

CITY OF ALBANY

LOCAL PLANNING SCHEME NO. 1

AMENDMENT No 28

MINISTER FOR PLANNING

PROPOSAL TO AMEND A LOCAL PLANNING SCHEME

LOCAL AUTHORITY:

CITY OF ALBANY

DESCRIPTION OF LOCAL
PLANNING SCHEME:

LOCAL PLANNING SCHEME No. 1

TYPE OF SCHEME:

DISTRICT SCHEME

SERIAL No. OF AMENDMENT:

AMENDMENT No. 28

PROPOSAL:

- i. Designating Lot 312 Bay View Drive as an 'Additional Uses' site No. 33 and including it in Schedule 2 of the Scheme Text in the following manner:*

Schedule 2 – Additional Uses (Cl 4.5)			
No.	Description of Land	Additional Use	Conditions
AU 33	Lot 312 Bay View Drive, Little Grove	Grouped Housing ('A') Multiple Housing ('A')	<p>I. At the time of subdivision and/or development, the local government may request the provision of a Local Area Plan (to be adopted as a Local Planning Policy) to guide development of 'Additional Uses'.</p> <p>II. The R30 code and Mixed Use Development requirements, as set out in the Residential Design Codes (Part 6) shall apply to the development of dwellings in conjunction with commercial and/or other non-residential uses.</p> <p>III. Where residential development is proposed separate to commercial use, detailed design provisions are to be provided showing how the residential development can accommodate commercial use in the future.</p>

and

- ii. amending the Scheme Maps accordingly.*

LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 28

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2. REPORT
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**RESOLUTION TO PREPARE AMENDMENT
TO LOCAL PLANNING SCHEME**

**CITY OF ALBANY
LOCAL PLANNING SCHEME No. 1**

DISTRICT SCHEME

AMENDMENT No. 28

RESOLVED that the local government pursuant to Section 72 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

- i. *Designating Lot 312 Bay View Drive as an ‘Additional Uses’ site No. 33 and including it in Schedule 2 of the Scheme Text in the following manner:*

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and

- ii. *amending the Scheme Maps accordingly.*

The amendment is standard under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason.

- The amendment is consistent with the Albany Local Planning Strategy, which sets a strategic objective to support urban infill development based on compatibility of land uses and infrastructure capacity;
- The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment; and
- The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this _____ day of _____

CHIEF EXECUTIVE OFFICER

CITY OF ALBANY

LOCAL PLANNING SCHEME NO. 1

AMENDMENT No. 28

PLANNING REPORT

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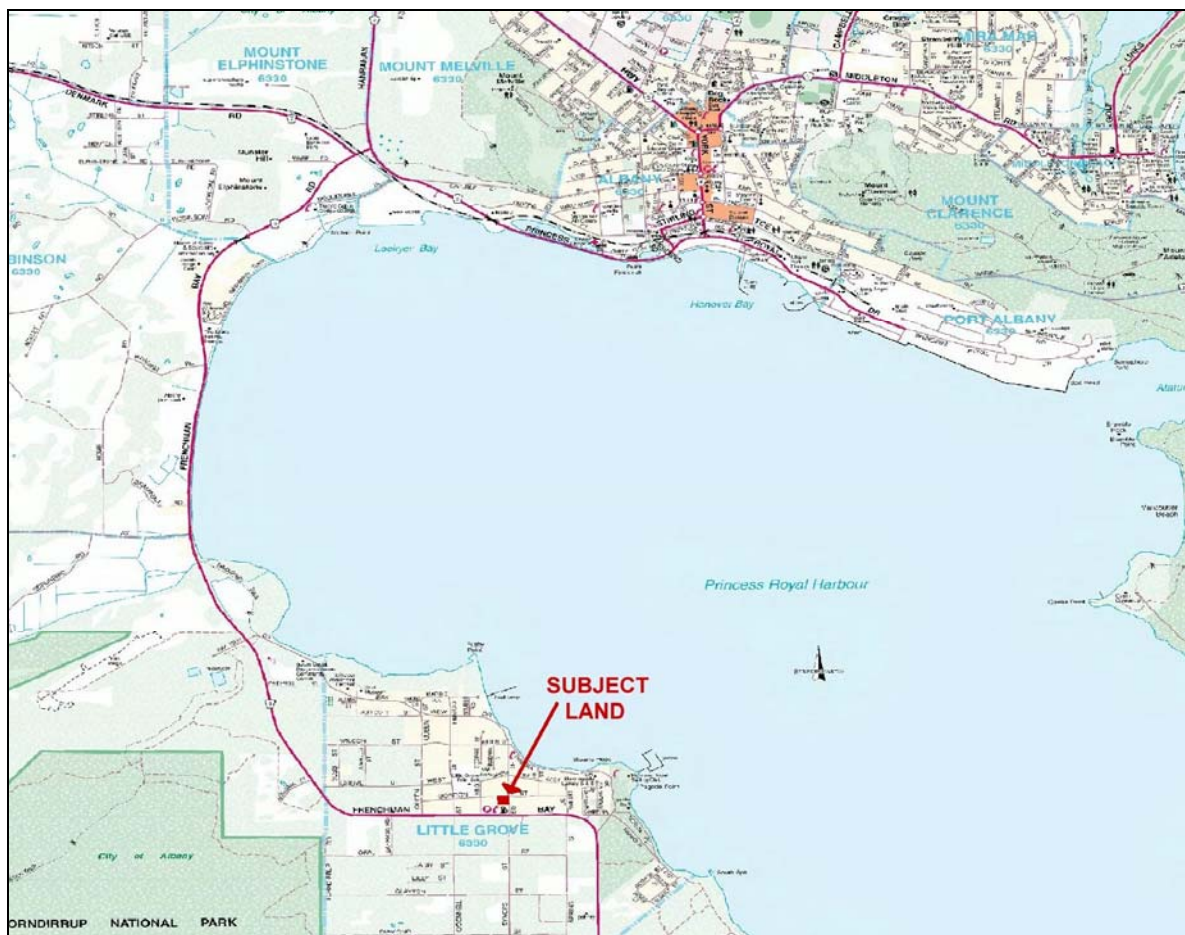
1. INTRODUCTION

The purpose of this amendment to the City of Albany Local Planning Scheme No 1 is to facilitate residential and mixed use development within the Little Grove 'Local Centre' zone by designating 'Grouped Housing' and 'Multiple Housing' development as discretionary uses within the zone.

The following report provides background information and justification for the proposed Scheme amendment.

2. BACKGROUND

Lot 312 Bay View Drive is located on the corner of Gordon Street and Bay View Drive immediately behind Lot 1 which contains the Little Grove Local Centre which is located on the corner of Frenchman Bay Road and Bay View Drive. Refer to Location Plan below.



LOCATION PLAN

Lot 312 is 1400m² in area and is currently underdeveloped. Together with Lot 1 it is zoned 'Local Centre' under the provisions of the City of Albany Local Planning Scheme No 1.

The existing local centre on Lot 1 consists of a service station and convenience/liquor store which together with access ways and car parking occupy around 65% of the site.

The shop retail floorspace is approximately 400m² in area and incidental office space occupies a further 25m².

The key planning document relating to the distribution and development of retail centres in Albany is the City of Albany's 'Activities Centre Planning Strategy' (ACPS) which was endorsed by the Council in June 2010.

The Strategy notes that Local Centres play an important role in Albany, providing a local convenience service. However, as the higher order services provided by the larger neighbourhood centres also provide a local convenience function, the need for future purely-local centres is considered limited.

Local Centres are allowed to develop Shop/Retail floorspace up to 600²m, although the ACPS notes that most will probably remain smaller than this.

The Strategy recommends that Local Centres:

- Encourage and facilitate the development of other local-serving uses at an appropriate scale within local activity centres. Such uses could include some local offices and residential development.
- Where practicable, within a 100 metre radius of local centres, facilitate increased residential density of at least R30, preferably R40. This will enhance the commercial potential of these centres.
- Allow additional, appropriately sited, local activity centres to be planned in new urban areas as part of the structure planning process, to serve as (amongst other things) focal points for increased residential densities.

The first dot point is relevant to this amendment proposal as it encourages the development of residential development as well as other local servicing uses such as some local offices. While offices are a discretionary use within the 'Local Centre' zone, a single house, grouped dwelling and multiple dwelling are not permitted.

Other uses which may be considered within the 'Local Centre' zone include:

Amusement Parlour	Industry - service
Caretaker's Dwelling	Market
Child Care Premises	Medical Centre
Civic Use	Office
Club Premises	Restaurant
Community Purposes	Service Lunch Bar
Consulting Rooms	Service Station
Convenience Store	Shop
Dry Cleaning Premises	Small Bar
Exhibition Centre	Storage
Fast Food Outlet	Tavern
Industry – Cottage	Veterinary Service

While some of the above uses may not be suitable for particular locations, their retention will allow for their consideration in an appropriate situation without having to go through the process of a Scheme amendment.

Current practice generally excludes the development of a 'Single House' and most Schemes in WA encourage 'Grouped Housing' and 'Multiple Housing' within a 'Local Centre'.

With regard to proposed retail development in the locality, the only proposal is a 'Village Centre' associated with the Big Grove Outline Development Plan. The Village Centre is nominated for convenience shopping and commercial uses along with complimentary residential uses.

The size of the centre was not determined as it was considered outside the study time frame. However, it was noted that surrounding development potential could support a small to medium sized Neighbourhood Centre.

Within this context, the Little Grove Local Centre is likely to remain a local centre and will have the capacity to extend from 400m² Shop Retail to 600m² should demand increase pending the development of the Big Grove Centre.

This additional floorspace can be more than adequately catered for within the vacant land remaining within Lot 1, together with possibly other appropriate commercial uses listed in the use class table.

As Lot 312 will not be required for Shop Retail floorspace, provision for predominantly residential mixed use development will meet the intent of the objectives contained in the 'Activity Centre Planning Strategy'. An R30 residential density is recommended with reference to Requirements 34 to 35 of Element 3 of Livable Neighbourhoods.

ALL AREAS AND DIMENSIONS ARE SUBJECT TO SURVEY



3. PROPOSED SCHEME AMENDMENT

In order to provide for residential mixed use development within Lot 312, it is proposed to retain the 'Local Centre' base zone, which provides for a wide range of commercial uses, and designate it as an 'Additional Uses' site with 'Grouped Housing' and 'Multiple Housing' based on the R30 Residential Density Code, as 'A' uses, i.e. uses that may be permitted at the discretion of Council.

Residential development within Lot 312 may be permitted as an interim use providing the ground floor can be converted to commercial use. Detailed design can cater for the transition from residential use by ensuring buildings are constructed to allow easy conversion to commercial (or partial) use by, for example, providing separate front and rear entrances, facades and setbacks and internal stud walls so that the front room can be converted to commercial use.

At the time of redevelopment/subdivision the provision of a Local Area Plan outlining how the site and buildings can accommodate residential mixed use development may be required by Council.

Conditions to be included in Schedule 2 – Additional Uses of the Scheme Text are recommended to cover:

- The provision of a Local Area Plan at the time of subdivision and/or development.
- The R30 code and Mixed Use Development requirements, as set out in the Residential Design Codes shall apply to the development of dwellings in conjunction with commercial and/or other non-residential uses.
- Where residential development is proposed separate to commercial use, detailed design provisions are to be provided showing how the residential development can accommodate commercial use in the future.

4. CONCLUSION

A there is sufficient scope for additional retail and/or commercial use to be developed on Lot 1 abutting the subject land, there is an opportunity to provide for residential development to be considered on the subject land, being Lot 312.

The City of Albany ACPS encourages the residential development and other local serving uses at an appropriate scale within Local Activity Centres.

The designation of Lot 312 as an “Additional Uses” site with “Grouped Housing” and “Multiple Housing” is recommended to meet the intent of the ACPS. An R30 Density Code for the residential component is proposed.

Preparation of a Local Area Plan at such time as development or subdivision will enable either residential development as an interim use to be considered, with the ability to accommodate appropriate commercial development in the future.

PLANNING AND DEVELOPMENT ACT 2005

CITY OF ALBANY

LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 28

The City of Albany 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:

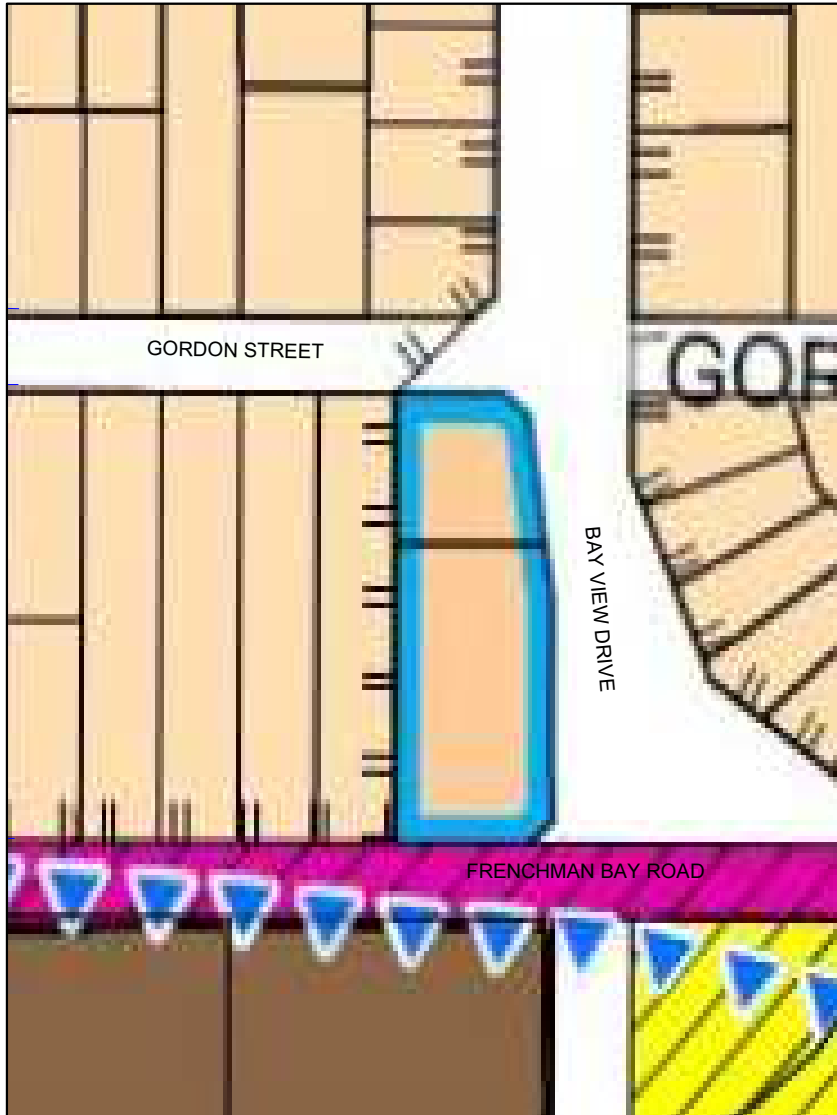
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and

- ii. amending the Scheme Maps accordingly.*




Existing Zoning



LEGEND




LOCAL SCHEME RESERVES

(see scheme text for additional information)

-  Local road
-  Priority road
-  Public use




LOCAL SCHEME ZONES

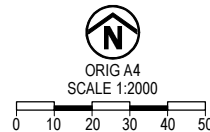
(see scheme text for additional information)

-  Local centre
-  Residential
-  Rural residential

OTHER CATEGORIES

(see scheme text for additional information)

-  R20 R Codes
-  A1 Additional uses
-  Public drinking water sources special control areas (see c.6.3)



Proposed Zoning



ADOPTION

Adopted by resolution of the Council of the City of Albany at the Meeting of the Council held on the _____ day of _____ 20_____.

Mayor

Chief Executive Officer

FINAL APPROVAL

Adopted for final approval by resolution of the City of Albany at the Meeting of the Council held on the _____ day of _____ 20_____ and the Common Seal of the City of Albany was hereunto affixed by the authority of a resolution of the Council in the presence of:

Mayor

Chief Executive Officer

Recommended/Submitted for Final Approval

**Delegated Under S.16
of the PD Act 2005**

Date

Final Approval Granted

Minister for Planning

Date