure Plan area

- Residential Sales Office - nla not defined
APPLICANT'S SUBMISSION

The following is an extract from Section 2.1 of Part 2 (Explanatory Section) of the Park Street LSP3A report in support of the relocation of the Activity Node:

- Given the relocation of the primary school and district open space as provided for in Albion Local Structure Plan 1B for the neighbouring land to the south, the Proponent considers that a better location for the 'Activity Node’ would be in the southern portion as shown on the Structure Plan map. The Activity Node at this location would provide for a larger destination node, which would include the compatible land uses of the Activity Node, the primary school and district open space as shown in Plan 3.

The following is an extract from Section 2.2 of Part 2 (Explanatory Section) of the Park Street LSP3A report in support of the proposed Activity Node land uses:

- The Activity Node will be similar to a small scale local centre servicing the daily needs of the local community within the northern portion of the Albion District Structure Plan. The land uses envisaged include a medical centre, pharmacy (shop) and convenience store on a site approximately 5,300m². The total floor area of the Activity Node shall not exceed 1,900m² net lettable area, with a maximum 1,000m² nla Retail (PLUC 5).

- A convenience store would provide for the retail sale of daily convenience goods commonly sold in supermarkets, delicatessens or newsagents and may operate during hours outside of normal trading hours. The convenience store would need to be no greater than 650m² (nla) in order to be viable and provide an appropriate level of service for local residents. The convenience store would be strategically located alongside a medical centre and the destination node of the primary school and district open space. Other compatible uses, such as a café could potentially also be suitable within the Activity Node.

- A medical centre would add substantial benefit to the local neighbourhood and northern portion of the Albion District Structure Plan area, by providing an immediate medical and health service within walkable distance to many residents in northern portion of Albion District Structure Plan. These residents are not within a 400m – 800m walking distance to the future district centre proposed in Youle Dean Road.

- The medical centre/pharmacy and convenience store will also be located adjoining a daily destination for many parents, those having children attending the local primary school. The uses within the Activity Node will provide an additional convenience both for users of the primary school, district open space and local residents.
PUBLIC CONSULTATION

<table>
<thead>
<tr>
<th>Duration:</th>
<th>• 28 days from 4 July 2017 to 1 August 2017</th>
</tr>
</thead>
</table>
| Method:            | • Newspaper – The Eastern Suburbs Reporter, published 4 July 2017  
                    • Signs on Site  
                    • Notification Letters to nearby landowners  
                    • Website |
| Submissions received: | • 3 objection  
                    • 27 non-objection |

CONSULTATION WITH OTHER AGENCIES AND/OR CONSULTANTS

The application was referred the Western Australian Planning Commission (WAPC), Department of Planning (DoP), Department of Water (DoW), Department of Education (DoE), Department of Housing, Telstra, Western Power, Water Corporation, Department of Fire and Emergency Services (DFES), Department of Transport (DoT), Public Transport Authority (PTA), ATCO Gas, APA Group (owner/operator of the Parmelia Gas Pipeline) and DBP (owner/operator of the Dampier to Bunbury Natural Gas Pipeline).

The City received responses from Department of Planning, Department of Communities (formerly Department of Housing), Department of Water and Environmental Regulation (formerly Department of Water), Department of Education, Department of Transport, Department of Fire and Emergency Services, Water Corporation, Western Power, Telstra, and ATCO.

Water Corporation, Western Power, and Telstra provided generic advice/comments which are more applicable at subsequent planning stages (subdivisional works and development).

Department of Transport and Department of Water advised of no objection to the proposal. DFES advised that the modification would not necessarily trigger a referral under SPP3.7, however the current BMP should be updated to align with the latest version (1.2) of the Guidelines for Planning in Bushfire Prone areas prior to subsequent planning stages.

The remainder of the responses follow.

Department of Planning

The Department of Planning concurs that the Activity Node should be denoted based on an anticipated spatial area on the LSP, for the purpose of informing the level of the activity centre.

DOP also concurs that provided the General Commercial zone suits the intended purpose of the Activity Node, then that will also be acceptable to the Department.
Department of Communities

The Department of Communities provided an objection to the proposed amendment, on the basis of potential impact that the new proposed location of a medical centre may have on the functionality of the Brabham District Centre. After reading through the objection, it appears that more broadly their objection relates to the introduction of the Medical Centre into the Activity Node altogether.

Department of Communities considers that the siting of the medical centre is inconsistent with the intent of the Activity Centre hierarchy outlined in the State Planning Policy 4.2. They state that the function of local centres is to provide for day to day needs of local communities, whereas a district centre or neighbourhood centre is designed to provide for professional services. Particularly, they state that the mix of land uses (including medical centre) is not applicable to centres with less than 10,000m² floor space.

Finally, the Department of Communities advises that it has been engaged in planning process to consider the future Brabham District Centre. They assert that the District Centre will soon be provided with a rail station under MetroNet, and that it is much better able to provide a Medical Centre for the broader community.

Department of Education

The Department of Education has no objection to the proposal, but made comments on the proposal. They note that should the use of the Activity Node change, it would be anticipated that incompatible uses such as liquor outlets would not be permitted. DoE does not believe that the proposed traffic volume around the Activity Node will have an adverse impact on the circulation of traffic at peak times around the school site.

In relation to liquor outlets, it is noted that this would be considered a ‘Shop’, which is a ‘P’ use in the City of Swan Local Planning Scheme No 17. In the event an application is made for a Liquor outlet, the City would assess the proposal on its merits.

It is not reasonable to make a Shop an ‘X’ use (Not Permitted) in the General Commercial zone, as it will preclude a number of compatible Shop uses from operating. Further, it is understood that the Department of Racing, Gaming and Liquor would take proximity to sensitive land uses into consideration prior to granting any kind of liquor licence.

As such, DoE comments are duly noted but will be more applicable at subsequent planning stages (development approval stage) should the scenario arise.

ATCO Gas

ATCO Gas does not have any objection to the proposed modification for the purpose of relocation and modifications to the Activity Node, subject to the existing gas mains infrastructure being recognised and factored into any modifications to the design.

They further note that ATCO Gas has PE High Pressure gas mains of varying pressures including DN160PE 1.5PEHP 250kPa, residential gas mains and associated gas infrastructure.
Any works in the vicinity of the DN160PE 1.5PEHP 350kPa requires an ATCO High Pressure Assessment and notification to be issued in accordance with ATCO’s High Pressure Requirements.

It is noted that all the above comments will be more applicable at subsequent planning stages (subdivisional works and development approval stage).

DETAILS

State Planning Policy 4.2 - Activity Centres for Perth and Peel:

State Planning Policy 4.2 works to establish a hierarchy of activity centres so as to ensure an equitable spread of services, without compromising planned higher order Strategic Centres. It states that a Local Centre is any centre with a shop-retail floorspace under 1500m² nla.

The proposed modification would ultimately result in an nla retail floor space of 1,000m² which is consistent with a Local Centre category, pursuant to SPP4.2. It has further been confirmed that the proposed location would not compromise nearby planned Local Centres identified within the Albion District Structure Plan.

Council recently considered and recommended approval of District Structure Plan 2/A (DSP17-2/A) to the south on the corner of Youle Dean Road and Lord Street. This Structure Plan worked to establish the grounds for an Activity Centre. It is located approximately 1.5kms south of the proposed location for the Activity Node.

Given a Local Centre is the lowest category of activity centres for Perth and Peel, it will not undermine the future of the District Activity Centre to the south.

As such, the proposed modification to LSP17-23/C is consistent with State Planning Policy 4.2.

Appropriateness of Medical Centre

Objections were received from Stockland and Department of Communities in relation to the appropriateness of a Medical Centre in any centre with a retail floorspace less than 10,000m². Pursuant to State Planning Policy 4.2, a mix of land uses (which includes health services) is not applicable to centres with less than 10,000m².

It is important to note that even if the "Medical Centre" was to be removed from the proposed modification, the proponent could still apply to construct and build a number of consulting rooms which would in effect function as a medical centre but have a different built form. This could occur on any land zoned Residential within the Structure Plan.

A Medical Centre is a ‘P’ use in the General Commercial zone and an ‘X’ use in the Residential zone. Consulting Rooms is a 'P' use in the General Commercial zone and a 'D' use in the Residential zone. It is the City's preference for the Activity Node to be clarified spatially and re-annotated as General Commercial to ensure consistency with Local Planning Scheme No17. This will allow greater opportunity for both built form types to be considered.
Ordinary Meeting of Council
27 September 2017

Albion District Structure Plan:

An objection was received from Stockland in relation to the proposed modifications adversely affecting Local Centre 1 and the broader retail hierarchy as established in the Albion District Structure Plan.

The Albion District Structure Plan identified three Local Centres. After review of the existing and future Local Centres, it was revealed that Local Centre 1 within Whiteman’s Edge estate to the west has not been developed. A recent subdivision application over the Local Centre 1 submitted that a local centre in this location is no longer viable and instead is being developed for three residential lots.

Local Centre 1 would have included 300-400m² convenience store, 220-120m² other retail and 100-150m² non-retail.

The current approved Activity Node subject of this modification was approved with 400-450m² nla including Recreation-Private, Convenience Store and Café. No further breakdown in floor area allocation was provided at the time. As a Convenience Store by definition can be no larger than 300m², it can be assumed that the balance of 150m² would be for recreation-private and café.

The undeveloped and non-progressing Local Centre 1 combined with the previously approved Activity Node would have allowed for a 700m² nla convenience store, 220m² other retail and 300m² non-retail.

The proposal includes a 650m² convenience store, 200m² retail (pharmacy), 150m² non-retail and 900m² medical centre. With the exception of the introduction of a medical centre, the combined commercial floor space of the previously approved Local Centre 1 and Activity Centre would be catered for through the subject proposed amendment.

Zoning and Land Use Terminology

Since the gazettal of the Planning and Development (Local Planning Scheme) Regulations structure plans no longer have a statutory effect, rather they are guiding documents that are given a high degree of due regard. The implications of this is that historically, structure plans introduced land uses and zoning that were inconsistent with the City of Swan Local Planning Scheme No.17 (LPS17). Land use terms in the structure plan should align with the land use terms and zoning in the gazetted Local Planning Scheme.

In this instance, the ‘Activity Node’ is not a recognised zone in the LPS17, nor is ‘Café’ or ‘Residential Sales Office’ recognized land uses in the LPS17.

It will be a recommendation to Council to rename the ‘Activity Node’ as General Commercial and assign an area in gross leasable area. All land use permissibility will be in accordance with that zone. City staff confirms that all the land uses the proponent wishes to introduce into the ‘Activity Node’ are permissible in the General Commercial Zone, including ‘Office’ which the City would employ when considering a residential sales office development and ‘Fast Food Outlet’ and ‘Restaurant’ which could be used when considering a café development.

It is accepted that the proponent has opted to broadly apply the term ‘Activity Node’ to allow the underlying residential zone to still apply. In this instance, the City would recommend a separate scheme amendment be applied for to add an Additional Use of the allocated General Commercial zone to allow for Residential Developments in this zone which would give statutory power under the LPS17.
In addition to the inconsistencies of terminology and zoning, the proposed structure plan further seeks to allow a maximum 650m² nla contrary to the definition of Convenience Store under LPS17 which allows a maximum of 300m² nla. The definition under LPS17 cannot be varied and as such, the proposed Structure Plan is at odds with the scheme.

While the implications are that it may not be possible for a ‘Convenience Store’ development application to be approved at the proposed size, the characteristics of a Local Centre is any centre with a shop-retail floor space under 1500m² nla.

As such, it will still be possible to realise an anchor tenancy store of up to the proposed 650m² along with a shop (pharmacy) and other small retail uses through an application for a Local Centre. However, all reference to a convenience store exceeding 300m² should be removed from the Structure Plan to remove inconsistency.

**Palfrey Street**

The subject structure plan area and Cedar Woods' Ariella Estate are separated by Palfrey Street. It is noted that there are discrepancies in relation to the width of the Palfrey Street Reserve between the two structure plans which guide the two developments.

Cedar woods has commenced developing Palfrey Street as a 17.9m road reserve whereas the original Park Street Structure Plan (subject structure plan) proposed Palfrey as an Access Street B (16.5-18m wide), and then narrowing to an Access Street C (15.4-16m wide) east of Mormaer Street.

The proponent has advised that while the original subdivision proposal for this area (WAPC reference 152434) proposed a 16m wide road reserve dropping to 15m east of the Dampier-Bunbury Gas pipeline easement, Condition 1(a) of subdivision approval requires an 18m wide road reserve along the southern boundary of the subject site which will then marry up with the already constructed Palfrey Street road reserve.

Given the subdivision approval is a statutory approval, and the structure plan will be a guiding document, it is considered that there are already ample statutory provisions to deliver a coherent and fluent road network along Palfrey Street, and no further amendments to the original Traffic Impact Assessment will be required as it already catered for the requisite road widths.

**OPTIONS AND IMPLICATIONS**

**Option 1:** Council may resolve to recommend that the Western Australian Planning Commission approve the proposed Park Street Local Structure Plan No.3A, subject to modifications to the structure plan documentation.

**Implications:** The WAPC will determine the Structure Plan in accordance with Clause 22 of the *Planning and Development (Local Planning Scheme) Regulations 2015*.

This is the recommended option.
Option 2: Council may resolve to recommend that the Western Australian Planning Commission refuse to approve the proposed Park Street Local Structure Plan No.3A, for the following reason:

1. The introduction of a Medical Centre is contrary to the intent of State Planning Policy 4.2 Activity Centres for Perth and Peel.

Implications: The WAPC will determine the Structure Plan in accordance with Clause 22 of the Planning and Development (Local Planning Scheme) Regulations 2015.

This is not the recommended option.

CONCLUSION

The proposed modifications to Park Street Local Structure Plan 3A are supported for the following reasons:

- The relocation will not adversely affect any planned Local Centre, and the increase in size will still allow for a walkable catchment

- Local Centre 1 is no longer progressing, and therefore the increase in area of the Activity Node will act to replace and consolidate the Local Centre 1 and previously approved Activity Node.

- The proposal is generally consistent with State Planning Policy 4.2

- A Medical Centre is a Permitted (‘P’) use in the General Commercial zone.

ATTACHMENTS

Structure Plan Map
Structure Plan Report
Schedule of Submissions

STRATEGIC IMPLICATIONS

The existing District Structure Plan should be modified to delete reference to Neighbourhood 1 and identify the subject site as a Local Centre.

STATUTORY IMPLICATIONS

The modifications proposed to the Park Street Local Structure Plan 3A will guide future development of the land identified as ‘Activity Node’.
FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority

RECOMMENDATION

That the Council resolve to:

1) Recommend to the Western Australian Planning Commission to approve the proposed modifications to the Park Street Local Structure Plan subject to the following modifications:

   a. Modify the Structure Plan Map (Plan No. 21004-2 Rev.0) to zone the Activity Centre as "General Commercial" and identify the allocation of total site area for the general commercial zone.

   b. Amend Part One, section 4.1 the Structure Plan Report as follows:

      i. Delete paragraph 6 with reference to additional uses as shown in Table 1,

      ii. Delete Table 1 (Additional Uses within the Residential Zone), and

      iii. Delete Table footnotes.

   c. Amend Part One, section 4.8 of the Structure Plan report to include reference to the General Commercial zone.

   d. Amend Part One and Part Two of the Structure Plan Report to remove the term "café".

   e. Amend Part One and Part Two of the Structure Plan Report to remove the term "residential sales office".

   f. Amend Part One and Part Two of the Structure Plan Report to remove all reference to a Convenience Store exceeding 300m2.

2) Forward the proposed Structure Plan to the Western Australian Planning Commission (WAPC) for their determination.

3) Advise the applicant, landowner, and those persons and agencies who lodged a submission, of Council's decision accordingly.

   CARRIED
CERTIFICATION OF APPROVED STRUCTURE PLAN

This Structure Plan is prepared under the provisions of the City of Swan Local Planning Scheme No. 17 and in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015

IT IS CERTIFIED THAT THIS STRUCTURE PLAN WAS APPROVED BY RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON:

..................................................Date

Signed for and on behalf of the Western Australian Planning Commission

........................................................................................................................................................................

An officer of the Commission duly authorised by the Commission pursuant to section 16 of the Planning and Development Act 2005 for that purpose, in the presence of:

..............................................................Witness

..............................................................Date

............................................... Date of Expiry of this Structure Plan
# TABLE OF AMENDMENTS TO STRUCTURE PLAN

<table>
<thead>
<tr>
<th>Amendment Number</th>
<th>Description of Amendment</th>
<th>Amendment Type</th>
<th>Date Endorsed by Council</th>
<th>Date Endorsed by WAPC</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Relocation of existing Activity Node and to provide for Medical Centre, ‘Shop’ (pharmacy) and Convenience Store land uses and to increase size of activity node (small local centre). Update Structure Plan consistent with the <em>Planning and Development (Local Planning Scheme) Regulations 2015</em>.</td>
<td>Standard</td>
<td></td>
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</table>
EXECUTIVE SUMMARY

This Structure Plan has been prepared to modify the Western Australian Planning Commission (WAPC) endorsed Park Street Local Structure Plan 3A approved 25 August 2014 ("the approved Structure Plan").

The approved Structure Plan was prepared prior to the gazettal of the Planning and Development (Local Planning Schemes) Regulations 2015. This Structure Plan provides for modifications and updates to bring the approved Structure Plan into conformity with Schedule 2 Part 4 'Structure Plans' of the Planning and Development (Local Planning Schemes) Regulations 2015, in addition to proposing an amendment to the approved Structure Plan.

Amendment No. 1 to the approved Structure Plan relocates the proposed 'Activity Node' from the northern portion of the Structure Plan, opposite a local park, to the southern area of the Structure Plan opposite two attractors, being a primary school and district open space. The report provides the rationale and planning framework to support the Structure Plan amendment.

The Amendment allows potentially for a medical centre, pharmacy and large size (up to 600 - 650m²) convenience store within the activity node. These uses will provide services for the local community, without significantly impacting the commercial viability and sustainability of the Albion District Commercial Centre and other existing and planned local centres in Brabham. The following table is a summary of the proposed Structure Plan.
## STRUCTURE PLAN SUMMARY

<table>
<thead>
<tr>
<th>Item</th>
<th>Data</th>
<th>Section number referenced within the Structure Plan Report</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total area covered by the Structure Plan</td>
<td>51.26 hectares</td>
<td>8.6 (Original approved Structure Plan refer to Appendix 1)</td>
</tr>
<tr>
<td>Area of each land use proposed</td>
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<td></td>
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<tr>
<td>- Residential</td>
<td>28.17 hectares</td>
<td>8.3 &amp; 8.6 (Original approved Structure Plan refer to Appendix 1)</td>
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<tr>
<td>- Public Open Space &amp; Drainage</td>
<td>0.460 hectares</td>
<td>2.2</td>
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<td>- Activity Node</td>
<td>0.530 hectares</td>
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<tr>
<td>Total estimated lot yield</td>
<td>754 green title &amp; strata lots</td>
<td>8.3 (Original approved Structure Plan refer to Appendix 1)</td>
</tr>
<tr>
<td>Estimated number of dwellings</td>
<td>754 dwellings</td>
<td>8.3 (Original approved Structure Plan refer to Appendix 1)</td>
</tr>
<tr>
<td>Estimated residential site density</td>
<td>27 dwellings per site hectare</td>
<td>8.3 (Original approved Structure Plan refer to Appendix 1)</td>
</tr>
<tr>
<td>Estimated Population (average 2.8 people/household)</td>
<td>2,111 people</td>
<td>2.2</td>
</tr>
<tr>
<td>Estimated area and percentage of public open space given over to:</td>
<td></td>
<td>8.6 (Original approved Structure Plan refer to Appendix 1)</td>
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<tr>
<td>- Local Parks</td>
<td>0.51 hectares</td>
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<tr>
<td>- Communal Open Space (Parmelia Gas Pipeline Easement)</td>
<td>0.28 hectares</td>
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<td>- Resource Enhancement Wetland Buffer</td>
<td>1.73 hectares</td>
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<td>- Restricted Open Space</td>
<td>0.91 hectares</td>
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<tr>
<td>- District Open Space contribution</td>
<td>1.17 hectares</td>
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### PART ONE - IMPLEMENTATION

1. Structure Plan Area  
2. Operation  
3. Staging  
4. Subdivision and Development Requirements  
   4.1. Land Use and Permissibility  
   4.2. Residential Density  
   4.3. Development Contribution Arrangements  
   4.4. Limitations or restrictions affecting subdivision and/or development  
   4.5. Local Development Plans  
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   4.7. Gas Pipeline Easements  
   4.8. Activity Node

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Plan 2 – Staging Plan
Plan 3 – Activity Node Context Plan
Plan 4 – Albion District Structure Plan

**Appendices**

Appendix 1 – Original WAPC endorsed 2014 Park Street LSP 3A
Appendix 2 – Commercial Sustainability Assessment
Appendix 3 – Pre-Lodgement Consultation
PART ONE – IMPLEMENTATION

1. Structure Plan Area

This Structure Plan shall apply to the land contained within the inner edge of the line denoting the Structure Plan boundary on Plan 1 – Structure Plan.

2. Operation

The date the Structure Plan comes into effect is the date the Structure Plan is approved by the Western Australian Planning Commission as set out in the Structure Plan - Certification Page.

3. Staging

Staging has already occurred within the Structure Plan boundary, with the development approximately 70% completed or under construction. The final stages of subdivision will occur in the western portion of the Structure Plan area.

4. Subdivision and Development Requirements

4.1 Land Use and Permissibility

The Structure Plan Map outlines the Zones and Reserves applicable within the Structure Plan Area and these will guide future subdivision and development of the land.

Land use permissibility within the Structure Plan Area shall generally be in accordance with the corresponding Zone under the City of Swan Local Planning Scheme No. 17 (LPS 17).

The zones in the Structure Plan will not have statutory effect as it is currently not included in LPS 17.

Pursuant to Clause 27 of Schedule 2 – Deemed Provisions for Local Planning Schemes under the Planning and Development (Local Planning Schemes) Regulations 2015:

a) A decision-maker for an application for development approval or subdivision approval in an area that is covered by a structure plan that has been adopted by the Commission is to have due regard to, but is not bound by, the structure plan when deciding the application.

In giving due regard for development approval or subdivision approval, a decision-maker may consider the ‘Additional Uses’ as shown in Table 1. Until such a time that a Scheme Amendment is gazetted, the zones and land use permissibility under Table 1 is indicative
and does not have the force of LPS 17.

Table 1. Additional Uses within the Residential Zone

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Residential Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical Centre</td>
<td>P²</td>
</tr>
<tr>
<td>Shop³</td>
<td>P²</td>
</tr>
<tr>
<td>Recreation – Private</td>
<td>P²</td>
</tr>
<tr>
<td>Café</td>
<td>P²</td>
</tr>
<tr>
<td>Convenience Store⁴</td>
<td>P²</td>
</tr>
<tr>
<td>Residential Sales Office¹</td>
<td>P</td>
</tr>
</tbody>
</table>

Table Footnotes:

1. ‘Residential Sales Office’, being “A building of either temporary or permanent nature, and incidental car parking, used directly in relation to the sale of land and dwellings in new residential estates”.

2. Location for these land uses is restricted to within the ‘Activity Node’ area only as identified in the Structure Plan and are not permitted outside the Activity Node area.

3. Shop use is for a Pharmacy only.

4. Convenience Store definition same as per LPS 17 except that a maximum 650m² net lettable area is permitted in lieu of 300m² nla.

4.2 Residential Density

i) The Structure Plan defines the split residential density codes that apply to specific areas within the Structure Plan. Lot specific residential densities, within the defined split coding, are to be subsequently assigned in accordance with a Residential Code Plan approved by the Western Australian Planning Commission.

ii) A Residential Code Plan is to be submitted at the time of subdivision to the Western Australian Planning Commission and shall indicate the R-Code applicable to each lot within the subdivision and shall be consistent with the Structure Plan, and the split coding identified on Plan 1 and the locational criteria.

iii) The Residential Code Plan is to include a summary of the proposed dwelling yield of the subdivision.

iv) Approval of the Residential Code Plan shall be undertaken at the time of the determination of the subdivision application by the Western Australian Planning Commission. The approved Residential Code Plan shall then form part of the Structure Plan and shall be used for the determination of future development applications.

v) Variations to the Residential Code Plan will require further approval of the Western Australian Planning Commission, with a revised Residential Code Plan submitted generally consistent with the approved plan of subdivision issued by the Western Australian Planning Commission. The revised Residential Code Plan shall be consistent with the split coding identified on Plan 1 and the locational criteria.
vi) A revised Residential Code Plan, consistent with (v) above will replace, wholly or partially, the previously approved residential density code plan, and shall then form part of the Structure Plan as outlined in (iv) above.

vii) Residential Code Plans are not required if the Western Australian Planning Commission considers that the subdivision is for one or more of the following:-

- the amalgamation of lots;
- consolidation of land for “superlot” purposes to facilitate land assembly for future development;
- the purposes for facilitating the provision of access, services or infrastructure; or
- land which by virtue of its zoning or reservation under the Structure Plan cannot be developed for residential purposes.

Locational Criteria

The allocation of residential densities on the Residential Code Plan shall be in accordance with the following criteria:-

1) The R30 code applies as the base code to all lots, with the exception of those lots coded R40 as set out in 2) below.

2) The R40 code applies to the following lots:
   i) lots with a boundary directly abutting Public Open Space; or
   ii) lots comprising any land that is located within 100m of the Dampier to Bunbury Natural Gas Pipeline easement and/or the Parmelia Gas Pipeline easement when measured at a 90 degree angle from the pipeline easement boundary; or
   iii) lots identified on the Structure Plan map as having a Local Development Plan (LDP) requirement.

Subdivisions are to achieve a residential density target of 22 dwellings per site hectare in accordance with the Albion District Structure Plan. Unless specified in an LDP, all residential development is subject to the provisions of the Residential Design Codes.

4.3 Development Contribution Arrangements

The Structure Plan Area is within Development Contribution Area 1 (DCA1) as identified in Schedule 13 of the City of Swan Local Planning Scheme No. 17 (LPS17). Under LPS 17 a Development Contribution Plan applies to the Structure Plan Area and should be read in conjunction with this Structure Plan.

The owner is to contribute towards key service and community infrastructure within the latest Development Contribution Plan for DCA1.

Each landowner will be required to make a cost contribution payment based on the area that they develop in accordance with the contribution rate in the DCP in DCA1. When liable payment by a landowner (or otherwise) is made to the satisfaction of the local
authority pursuant to LPS17 and the DCP, the local authority shall provide certification in writing to the landowner of such discharge, or partial discharge where applicable, as requested by the landowner.

The portion of Henley Brook Avenue included within Lot 9000 Park Street of the Structure Plan is to be delivered as an item of shared infrastructure pursuant to the approved DCP.

4.4 Limitations or restrictions affecting subdivision and/or development

Development adjacent to Henley Brook Avenue

To address the WAPC noise limits, proposed residential development adjacent to Henley Brook Avenue shall require a noise wall to a minimum height of 2.2 metres. The wall is to be constructed on the boundary (refer WAPC Ref: 138046 Condition 32).

Temporary Wastewater Pumping Station & Buffer

The pump station and associated 10.0m buffer shall be retained as a single lot, with no development within this lot occurring until the temporary pumping station is fully removed to the satisfaction of the local authority and Water Corporation. A notification under Section 70A of the Transfer of Land Act 1983 is to be placed on title advising to this effect.

Bushfire Management

A Bushfire Management Plan will be required to be prepared by the developer, and approved by the local authority and Department of Fire & Emergency Services (DFES) as a condition of subdivision approval as deemed necessary. This will include the responsibility of the developer to register any relevant notification on title under Section 70A of the Transfer of Land Act 1983.

Road Network and Access

In order to accommodate further residential development within the LSP3A area, the Western Australian Planning Commission (WAPC), on advice from the City of Swan, may require as a condition of subdivision approval for the creation of future lot/s within the Structure Plan area:

(i) The construction of a dual-lane roundabout at the intersection of Park Street and Lord Street in the location shown on the Structure Plan map (Plan 1) by the landowner at the landowner's cost, to the satisfaction of the City of Swan and Main Roads WA. Otherwise, the landowner is to make satisfactory arrangements with the City of Swan for the full cost of construction of a dual-lane intersection at the intersection of Park Street and Lord Street in the location shown on the Structure Plan map (Plan 1), to the satisfaction of the City of Swan and Main Roads WA; and,

(ii) The construction of a 'Temporary Secondary Access' to the Structure Plan area from Park Street via the Henley Brook Avenue road reserve as depicted on the
Structure Plan map (Plan 1) by the landowner at the landowner’s cost, to the satisfaction of the City of Swan. This access is intended to be temporary only and may be closed at the discretion of the City of Swan.

In order to accommodate full residential development of the LSP3A area, the Western Australian Planning Commission (WAPC), on advice from the City of Swan, may require as a condition of subdivision approval for the creation of any lot/s that will cause the total number of lots approved for subdivision within the Structure Plan area to exceed 300:

(iii) The upgrade of that portion of Park Street adjacent to Lot 500 Park Street, Brabham to the satisfaction of the City of Swan.

Reports/Strategies Required Prior to Subdivision and Development

Prior to the lodgement of a development application or subdivision application to the WAPC, the following management plans are to be prepared, as applicable, and approved to the satisfaction of the relevant authority and provided with the application as necessary:

(i) Wetland Management Plan (Department of Environment & Regulation / City of Swan)
(ii) Acid Sulfate Soils Management Plan (Department of Environment & Regulation)
(iii) Updated Transport Assessment Report (City of Swan)

4.5 Local Development Plans

Prior to any subdivision and/or development for all areas shown in the Structure Plan Area as ‘LDP Requirement’, a Local Development Plan is to be prepared in accordance with Clause 5A.1.15 of LPS17.

In addition, a Local Development Plan may be required by the Western Australian Planning Commission (WAPC) on advice from the City of Swan as a condition of subdivision approval for land within the Structure Plan area.

4.6 Public Open Space

The provision of a minimum of 10% public open space being provided in accordance with the Western Australian Planning Commission’s Liveable Neighbourhoods. Public open space is to be provided generally in accordance with Plan 1 and Table 3, with an updated public open space schedule to be provided at the time of subdivision for determination by the Western Australian Planning Commission, upon the advice of the local government. The 10% public open space includes 1.1693ha of unrestricted public open space provided outside of LSP 3A, which is contributed via cash in lieu contributions, likely through the Development Contribution Plan.

4.7 Gas Pipeline Easements

The Dampier Bunbury Natural Gas Pipeline easement being ceded to the Crown and vested with the Department of Lands.
The land comprising the existing Parmelia Gas Pipeline easement shall be contained within private survey-strata developments and limited to use as ‘private (communal) open space’ as shown on the Structure Plan map (Plan 1).

4.8 **Activity Node**

The location for the Activity Node is shown on the Structure Plan with the final node boundary and land area to be determined at subdivision approval stage. A combined total maximum of 1,900m² net lettable floor (nla) area is permitted for all uses within the Activity Node, with a maximum limit of 1,000m² nla Retail (PLUC 5) floor space permitted.
PART TWO – EXPLANATORY SECTION

1. Introduction

This Structure Plan has been prepared as an amendment to the Western Australian Planning Commission (WAPC) endorsed Park Street Local Structure Plan 3A approved 25 August 2014 (“the approved Structure Plan”).

The approved Structure Plan was prepared prior to the gazettal of the Planning and Development (Local Planning Schemes) Regulations 2015. This Structure Plan provides for updates to bring the approved Structure Plan into conformity with Schedule 2 Part 4 ‘Structure Plans’ of the Planning and Development (Local Planning Schemes) Regulations 2015, in addition to proposing an amendment to the approved Structure Plan.

Amendment No. 1 to the approved Structure Plan relocates the proposed ‘Activity Node’ from the northern portion of the Structure Plan, opposite a local park, to the southern area of the Structure Plan opposite a primary school site and district open space, within approved Albion Local Structure Plan 1B.

As part of the approved Structure Plan, technical reports and planning rationale were provided with the approved Structure Plan documentation. Rather than duplicate this information, which remains relevant (notwithstanding the modifications and updates in this Structure Plan document), the approved Structure Plan should be read in conjunction with this updated Structure Plan report.

The original approved Structure Plan is contained in Appendix 1. The following sections provide supplementary updates, details and planning justification for the proposed modification to the approved Structure Plan. Where there is any inconsistency between the approved Structure Plan (2014) and this document, this document prevails.

Subdivision has already substantially commenced and an indicative Staging Plan is provided in Plan 2 which shows future staging of subdivision. Western Australian Planning Commission conditional subdivision approval has been obtained for the respective future staging areas. The subdivision conditional approvals are generally consistent with this Structure Plan Amendment, except that a separate single lot will need to be created for the Activity Node site.
2. Structure Plan modification

2.1. Relocation of Activity Node

At Section 8.4 of the approved Structure Plan (2014), a potential future ‘Activity Node’ was identified in the northern portion of the Structure Plan as follows:

“An ‘Activity Node’ is proposed within LSP 3A as indicatively shown on the Structure Plan Map at the southern end of Arpent Link. It is envisaged that this community activity node would include land uses such as:

- Private Recreation – Day Spa/Gym and possibly Tennis Court/s;
- Convenience Store – similar to a small deli providing daily needs; and
- Café – including small alfresco area as a meeting place.

The above uses could be accommodated within a privately owned and operated community building with a floor area of up to 400m² on a lot of approximately 1,000m² - 1,250m². The final location for the activity node can be determined at the subdivision stage. It is likely that the activity node would be established in the final stages of the LSP 3A subdivision/development.”

Given the relocation of the primary school and district open space as provided for in Albion Local Structure Plan 1B for the neighbouring land to the south, the Proponent considers that a better location for the ‘Activity Node’ would be in the southern portion as shown on the Structure Plan map. The Activity Node at this location would provide for a larger destination node, which would include the compatible land uses of the Activity Node, the primary school and district open space as shown in Plan 3.

2.2. Proposed Activity Node Land Uses

The Activity Node will be similar to a small scale local centre servicing the daily needs of the local community within the northern portion of the Albion District Structure Plan. The land uses envisaged include a medical centre, pharmacy (shop) and convenience store on a site approximately 5,300m². The total floor area of the Activity Node shall not exceed 1,900m² net lettable area, with a maximum 1,000m² nla Retail (PLUC 5).

A convenience store would provide for the retail sale of daily convenience goods commonly sold in supermarkets, delicatessens or newsagents and may operate during hours outside of normal trading hours. The convenience store would need to be no greater than 650m² (nla) in order to be viable and provide an appropriate level of service for local residents. The convenience store would be strategically located alongside a medical centre and the destination node of the primary school and district open space. Other compatible uses, such as a café could potentially also be suitable within the Activity Node.

A medical centre would add substantial benefit to the local neighbourhood and northern portion of the Albion District Structure Plan area, by providing an immediate medical and health service within walkable distance to many residents in northern portion of Albion District Structure Plan. These residents are not within a 400m – 800m walking distance to the future district centre proposed in Youle Dean Road.
The medical centre/pharmacy and convenience store will also be located adjoining a daily
destination for many parents, those having children attending the local primary school. The uses
within the Activity Node will provide an additional convenience both for users of the primary school,
district open space and local residents.

It is envisaged that the Activity Node could comprise the following:

Table 2. Activity Node Land Uses and Typical Floor Area

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Total Centre Floor Area (nla)</th>
<th>Centre Proportion : Retail PLUC 5(nla)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medical Centre</td>
<td>900m²</td>
<td>-</td>
</tr>
<tr>
<td>Shop (Pharmacy)</td>
<td>200m²</td>
<td>200m²</td>
</tr>
<tr>
<td>Café</td>
<td>100 – 150m²</td>
<td>100 – 150m²</td>
</tr>
<tr>
<td>Convenience Store</td>
<td>600 - 650m²</td>
<td>600 - 650m²</td>
</tr>
<tr>
<td><strong>Total Area</strong></td>
<td><strong>1,800 – 1,900m²</strong></td>
<td>900 – 1,000m²</td>
</tr>
<tr>
<td>Total Maximum nla permitted</td>
<td>1,900m²</td>
<td>1,000m²</td>
</tr>
</tbody>
</table>

It is noted that a ‘Medical Centre’, ‘Convenience Store’ and ‘Shop’ are “X” prohibited uses within a
‘Residential’ zone under LPS 17. Notwithstanding, the Structure Plan ‘Residential’ zone has no
statutory effect, as the zone does not form part of LPS 17 (refer to Part One Clause 4.1). However,
under the Deemed Provisions for Local Planning Schemes under the Planning and Development
(Local Planning Schemes) Regulations 2015, a decision-maker for an application for development
approval or subdivision approval in an area that is covered by a structure plan that has been
adopted by the Commission is to have due regard to, but is not bound by, the structure plan when
deciding the application.

Accordingly, a medical centre, convenience store and shop (as per Tables 1 & 2) may be approved
at the discretion of the local authority at the development approval stage of planning, as provide for
in the Structure Plan. The Structure Plan amendment makes provision for the medical centre,
convenience store and shop uses to be permissible uses within the Activity Node, similar to the
mechanism of an ‘Additional Use’ within the ‘Residential’ zone under LPS 17.
Ultimately, when development has occurred, under the guidance of the Structure Plan, land uses would be normalised as part of a review of LPS 17. As part of normalisation, a base residential zone for the medical centre site could be applied with an ‘Additional Use’ allowing for a medical centre and shop (incidental pharmacy).

2.3. Commercial Sustainability Assessment

A Commercial Sustainability Assessment (Appendix 2) has been undertaken that provides support for the proposed location, land uses and size of the ‘Activity Node’ shown on the Structure Plan. The Commercial Sustainability Assessment demonstrates that:

- The proposed ‘Activity Node’ will provide a similar function as a small Local Centre;
- There has been an unexpected increase in the forecast ultimate population for the Albion District Structure Plan. The proposed ‘Activity Node’ will provide additional commercial support for the population in the northern part of Albion DSP;
- The central location of the ‘Activity Node’ in the northern portion of the DSP provides for a higher percentage of households being able to access the proposed local centre on foot (i.e. 400m walkable catchment) see Plan 4;
- The primary school and district open space attractors will support the viability of the ‘Activity Node’;
- The provision of a convenience (small scale supermarket) store, pharmacy and medical centre in the central northern area of Albion DSP will facilitate a level of service and accessibility to goods and services to be reasonably expected by the local community;
- The proposed ‘Activity Centre’ services to be provided is typical and common in Perth Metropolitan Region. The nature of goods and services will fulfil daily sporadic household needs complementing the higher order Brabham District Activity Centre, which provides a much greater range of goods with its full-scale supermarkets;
- The demand assessment for medical services revealed that a medical centre in the northern portion of Albion DSP is warranted based on the present (and future) population growth;
- The demographic composition of households in Brabham is characterised by a large proportion of young families with children. Existing and future residents will benefit from the medical centre, pharmacy and convenience store; and
- The proposed ‘Activity Node’ can co-exist with the existing and planned Local Centres and District Centre provided for in the Albion District Structure Plan.

The maximum floor area for the ‘Activity Node’ would be 1,900m² nla. The size of the ‘Activity Node’ would be similar to a local centre, servicing mainly the local residents within a 400m – 800m walkable catchment. The primary land use within the centre would be ‘Medical Centre’, which is not considered Retail PLUC 5 floor space under WAPC State Planning Policy 4.2.
2.4. Proximity to Gas Pipelines

Preliminary investigations with the operators of the Dampier to Bunbury Natural Gas Pipeline and Parmelia Gas Pipeline indicate that a ‘Medical Centre’ and ‘Shop’ are (T1) classification land uses, which can be located within 200m of the gas pipeline corridor.

A Pipeline Risk Assessment (AS2885) would be required to support (T1) classification land uses. It is noted that a Pipeline Risk Assessment has already been undertaken for the approved Structure Plan, which provides for (T1) residential land use abutting both gas pipeline corridors. Accordingly, proposed location of the proposed medical centre, convenience store and pharmacy (shop) uses as shown within the ‘Activity Node’ on the Structure Plan would be considered suitable.

2.5. Access & Traffic

As provided for in the Structure Plan, the proposed ‘Activity Node’ will ultimately front Palfrey Road, which connects to Partridge Street in the west. Palfrey Road is a local access street with an 18m width road reserve fronting the primary school then reduced to 15m width road reserve east of Parmelia Gas Pipeline. The Activity Node will front the 18m width road reserve section of Palfrey Street, being the northern road abutting the primary school site.

The full construction of Palfrey Street is likely to occur either prior to, or as part of the delivery of, the primary school site to Department of Education, however earlier delivery of the road could also occur.

Currently the unconstructed and undedicated portion of Palfrey Street is contained within the balance land of Ariela Estate and Avonlee Estate. Each Proponent (by mutual agreement) can potentially cede and provide for the construction of the relevant portions of Palfrey Street as part of subdivision, in accordance with respective approved Structure Plans, to necessitate the completion of Palfrey Street. Ultimately the planned completion of Palfrey Street will provide suitable access from Partridge Street to the Activity Node.

The Structure Plan road network is considered satisfactory to support the proposed ‘Activity Node’ and the anticipated volume of traffic and movement is not considered to pose any adverse or significant impacts on the local access streets.

At the Development Approval stage, when a specific development proposal would be put forward, a Traffic Study would be required to justify any development in terms of traffic safety, addressing location of access connections with existing roads, traffic sightlines, movement, parking management and pedestrian/cyclist movement.

2.6. Design and Siting

The planned future siting and design of the Medical Centre will ensure that residential amenity is not compromised. It is envisaged that the Activity Node primary orientation would be towards the primary school and district open space fronting Palfrey Street. However the final design will be determined at the Development Approval stage.

The preparation and approval of a Local Development Plan could be considered, to guide decision making at the development approval stage. The LDP could address matters relating to access, interface with adjoining neighbouring land uses and abutting streetscapes and orientation of development. The Activity Node as identified on the Structure Plan informs all key stakeholders and the community as to the potential planned future uses in this location.
2.7. Staging and Delivery

The Proponent considers that there is satisfactory demand from existing surrounding development for the establishment of a medical centre, convenience store and pharmacy. The proposed land uses within the Activity Node can potentially be delivered once the site has been subdivided and development approval has been issued. As stated above and referred to in Plan 2, the Activity Node site would be created in the later stages of subdivision and would also be subject to the construction and dedication of the balance of Palfrey Street connecting to Partridge Street. This would provide access to the Activity Node from the wider existing and planned street network.
3. Key Planning Framework

In addition to the Planning Framework outlined in the approved Structure Plan (refer to Appendix 1), the following additional planning framework is referred to for the proposed Structure Plan Amendment. It is considered that an amendment to the Albion District Structure Plan to provide for the Activity Node is not required, given that the proposed Activity Node is not a substantial material change and will not compromise the objectives of the District Structure Plan.

REGIONAL & SUB-REGIONAL PLANNING

3.1. State Planning Policy 4.2 ‘Activity Centres for Perth and Peel’

SPP 4.2 provides guidance in decision making in relation to location, siting and development of commercial centres within the overarching activity centre hierarchy of Directions 2031. The proposed Activity Node and its relocation with the Structure Plan will have no adverse impact on existing and planned activity centres.

The location and size of the Activity Node within the Structure Plan is considered appropriate and consistent with SPP 4.2, in that:

- Activity Node will form part of a destination node by co-locating with the primary school and district open space, thereby improving the potential interaction by users;

- The 400m catchment around the Activity Node contains a mix of R30 & R40 existing and planned development. This is consistent with SPP 4.2 which encourages higher density housing within 400m of activity centres;

- The Activity Node land uses will provide for diversity of land uses within the neighbourhood and create employment opportunities by improving access to jobs and encouraging employment self-sufficiency within the Albion District Structure Plan; and

- The size of the Activity Node not exceeding 1,900m² net lettable floor area, thereby not having a significant impact (or compromising) the viability of the planned future district centre at Youle Dean Road.

LOCAL PLANNING

3.2. City of Swan Draft Local Commercial and Activity Centres Strategy 2016

The Draft Strategy identifies the future planned district centre in Albion at Youle Dean Road. As stated above, the size and location of the Activity Node in the Structure Plan will not impact the sustainability of the Albion district centre. It is noted that the planned local centre to the west in (Whiteman Edge Estate) Fairmount Boulevard has not amounted to establishment of a range of land uses that can provide for retail sale of daily commodities and/or other services, including health. The proposed Activity Node in the Structure Plan can provide for a more central local centre type of development that can provide for retail sale of daily commodities and/or other services, including medical and health services.
Previously approved Local Structure Plan LSP3A
<table>
<thead>
<tr>
<th>No.</th>
<th>Name/Address</th>
<th>Affected Property</th>
<th>Summary of Submission</th>
<th>Council’s Recommendation</th>
<th>Commission’s Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Prue Cunningham on behalf of Stockland</td>
<td>Whiteman Edge</td>
<td>Objection 1. If the new location is supported, there will be an overlap with the local centre to the north-west of the structure plan area and a void of local shopping in the north-east of the structure plan area.</td>
<td>The local centre to the north-west is not progressing. A subdivision is being processed to establish 3 residential lots over this land.</td>
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<td></td>
<td></td>
<td></td>
<td>2. The proposed size is too large and cannot be considered as a small local centre and should instead be considered a large local centre which is not appropriate in terms of SPP4.2 hierarchy</td>
<td>Notes. Response contained within Council Report under &quot;Albion District Structure Plan&quot;.</td>
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<td></td>
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<td></td>
<td>3. The proposed medical centre is not appropriate for an activity node and should be located within the higher order activity centre. 4. Stockland requests a copy of the commercial sustainability assessment</td>
<td>Noted. Response contained within Council Report under &quot;Appropriateness of Medical Centre&quot;</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>Rahul Vig</td>
<td>Lot 317 (No 23/54) Cob Road</td>
<td>Objection.</td>
<td>Noted. Based on the</td>
<td></td>
</tr>
<tr>
<td>Name</td>
<td>Address</td>
<td>Objection/No Objection</td>
<td></td>
<td></td>
<td></td>
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<td>------</td>
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<td></td>
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<tr>
<td>U23/54 Cob Road</td>
<td>Brabham</td>
<td>There are not enough public areas as compared to the number of houses being built. There are no shops nearby either, causing some inconvenience. Additionally, Whitman Edge already has some cafes while none exist in Avonlee. The current activity node is located near the main entry point of the estate and will be a lot easier for access. submitter's location, it is calculated that the distance to the modified location is approximately 570m. This is considered to be still walkable given the anticipated walkable catchment is to be between 400-800m.</td>
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<tr>
<td>Lot 317 (No 97) Pannage Way</td>
<td>Pannage Way</td>
<td>Objection. The node is being moved further away from Avonlee, closer to Whiteman Edge which already has similar facilities. Lack of sufficient connector roads proposed and the location is not in walkable distance due to doubling over from original location.</td>
<td></td>
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<tr>
<td>John Silla on behalf of Cedar Woods</td>
<td>Ariella Estate</td>
<td>No objection. The modification will provide much needed amenities to the Ariella and wider Brabham community. Cedar Woods further supports the proposal by constructing the necessary</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Jeremy Morton</td>
<td>Brabham</td>
<td>Noted. Based on the submitter's location, it is calculated that the distance to the modified location is approximately 600m. This is considered to be still walkable given the anticipated walkable catchment is to be between 400-800m.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td></td>
<td>Noted.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
|   | Road connection to Partridge Street via Palfrey as part of Stage 4 contract works | Danni Sonego  
197 Fairmount Boulevard BRABHAM WA 6055 | Lot 306 (No 197) Fairmount Boulevard Brabham | No objection. Provided there is sufficient parking. | Noted. Parking is assessed at subsequent development assessment planning stage. |
|---|---|---|---|---|---|
|   |   | Devesh R. Sheth  
No address given. | No affected property address given. | No objection. As a prospective commercial operator for the Medical and Pharmacy precinct, the Structure Plan modification is supported as it will be of benefit to the community. | Noted. |
|   |   | Pikwan Stephenson  
8 Axewood Place BEECHBORO WA 6063 | Lot 435 (No 61) Cob Road Brabham | No objection. Support the modification as it will be of benefit, given the lack of current medical and retail facilities in the area. Submitter also homes that some shops, primary schools and high schools will be built soon. Also hopes for buses to pass through Brabham. | Noted. |
|   |   | Lee-Anne Woodgate & Oliver  
Pearsall IGA  
155 Willespie Drive PEARSALL WA 6065 | No affected property address given. | No objection. Support the modification as it will be of benefit, given the lack of current medical and retail facilities | Noted. |
<table>
<thead>
<tr>
<th></th>
<th>Name</th>
<th>Lot Number (Address)</th>
<th>Details</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.</td>
<td>Stephen William Myers</td>
<td>Lot 1049 (No 164) Pannage Way Brabham</td>
<td>No objection. Support the modification as it will be of benefit, given the lack of current medical and retail facilities in the area.</td>
<td>Noted</td>
</tr>
<tr>
<td>10.</td>
<td>Nirbhai Sohi</td>
<td>Lot 1015 (No 137) Pannage Way Brabham</td>
<td>No objection. Support the modification as it will be of benefit, given the lack of current medical and retail facilities in the area.</td>
<td>Noted</td>
</tr>
<tr>
<td>11.</td>
<td>Benjamin Bartley</td>
<td>Lot 435 (No 57) Cob Road Babham</td>
<td>No objection. Support the modification as it will be of benefit, given the lack of current medical and retail facilities in the area.</td>
<td>Noted</td>
</tr>
<tr>
<td>12.</td>
<td>Joshua and Nicole Grimm</td>
<td>Lot 1010 (No 127) Pannage Way Brabham</td>
<td>No objection. Support the modification as it will be of benefit, given the lack of current medical and retail facilities in the area.</td>
<td>Noted</td>
</tr>
<tr>
<td>13.</td>
<td>Manjunatha Sampangi and Meenakshi Manjunatha</td>
<td>Lot 435 (No 20) Constable Street Brabham</td>
<td>No objection. Support the modification as it will be of benefit, given the lack of current medical and retail facilities in the area.</td>
<td>Noted</td>
</tr>
<tr>
<td>No.</td>
<td>Name and Address</td>
<td>Lot Number</td>
<td>Location</td>
<td>Comment</td>
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</tr>
<tr>
<td>14.</td>
<td>Manohara Kayangala and Prathima Bangera 9 Ferding Way BRABHAM WA 6055</td>
<td>Lot 435 (No 9) Ferding Way Brabham</td>
<td>No objection. Support the modification as it will be of benefit, given the lack of current medical and retail facilities in the area.</td>
<td>Noted.</td>
</tr>
<tr>
<td>15.</td>
<td>Debbie Edge 18 Tallage Loop BRABHAM WA 6055</td>
<td>Lot 436 (No 18) Tallage Loop Brabham</td>
<td>No objection. Support the modification as it will be of benefit, given the lack of current medical and retail facilities in the area.</td>
<td>Noted.</td>
</tr>
<tr>
<td>16.</td>
<td>Keith and Janis Hancock 55 Cob Road BRABHAM WA 6055</td>
<td>Lot 435 (No 55) Cob Road Brabham</td>
<td>No objection. Support the modification as it will be of benefit, given the lack of current medical and retail facilities in the area.</td>
<td>Noted.</td>
</tr>
<tr>
<td>17.</td>
<td>Uthra Konda Ramprasad and Ramprasad Konda Nandagopal 106 Palfrey Stret BRABHAM WA 6055</td>
<td>Lot 362 (No 106) Palfrey Street Brabham</td>
<td>No objection. This new location will work really well and help in the development of the neighbourhood community.</td>
<td>Noted.</td>
</tr>
<tr>
<td>18.</td>
<td>Anna Le Roux 59 Cob Road BRABHAM WA 6055</td>
<td>Lot 435 (No 59) Cob Road Brabham</td>
<td>No objection. Submitter is very pleased with the change.</td>
<td>Noted.</td>
</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Address</td>
<td>Lot Description</td>
<td>Objection</td>
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<tr>
<td>25.</td>
<td>Matt Craven Kelly</td>
<td>PO Box 1618 OSBOURNE PARK Wa 6916</td>
<td>Lot 345 Woolcott avenue Brabham</td>
<td>No objection.</td>
</tr>
<tr>
<td>26.</td>
<td>Ken Jones</td>
<td>204 Park Street HENLEY BROOK WA 6055</td>
<td>Lot 63 (No 204) Park Street Henley Brook</td>
<td>No objection.</td>
</tr>
<tr>
<td>No.</td>
<td>Name</td>
<td>Address</td>
<td>Comments</td>
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<td>31.</td>
<td>Department of Communities</td>
<td>Objection. The proposed medical Centre is not consistent with the Activity Centre hierarchy outlines in WAPC policy SPP4.2. A Local Centre should not entail this type of mix of land uses</td>
<td>Noted. Response contained within Council Report under &quot;Appropriateness of Medical Centre&quot;</td>
<td></td>
</tr>
<tr>
<td>32.</td>
<td>Department of Education</td>
<td>No objection. Provided liquor outlets are not approved in the activity node.</td>
<td>Noted. Specific use approvals will be subject of subsequent development approval planning stages.</td>
<td></td>
</tr>
<tr>
<td>33.</td>
<td>Department of Fire and Emergency Services</td>
<td>No Objection. The proposal will not</td>
<td>Noted.</td>
<td></td>
</tr>
</tbody>
</table>
trigger the need for a referral under SPP3.7, however there are areas within the LSP that area designated as bushfire prone and therefore the application of SPP3.7 may apply. The LSP report makes reference in sections 6.6.2 and 8.8.7 to a secondary emergency way being provided which does not comply with the technical requirements of the Guidelines. It is recommended that the BMP be updated to align with the latest version (1.2) of the Guidelines for Planning in Bushfire Prone Areas prior to subsequent planning stages. DFES have incorrectly referenced the former LSP report. The modified report states that a BMP will be required to be prepared by the developer as a condition of subdivision approval as deemed necessary (section 4.4). As such, DFES will have the opportunity to recommend to the WAPC for an amended BMP at subsequent subdivision stages.

<table>
<thead>
<tr>
<th></th>
<th>Department of Water and Environmental Regulation</th>
<th>Department of Water and Environmental Regulation</th>
<th>Department of Water and Environmental Regulation</th>
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<tbody>
<tr>
<td>34.</td>
<td>No objection. The proposal is of no interest to the former Department of Water and therefore has no comments</td>
<td>No objection.</td>
<td>Noted.</td>
</tr>
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<td>35.</td>
<td>ATCO Gas</td>
<td>No objection Standard advice provided</td>
<td>Noted.</td>
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<td>36.</td>
<td>Western Power</td>
<td>No objection</td>
<td>Noted.</td>
</tr>
<tr>
<td>No.</td>
<td>Company</td>
<td>No objection</td>
<td>Standard advice provided.</td>
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<tr>
<td>37</td>
<td>Water Corporation</td>
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<td></td>
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<tr>
<td>38</td>
<td>Telstra</td>
<td></td>
<td></td>
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<tr>
<td>39</td>
<td>Department of Transport</td>
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