



ATTACHMENTS

Planning and Development Committee Meeting

07 October 2015

5.30pm

City of Albany Council Chambers

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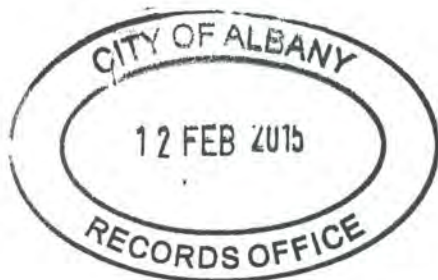
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	PD101	ADOPTION OF SCHEME AMENDMENT – LOTS 312 AND 1315 COCKBURN ROAD, MIRA MAR	TBA

Local Structure Plan No. 1

Landowners and Business Entities

S R & P Negri
T J Sampson
D J & E A Brown
S R Simmons
E J & C F Goodchild
D R & M E Palmer
B J Burns
R F Burns
R J Goad
N D & L B Bastian
B M & C A Bowman
J L Belfield
J & M Belfield
S R Western
G & K J Millman
J S & T L Koster
J & C M Dykstra
D P & C A Meade
W & C Zalewski
L Gatti

Palmer Earthmoving (Australia) Pty Ltd
Westtrees Pty Ltd
Luke Gatti Super Pty Ltd
Glenn Gatti Super Pty Ltd
Caltex Energy WA
CSR (Aust) Pty Ltd
Walgoolan Superannuation Pty Ltd
Pridco Pty Ltd
Paceview Pty Ltd
Peters Investments Pty Ltd
Southern Regional Transport Pty Ltd
Tabport
Penris Pty Ltd
Fheo Pty Ltd



Your ref: LSP1/PA52274/LSP1
 Our ref: 853/05/04/0005P0213
 Enquiries: Georgina Folvig

City of Albany Records
 Doc No: ICR15166944
 File: LSP1
 Date: 12 FEB 2015
 Officer: TSODS1:MPS

City of Albany
 PO Box 484
 ALBANY WA 6331

Attach:
 Box:
 Vol:
 Box+Vol:

Attention: Craig McMurtrie - Planning Officer

Dear Craig

MODIFIED DEVELOPMENT GUIDE PLAN: GENERAL INDUSTRIAL AREA IA2 - PENDEEN INDUSTRIAL ESTATE

In response to your letter dated 30 January 2015, the WAPC considers that the proposed modification to the development guide plan, to remove the requirement for landscaping along the southern boundaries of Lots 61, 62 and 163, is a minor change that does not materially alter the intent of the plan and is thus consistent with Clause 5.9.1.6.1 of the City's Local Planning Scheme No. 1.

The WAPC recommends that the following additional changes are incorporated into the modified Pendeen Industrial Estate Development Guide Plan:

MODIFICATION	REASON
Delete the Table of Lot Areas	The table does not serve a planning purpose & has the potential to unduly restrict subdivision of balance lots.
Delete all 'proposed' lots	As above
Delete lot numbers	Lot numbers may change due to re-subdivision and/or amalgamation of lots
As per Figure 1, attached: <ul style="list-style-type: none"> Note that there is no access to Chester Pass Road from Pendeen Road Reconfigure the east - west road in the north to connect through to Chester Pass Road Show northern loop road as indicative only Reinstate <200 metre Buffer Zone over Lots 90 and 9000 & extend over Lots 9 & 10 (on the south side of Menang Drive) Apply 60 metre wide Landscaped Buffer to Lots 9 & 10 	<p>As per MRWA requirements</p> <p>To reflect current subdivision approval</p> <p>Ultimate configuration of this road will respond to future subdivision.</p> <p>Consistency</p> <p>LPS1 has included Lots 9 & 10 within IA2 and conditions of subdivision or re-development should be consistent</p>

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 www.planning.wa.gov.au
 ABN 35 482 341 493

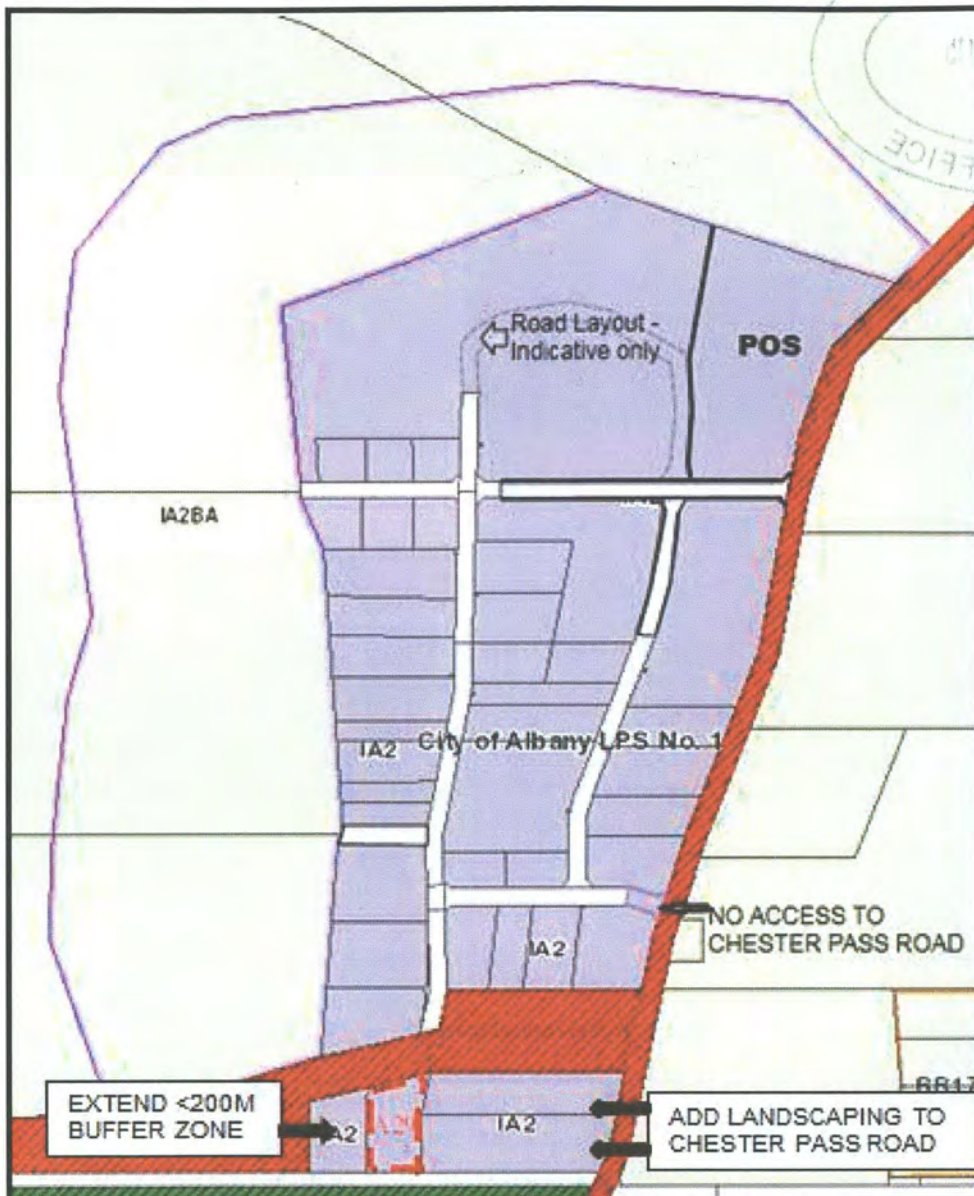


Figure 1

Please contact Georgina Folvig on 9892 7305 or email georgina.folvig@planning.wa.gov.au if you have any queries regarding the recommended changes.

On completion of the changes, please forward an endorsed copy of the Development Guide Plan for our records.

Yours sincerely

Tim Hillyard
Secretary
Western Australian Planning Commission

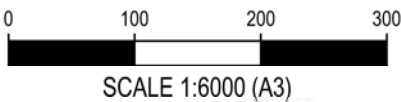
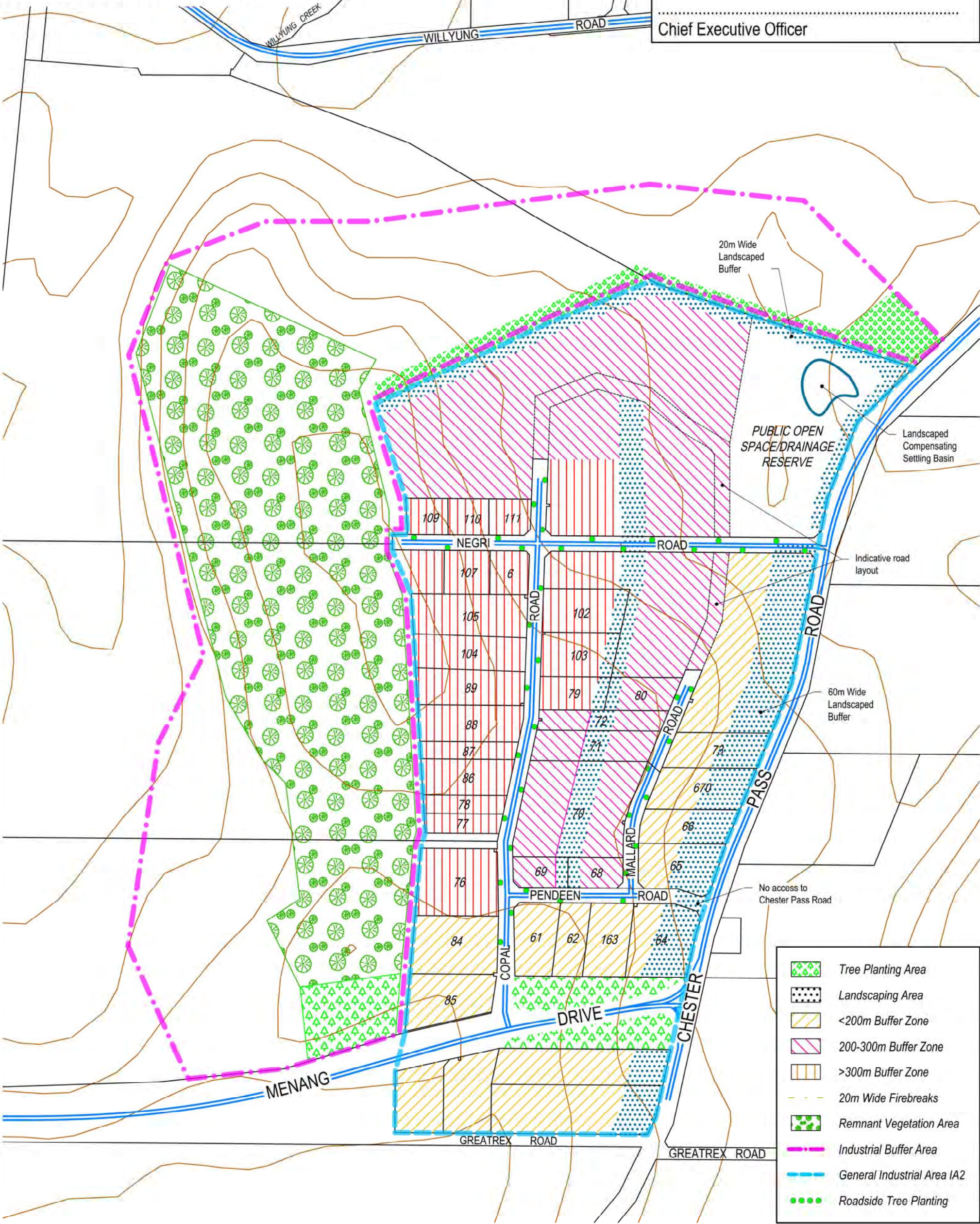
11 February 2015

DEVELOPMENT GUIDE PLAN
General Industrial Area IA2
Pendeen Industrial Estate

Adopted by Resolution of the Council of the City of Albany at the ordinary meeting of the Council held on the day of 201....

.....

Chief Executive Officer



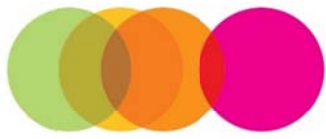
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Website: www.albany.wa.gov.au

PROJECT
PENDEEN INDUSTRIAL ESTATE

LOCATION
**PENDEEN INDUSTRIAL ESTATE
WILLYUNG, CITY OF ALBANY**

DRAWING SCALE
1:1000 @ A4

APRIL 2015



Harley Dykstra

PLANNING & SURVEY SOLUTIONS

Amendment No.16

City of Albany Local Planning Scheme No.1

Lot 734 (No.33) Barker Road, Centennial Park

Special Use Site No.17

Prepared by Harley Dykstra Pty Ltd for Portstyle Enterprises Pty Ltd

ALBANY

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9ACN 009 101 786 ABN 77 503 764 248



FS 536019

Planning and Development Act 2005

**RESOLUTION TO ADOPT AMENDMENT TO
LOCAL PLANNING SCHEME**

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1, SCHEME AMENDMENT No. 16

Resolved that the local government pursuant to section 75 of the Planning and Development Act 2005, amend the above Local Planning Scheme by:

- (1) *Modifying Schedule 4 – Special Use Zones No. SU17, Condition 1 to include ‘Park Home Park’ as a land use with ‘D’ permissibility; and*
- (2) *Modifying Schedule 4 – Special Use Zones No. SU17, to insert a new Condition 6 stating ‘The development of the Park Home Park use will be subject to demonstrating compliance of proposed park homes with the Residential Design Codes as well as the Caravan Parks and Camping Grounds Regulations 1997’.*

The Amendment is standard under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reason(s):

- *The amendment is consistent with the objective identified in the scheme for the zone, which is to provide for residential or tourist residential uses;*
- *The amendment is consistent with the Albany Local Planning Strategy, which identifies the site as part of the ‘City Centre’ area and sets a strategic objective to support urban infill development based on compatibility of land uses and infrastructure capacity; 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.....20.....

..... (Chief Executive Officer)

DOCUMENT CONTROL

Control Version	DATE	Status	Distribution	Comment
A	28.05.15	Draft	Client	Draft for Comment and Approval
B	24.09.2015	Final	City of Albany	Lodged with CoA for Approval
C	25.09.2015	Final	City of Albany	Resolution page revised per CoA request

Prepared for: Portstyle Enterprises Pty Ltd

Prepared by: DC

Reviewed by: HD

Date: 23.09.2015

Job No & Name: 14456 Portstyle

Version: C

DISCLAIMER

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This document has been exclusively drafted. No express or implied warranties are made by the Consultant regarding the research findings and data contained in this report. All of the information details included in this report are based upon the existent land area conditions and research provided and obtained at the time the Consultant conducted its analysis.

Please note that the information in this report may not be directly applicable towards another client. The Consultant warns against adapting this report's strategies/contents to another land area which has not been researched and analysed by the Consultant. Otherwise, the Consultant accepts no liability whatsoever for a third party's use of, or reliance upon, this specific document.

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1 INTRODUCTION & PROPOSAL

This Scheme Amendment is in relation to Lot 734 (No.33) Barker Road, Centennial Park (herein referred to as the 'subject site'). It establishes the strategic suitability of amending the conditions guiding development on Special Use Site No.17, contained in Schedule 4 of the City of Albany Local Planning Scheme No.1.

The purpose of the proposed amendment to the City of Albany Local Planning Scheme No.1 is to insert 'Park Home Park' as a discretionary ('D') use on the subject site. The purpose of this is not to change the form of the development that will eventuate on the subject site, rather the management of the subject site. This is outlined in further detail throughout this report.

1.1 Purpose and Benefits of the Proposal

The proposal to amend the Special Conditions applicable to Special Use Site No.17 seeks to include 'Park Home Park' as a discretionary use on the subject site, benefitting the management of the development. It will have the following benefits:

- Provide a good quality built form demanded by the aging population of Albany;
- Provide a highly demanded model of home ownership and management in close proximity to the central area and other high quality amenities of the City of Albany;
- Provide a management structure that ensures a high standard of landscaping and maintenance is undertaken consistently, resulting in a complex with high amenity in the long term; and
- Provide low maintenance, medium density housing.

Initial consultation with the City of Albany indicated that their main concern regarding the proposal was that it would reduce the quality of the development on the subject site. However, consideration should be given to the fact that the grouped dwelling development granted Planning Scheme Consent by the City of Albany will not change to accommodate the proposed additional land use. This grouped dwelling application showed a layout and housing design that would be synonymous with a 'Park Home Park'. Therefore, the form and quality of development will not change, with the proposal purely required to allow the management and ownership of the dwellings to be undertaken under the *Caravan Parks and Camping Grounds Regulations 1997*. This allows for more flexible leasing and management arrangements for a form of housing that is highly desired by the over 50 demographic.

With the inclusion of the 'Park Home Park' as a discretionary use within Special Use Site No.17, we would anticipate the City of Albany would require a condition applicable to 'Park Home Park', requiring that if a 'Park Home Park' was approved, the residential buildings would still have to comply with the Residential Design Codes. This therefore resolves the notion that type of development will be somewhat modified by the proposal to amend the scheme.

2 SITE DETAILS

2.1 Site Overview

The subject site is located on Barker Road, approximately 1km from the Albany CBD and contains an area of approximately 2.7ha. A location plan is included in Figure 1 below.



Figure 1: Location Plan

[Source: Google Earth]

Surrounding land uses include:

- The Albany Leisure and Aquatic Centre (north);
- Hercules Crescent 'Regional Centre Mixed Business' zoned land (south);
- Albany Garden Holiday Resort zoned 'Caravan and Camping' (west);
- Park Home Park zoned 'Tourist Residential R30/50' (west); and
- Centennial Park 'Light Industry' zoned land (east).

The surrounding area is made up of a mix of land uses typical with this area. It is important to note that the question concerning this application is not that the site will be developed for residential uses, it is the strategic question of the site being used for 'Park Home Park'. This does not differ greatly from the previously approved grouped dwelling proposed. It should also be considered that adjoining the subject site is an existing 'Park Home Park' which provides a good quality of accommodation and is appropriate for the area.

The subject site is flat and currently being constructed in accordance with City of Albany Planning Scheme Consent P2130535. All necessary services and infrastructure are being developed on the site in accordance with this approval.

2.2 Planning History

Planning Scheme Consents have been issued by the City of Albany for the subject site for the development of grouped dwellings (P2130535 & P2150050). These approvals apply to the development of the first stage of Grouped Dwellings (x 21) and second and third stages of Grouped Dwellings (x 50). A copy of the approved Development Plans are included in **Appendix A**.

This approval applied to the layout of the subject grouped dwelling development. However, the development of the grouped dwellings themselves was subject to further refinement, with any additional design required to be provided to the City of Albany to be added to the Planning Scheme Consents, subject to compliance with the Residential Design Codes and other applicable planning framework (Condition A2 of Planning Scheme Consent P2130535 and Condition A5 of Planning Scheme Consent P2150050).

The reason for this process was to give flexibility to the final design of dwellings to be placed on the grouped dwelling sites, so long as they were fully compliant with the necessary requirements, thus voiding the necessity for separate planning applications and approvals to be undertaken and issued for each grouped dwelling if varying designs were progressed.

3 PLANNING REQUIREMENTS

3.1 City of Albany Local Planning Scheme No.1

The purpose of the proposed amendment is to amend the discretionary uses allowed on Special Use Site No.17 of the City of Albany Local Planning Scheme No.1 (LPS 1) to include 'Park Home Park'. The definition of 'Park Home Park' is listed within the *Caravan Parks and Camping Grounds Regulations 1997*, as follows:

"means a caravan park at which park homes, but not any other caravans or camps, are situated for habitation;"

The above definition specifically precludes the site being used for a caravan park or camping ground and must be used for permanent park home accommodation.

As outlined above, the subject site is identified as Special Use Site No.17 by LPS 1. This Special Use Site identifies the types of uses that are allowable, one of which is a 'Grouped Dwelling' which has been approved and is being constructed on the subject site. Other conditions of Special Site No.17 relate to noise attenuation and treatment/setback to Yakamia Creek.

The proposed amendment to LPS 1 will result in 'Park Home Park' being added as a discretionary ('D') use on Special Use Site No.17. The proposed amendment is to be judged on merit only and will have no implications for other sites across the City of Albany.

3.2 Albany Local Planning Strategy

The Albany Local Planning Strategy (ALPS) classifies the subject site as *City Centre*. This use applies to a broad area and mix of uses that are contained within the centre of Albany, including residential, mixed business, recreation and industry.

The main purpose of identifying the *City Centre* classification is to preserve the integrity of the centre of Albany as the main retail, economic and social hub of the City. The proposal to identify *Park Home Park* as a discretionary use within Special Use Site No.17 will not compromise the use of the land. It will still be used for residential uses, as per the approval applicable to the land. However, the management of the subject site will then be able to be altered to a model compliant with the *Caravan Parks and Camping Grounds Regulations 1997*. Therefore, the use and form of development on the subject site for permanent residential will not change, only the model of management and tenure applicable to it, should the proposed discretionary use be supported.

Further to the above, ALPS highlights that medium density urban infill should be promoted in the Albany City Centre, as is approved/proposed on the subject site. As the proposed amendment is not changing the form of the approved uses on the subject site (only the management) and it will still constitute medium density urban infill - it is deemed consistent with the requirements of the Albany Local Planning Strategy.

3.3 Caravan Parks and Camping Grounds Regulations 1997

3.3.1 Introduction

The *Caravan Parks and Camping Grounds Regulations 1997* guide the development of caravan parks and camping grounds in Western Australia, but more importantly, apply to the development, management and tenure of park home parks. In some circumstances park home parks are established within existing caravan parks, but this does not always occur, particularly the neighbouring site which is zoned 'Tourist Residential' by LPS 1.

3.3.2 Land Use

Should the proposal to include *Park Home Park* as a discretionary use on Special Use Site No.17 be permitted by the City of Albany, the use on the subject site would then require approval of the City of Albany as an Application for Grant of Planning Scheme Consent. The purpose of this section of the report is to demonstrate that the approved grouped dwelling on the subject site will not need to change form, layout or proposed house design to comply with the requirements of the *Caravan Parks and Camping Grounds Regulations 1997*.

As shown on the attached Development Site Plans (**Appendix A**), which are approved by the City of Albany in separate Planning Scheme Consents as 'Grouped Dwellings', the following design parameters were applicable to the proposed development:

- 6m wide internal roads, with a 1.2m portion of the road surface (excepting entry) allocated as a pedestrian footpath, allowing vehicles to pass one-another, but also allowing a contained road environment. The *Caravan Parks and Camping Grounds Regulations 1997* requires a 6m minimum separation between sites for the provision of a road;
- Provision of 19 bays for visitors parking;
- Provision of courtyards for each unit, in excess of 20m², with most having a dimension greater than 4m;
- Setbacks between dwellings that are compliant with the Residential Design Codes. The minimum setback between units in the *Caravan Parks and Camping Grounds Regulations 1997* is 3m, which is achieved in all circumstances; and
- Provision of a 754m² landscaped Communal Open Space central and accessible within the development.

When considering the proposal, it should be considered by the City of Albany that the approved grouped dwelling has been designed to comply with the requirements of a Park Home Park. Therefore, the proposal to allow a change to the use of the land will not lead to a change in the use implemented on the site. The primary purpose of the amendment is to implement a change of management structure and tenure that would not be permitted for a grouped dwelling development.

Should it be required to ensure that the quality of the development is maintained, the inclusion of a condition applicable to development within Special Use Site No.17 could state that:

“The development of the Park Home Park use will be subject to demonstrating compliance of proposed park homes with the Residential Design Codes as well as the Caravan Parks and Camping Grounds Regulations 1997”

The above clause recognises that the use of the subject site must be permanent residential by nature and will result in a good quality of housing that complies with the Residential Design Codes. However, if approved as a *Park Home Park*, this will permit the management and tenure of the subject site in accordance with the requirements of the *Caravan Parks and Camping Grounds Regulations 1999*. This form of tenure that is more flexible and more desirable for the desired target market of the subject site which is seniors. This is also a form of development which results in good management and maintenance of landscaping and infrastructure, which is provided for under the park home park management structure.

3.3.3 Tenure and Management

The purpose of the proposal is to simplify the management of the subject site in the long term and not to modify the form of development that will eventuate. In simple terms, the difference between a grouped dwelling and park home park is summarised in the following:

- Within a park home park, the owner of the park home will pay for ownership of the park home, with a lease being paid to the manager for upkeep of common areas and facilities as well as the use of the site. It is then the manager’s responsibility to organise park home park maintenance.
- Within a grouped dwelling, each of the dwellings can either be leased and remain under a single ownership, or should a survey-strata subdivision be completed, each of the individual units can be owned as a separate entity. An annual payment to the body corporate for upkeep and maintenance of the facility.

The predominant benefit of a park home park is that it is a lock and leave facility. In most cases, all gardens and common areas are managed separate to the owners of the park homes, thus removing responsibility and providing for a well maintained facility in the long run. This type of development is well suited to retirees, as it enables them to have a home at a relatively cheap price whilst allowing them to leave and travel should they wish. In many cases, park home park development results in better management and maintenance of landscaping and infrastructure to ensure that the whole complex maintains a high amenity at all times. This is not always achieved in large grouped housing development with individual strata owners.

Within a survey-strata subdivision the arrangement can be more complicated. These properties are normally managed by a body corporate which is usually composed of owners, who arrange and determine maintenance, manage the budget of spending to be undertaken and other tasks. In a park home park development this is all managed separate to the owners of the dwellings, whilst still allowing them to own and occupy a permanent home.

4 REASON TO REQUIRE CHANGE

‘Park Home Park’ can also be identified as a ‘Lifestyle Village’. Lifestyle Villages generally:

- Offer a different experience for the resident than a traditional grouped dwelling development, or even a retirement village by comparison. They are more formally developed with amenities such as clubhouses and the like. In this instance, the approval to lifestyle village would allow us to establish a village park liaison committee with residents that would better maintain standards for the village, look at the use of any facilities such as the addition of a clubhouse, organise activities for residents and the like.
- Lifestyle villages are dealt with under the Residential Parks (Long-stay tenants) Act 2006, which provides somewhat clearer guidance for both the operator and the tenant in terms of obligations and benefits. While this can be dealt with through normal lease agreements it is beneficial for all parties to operate under the village model. This act also provides more clearly for ‘Park Rules’ to be made for the communal benefit of the village that might address noise, parking, sharing of common areas and the like. Again these can be dealt with through traditional tenancy agreements but the village model deals with these with greater clarity for all parties.
- Importantly the setting of park rules and the obligations to manage home alterations and additions can be clearly managed (controlled) through the lifestyle village model. We do not believe it is this model that provides for a myriad of home extensions, but in fact the operator of a particular village. Good management and village rules can ensure a high amenity development is maintained. There is a clear opportunity to control extensions and/or have requirements in place to be of materials, colours and finishes that match the home. We are happy to have any such approval linked to this, as we ourselves would retain this to ensure continued high standards.
- (Note that Development Approval to Stages 2 & 3 has been obtained, consistent with Stage 1, for all homes and there’s no intention to modify these).
- The park village model can often mean that residents are entitled to Rent Assistance. While this will always relate to an individual persons circumstances, the “El Cabello Lifestyle Village” north of Perth highlights this in their website See: <http://www.eclv.com.au/faq.html> (mid way down page).
- There is no desire in this case to run “short-stay” or caravan / camping style rental. The landowner is seeking to progress the project as a lifestyle village comprising long-stay tenants who own their home, while renting the home site. In this sense they are all “owner occupier” and have a vested interest in the village being maintained and operating well.

Good lifestyle villages can function as important communities for those seeking to downsize, while not wanting to pursue retirement villages with high cost rent / deposit schemes or more general villa developments where there is no opportunity for resident interaction.

Many lifestyle villages are developed remotely from town centres on the basis that “everything’s on site”. In this case we believe that the Centennial Park area offers an opportunity to operate a

high quality lifestyle village in the heart of Albany, with some facilities on site yet easy access to transport, hospitals, shops and the like. The lifestyle village model will provide an opportunity for residents who could not otherwise afford to live in such a location to do so.

5 CONCLUSION

The proposal to include the discretionary ('D') use of 'Park Home Park' on Special Use Site No.17 by amending the City of Albany Local Planning Scheme No.1 has sound planning grounds and is a standard amendment.

The proposal will not result in a reduced quality of development and will essentially mirror that which has been previously approved on the subject site by Planning Scheme Consents P2130535 and P2150050.

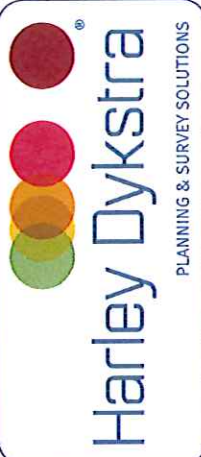
The proposal ensures that the use of the subject site for medium density housing can continue, but allows a modified form of ownership and management that is more desirable to the target market (being over 50's housing) in compliance with the *Caravan Parks and Camping Grounds Regulation 1997*. Without the use of 'Park Home Park' being permitted, this ownership and management would not be able to occur on the subject site within the current parameters of Special Use Site No.17.

It is respectfully requested that the City of Albany provides its support for the initiation of a Scheme Amendment to the City of Albany Local Planning Scheme No.1 allowing 'Park Home Park' to be added as a discretionary ('D') use within Special Use Site No.17.

APPENDIX A – APPROVED DEVELOPMENT SITE PLANS

DEVELOPMENT SITE PLAN

BORONIA LIFESTYLE VILLAGE
Lot 734 Barker Road
Albany



SCALE AT A3 1:1000
ALL DISTANCES ARE IN METRES

DRAWN
ABS 17/12/2014

CHECKED
SDP 17/12/2014

DRAWING NO
14456-12A.dgn

DATE
17/12/2014

DESCRIPTION
Original Drawing

REV
A

LEGEND

- OPEN SPACE / LANDSCAPE AREAS
- VEGETABLE GARDEN AREA
- GAZEBO & BBQ
- STAGE BOUNDARY
- BUILDINGS
- MASONRY ACOUSTIC WALL
- COMMON DRIVEWAY
- PEDESTRIAN FOOTPATH

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NOTE:
This plan has been prepared for planning purposes. Areas, contours and dimensions shown are subject to survey.

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THIS IS NOT A BUILDING LICENCE
AND DOES NOT GIVE AUTHORITY TO
COMMENCE CONSTRUCTION. A BUILDING
LICENCE IS REQUIRED TO BE OBTAINED
FROM COUNCIL PRIOR TO CONSTRUCTION.

Lot 732

REFER CONDITION A20

CITY OF ALBANY
PLEASE NOTE

This approval does not override the legal requirements shown on the plans of the property.

24

CITY OF ALBANY PLANNING SCHEME CONSENT

Is hereby granted under Temporary Constructed Basis of the
City of Albany, Town Planning Scheme No. 12
(as amended) subject to compliance with the
conditions on the attached notice.

TOWN PLANNER

No. PL130535 Date 10/12/2014

DYKSTRA PLANNING
Subdivision, Rezoning, Structure
Planning, Development Planning,
Design, Advisory
PO Box 316 Kalamunda WA 6001
Level 1, 2550 Fitzgerald St, Perth
T: (08) 9220 0201
E: 2554 Albany Highway, Kalamunda
T: (08) 9405 1047
admin@dykstra.com.au

PART DEVELOPMENT SITE PLAN

Lot 734 Barker Road
ALBANY

27 November 2013

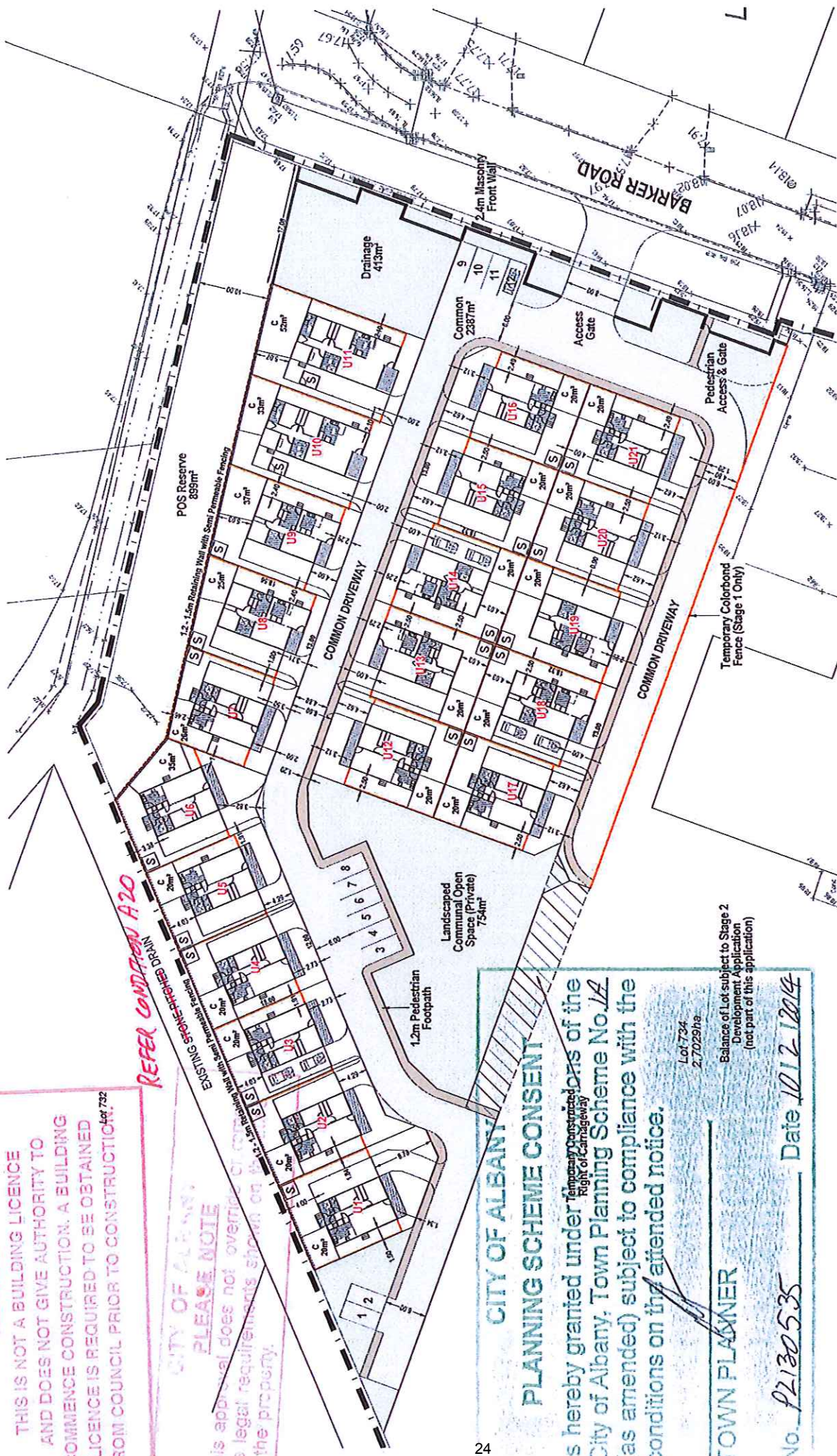


1:500 @ A3

Figure 4

Note:
• This document may only be used for the purpose for which it was prepared.
• The dimensions, areas and survey and also the requirements of the plans.

0074-GDP-POL-Page-1311114



CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 8

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
1	Environmental Protection Authority Locked Bag 33 Cloisters Square PERTH WA 6850	The Environmental Protection Authority (EPA) considers that the proposed scheme amendment should not be assessed under Part IV Division 3 of the <i>Environmental Protection Act 1986</i> (EP Act) and that it is not necessary to provide any advice or recommendations.	Nil.	The submission is noted.
2	Telstra Forecasting/Area Planning – South Western Access Network & Technology Locked Bag 2525 PERTH WA 6001	No objections. A network extension may be required for any development within the area concerned. The owner/developer will have to submit an application before construction is due to start to NBN Co. (for greater than 100 lots or living units in a 3 year period) or Telstra (less than 100 lots or living units). Developers are now responsible for telecommunications infrastructure, NBN or Telstra will provide the cable at the developers cost.	The advice provided will be useful in guiding development in future, but has no bearing on the proposed zoning changes.	The submission is noted.
3	Water Corporation PO Box 100 LEEDERVILLE WA 6902	The Corporation is able to service the development. Existing water and sewer mains are in adjoining streets and the lots are already served. Depending on demand, water meter sizes may need adjustment.	The advice provided will be useful in guiding development in future, but has little bearing on the proposed zoning changes.	The submission is noted.

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 8

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Name/Address Submitter	Summary of Submission	Officer Comment	Staff Recommendation
4	Mr J C Spark 24 Munster Avenue MOUNT CLARENCE WA 6330	<p>I wish to express my support for the amendment.</p> <p>The rezoning will address a historic anomaly, given that the property (Lot 103 Cockburn Road) has previously been used for commercial purposes and is well set up for commercial development including generous parking. Importantly, the rezoning will support local employment in an appropriate location.</p> <p>The properties are adjacent to commercial development and it is suggested that the rezoning will complement and not conflict with nearby land uses.</p> <p>It is respectfully requested that Council support the rezoning as proposed.</p>	The support for the proposed amendment is noted.	The submission is noted.
5	Mr N O'Keefe 49 Pinaster Road WILLYUNG WA 6330	<p>I wish to express my support for the amendment.</p> <p>The property (Lot 103 Cockburn Road) has previously been used for commercial purposes and is well suited for commercial development. The road that the premises are situated on is already predominately commercial, consisting of over 37 small, medium and large businesses of all forms. These include large businesses such as</p>	The support for the proposed amendment is noted.	The submission is noted.

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 8

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Name/Address Submitter	of	Summary of Submission	Officer Comment	Staff Recommendation
			<p>Cullity Timbers, a window manufacturer and a timber frame manufacturer. There are also small and medium business such as grocers, butchers, sign writers, a dental clinic and an extremely wide range of other business types.</p> <p>The property is directly adjacent to another commercial development and directly opposite to another, and I can see no reason for this rezoning to be anything but complimentary.</p> <p>Albany needs the ability to attract more business opportunities and I thank for the opportunity to make this submission in the hope that this rezoning receives approval from the relevant planning authorities.</p>		

City of Albany Local Planning Scheme No. 1 Scheme Amendment No. 8

**Lot 103 Cockburn Road and
Lot 104 Campbell Road
Mira Mar**



November 2014

Prepared by



www.edgeplanning.com.au

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

CITY OF ALBANY LOCAL PLANNING SCHEME NO. 1

AMENDMENT No. 8

Resolved that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005*, amends the above local planning scheme by:

1. Rezoning Lot 103 Cockburn Road, Mira Mar on Deposited Plan 300002 from "Residential R30" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
2. Rezoning Lot 104 Campbell Road, Mira Mar on Deposited Plan 300002 from "Residential R30" with "Additional Use AU17 Medical Centre" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
3. Amending the Scheme Map accordingly.

Dated this _____ day of _____ 2014

Chief Executive Officer

Date

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PROPOSAL TO AMEND A LOCAL PLANNING SCHEME

- | | |
|---|--|
| 1. LOCAL AUTHORITY: | City of Albany |
| 2. DESCRIPTION OF LOCAL PLANNING SCHEME: | Local Planning Scheme No. 1 |
| 3. TYPE OF SCHEME: | Local Planning Scheme |
| 4. SERIAL NUMBER OF AMENDMENT: | 8 |
| 5. PROPOSAL: | <ol style="list-style-type: none"> 1. Rezone Lot 103 Cockburn Road, Mira Mar on Deposited Plan 300002 from "Residential R30" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map. 2. Rezone Lot 104 Campbell Road, Mira Mar on Deposited Plan 300002 from "Residential R30" with "Additional Use AU17 Medical Centre" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map. 3. Amend the Scheme Map accordingly. |

REPORT BY THE CITY OF ALBANY

1. INTRODUCTION

The City of Albany seeks the support of the Western Australian Planning Commission (WAPC) and the approval of the Hon. Minister for Planning to:

1. Rezone Lot 103 Cockburn Road, Mira Mar on Deposited Plan 300002 from "Residential R30" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
2. Rezone Lot 104 Campbell Road, Mira Mar on Deposited Plan 300002 from "Residential R30" with "Additional Use AU17 Medical Centre" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
3. Amend the Scheme Map accordingly.

The purpose of this report and associated plans are to explain the proposal and set out the planning merits of rezoning Lot 103 Cockburn Road and Lot 104 Campbell Road (the site) to Regional Centre Mixed Business.

The site's proximity to the Albany city centre and other facilities (outlined in Figure 1) and that it is adjacent to commercial development (Figure 2) highlight its suitability for mixed business use. The scheme amendment will address as historic anomaly in the zoning of Lot 103. Lot 103 has previously being used for commercial purposes (including labour hire and training services). The generous parking, the large building size and the internal layout of the main building all suggest Lot 103 is suitable for commercial development. Amending the zoning on Lot 104 will ensure there is a consistent approach to the zoning of the site and for commercial development in the area. A medical centre use is a "D" (discretionary use) in the Regional Centre Mixed Business zone.

2. BACKGROUND

2.1 Cadastral details

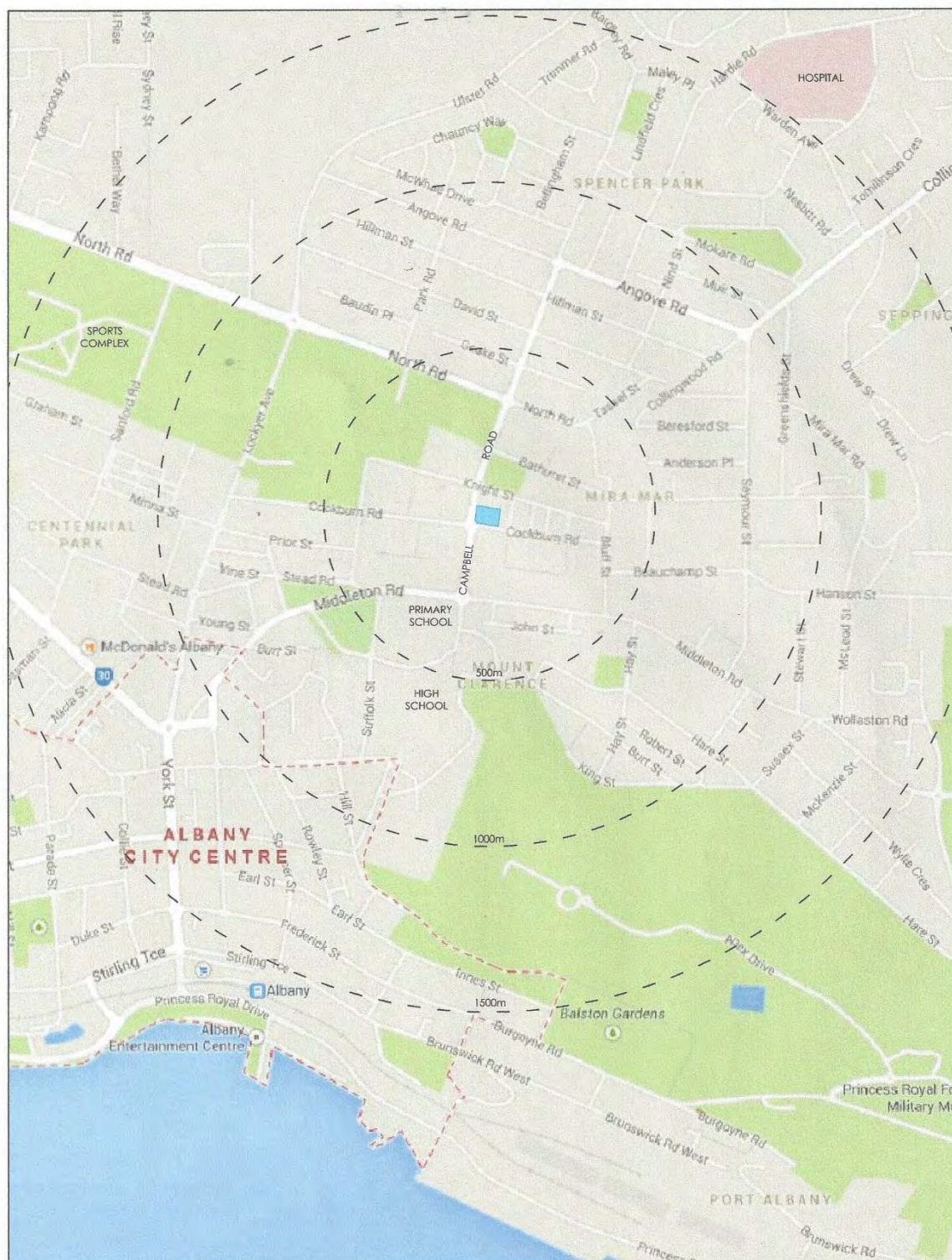
Cadastral details for the site are summarised below:

Lot	Deposited Plan	Volume	Folio	Area
Lot 103 Cockburn Road, Mira Mar	300002	1954	992	2054m ²
Lot 104 Campbell Road, Mira Mar	300002	1416	88	1700m ²

The registered proprietor of Lot 103 is Robert and Lizzi Stockdale, while T&O Management Pty Ltd own Lot 104. Copies of the current Certificate of Titles are included in Attachment 1.

2.2 Regional context

The site is situated in the City of Albany which is located 409 kilometres south-east of Perth. Albany is the regional centre for the Great Southern Region. The city provides a wide range of services and facilities to residents and visitors.



LOCATION PLAN

Lot 103 Cockburn Road and Lot 104 Campbell Road
Mira Mar
Albany

scale 1 : 15,000 @ A4



edge
PLANNING & PROPERTY

Edge Planning & Property
134 Hare Street, Mount Clarence
ALBANY WA 6330
E: steve@edgeplanning.com.au
N: 0429 107 336

Figure 1

2.3 Local Context

The site is located approximately 1.5 kilometres north-east of the Albany city centre (see Figure 1). The site adjoins and is surrounded by a wide range of uses (see Figure 2). This includes low and medium density residential development, commercial development, light industry along with medical practices and consulting room uses.

Cull Park is nearby and is proposed to be enhanced.

The current *City of Albany Local Planning Scheme No.1* (LPS1) zonings surrounding the amendment site are shown in the existing zoning map. Land to the north and east of the amendment site is land zoned Residential with a density coding of R30. Land to the east of the site along Cockburn Road (north side) is gradually undergoing consolidation for grouped dwellings.

Land to the west, south-west and south of the site is land zoned Regional Centre Mixed Business. Nearby commercial businesses include Reeves on Campbell, Retravision and Campbell Road Motors. Land to the south-east of the site is zoned Light Industry.

It is understood that there are proposals to seek City support to change the zoning of land to the south-west of the site (west of Campbell Road) from Residential R30 to a commercial zoning.

2.4 Physical Characteristics

The site has the following characteristics and features:

- it has a combined area of 3754m²;
- Lot 103 contains a large building which has in the past been used for commercial purposes including as an office for labour hire and training services. The buildings are currently not occupied. Lot 103 also contains an outbuilding in the north-east section;
- Lot 104 contains a medical clinic or more specifically the Albany Dental Centre. A planning approval has been issued by the City for the medical clinic;
- vehicular access to Lot 103 and Lot 104 are from Cockburn Road;
- the land is virtually flat with an approximate height of 23m AHD;
- it is cleared of native vegetation. Open areas are a mix of grass and replanted native vegetation and exotics;
- the soil landscape covering the site is coded as 242KgS7f, named "Minor Valleys S7 Floor Phase", described as "footslopes and swampy valley floors of minor valleys" with the soil type being predominantly semi-wet soils with deep sands/sandy duplexes as set out in the *Soil Landscape Mapping of South-Western Australia* (1987) by the Department of Agriculture and Food Western Australia; and
- it is not classified as a contaminated site.

The amendment site is shown in Figure 3.



Figure 2



Figure 3

2.5 Existing Services

2.5.1 Roads

Vehicular access to Lots 103 and 104 are via Cockburn Road. Vehicular access to Lot 103 is set back from the roundabout at the intersection of Cockburn Road and Campbell Road. Campbell Road is classified as a “priority road” in LPS1.

A footpath adjoins the site on the Campbell Road frontage.

2.5.2 Drainage

The site is connected to the City's stormwater (drainage) network.

2.5.3 Water supply

The site is connected to the reticulated water system operated by Water Corporation.

2.5.4 Wastewater disposal

The site is connected to the reticulated sewerage operated by Water Corporation.

2.5.5 Power and telecommunications

Power and telephone services are connected to the site.

2.6 Heritage

The Department of Aboriginal Affairs' Aboriginal Heritage Inquiry System shows no known sites of Aboriginal significance on the amendment site. Additionally, the site does not contain any structure or place of heritage significance on the *City of Albany Municipal Heritage Inventory*.



3. PLANNING FRAMEWORK

3.1 Overview

The following section outlines how the proposed Regional Centre Mixed Business zoning suitably addresses the planning framework. In summary, the scheme amendment request is considered consistent with the planning framework.

2.6 Assessment of Scheme amendment request against planning framework

Planning document	Consistency with planning document and implications for scheme amendment request
<p>State Planning Strategy 2050 (2014)</p> <p>The Strategy classifies Albany as a regional centre. The Strategy encourages urban intensification and economic development.</p>	<p>The requested scheme amendment is considered consistent with the Strategy given it promotes appropriate employment land, centrally located, in a regional centre.</p>
<p>State Planning Policy No. 3 – Urban Growth and Settlement (2006)</p> <p>This Policy sets out the principles and considerations which apply for urban growth and settlement in Western Australia. The policy promotes a sustainable settlement pattern, supports building on existing communities, and seeks convenient access to employment and services.</p>	<p>The requested scheme amendment is consistent with SPP 3 given the site is close to the city centre, provides opportunities for employment and can enhance the provision of services to the local community. The site is highly accessible by walking, cycling, public transport and car.</p>
<p>Albany Local Planning Strategy (2010)</p> <p>A planning principle of the Strategy (page 71) is to “Facilitate opportunities for local employment and economic growth by providing appropriate locations for establishing and growing business” while a strategic objective (page 151) is to “Promote economic development and encourage local employment opportunities.”</p> <p>Strategic Plan: Urban (Map 9B) identifies the site as “City Centre” which reflects the site’s current and former commercial uses. Figure 8, in comparison shows the site opposite the regional (town centre) with the boundary being Campbell Road. Overall, the Strategy promotes a transition to mixed-use activities which enhance the area’s amenity.</p>	<p>The requested scheme amendment is considered consistent with the strategic direction set out in the <i>Albany Local Planning Strategy</i> given it is classified as City Centre.</p> <p>The site is located in an area that has a wide range of commercial development. This area is highly accessible including to the elderly, as it is serviced by a bus route and is near medium density housing which promotes access by walking or cycling.</p>
<p>City of Albany Activity Centres Planning Strategy (2010)</p> <p>The Strategy Plan identifies the site as “existing commercial complex” with nearby areas also with this classification along with “existing industrial complex”.</p>	<p>The requested scheme amendment is considered consistent with the Strategy given the site is recognised as commercial. The site forms part of the Centennial Park district which is part of the regional (City) centre.</p>

<p>The Strategy identifies the regional centre as the York Street and Centennial Park districts (Figure 15) and has deliberately not included a hard boundary.</p> <p>Figure 32 shows the site bordering the regional (town) centre. Page 50 states “it would be inappropriate for the town centre precincts defined under this ACPS to be hard-bounded.” The Strategy is to be used as a guide for assessing development applications both within and in the immediate context of the regional centre.</p>	
<p>City of Albany Local Planning Scheme No. 1 (2014)</p> <p>The site is zoned “Residential R30” and “Residential R30” with “Additional Use AU17 Medical Centre”. In terms of the requested Regional Centre Mixed Business Zone, the objectives for the zone are set out in Clause 4.2.9 which state:</p> <ul style="list-style-type: none"> (a) Provide for the development of offices, service industries, trades, wholesaling, showrooms, bulky goods outlets and other large-format retail in conjunction with limited residential uses; (b) Preclude ‘Main Street’ style developments and confine retailing to bulky goods and large-format stand alone category based outlets which, by reason of their scale, character, operational or land requirements, are not generally appropriate in, or cannot be conveniently or economically accommodated in other commercial or industrial related zones; (c) Preclude development of those main-street retail uses which would normally be located in the Regional Centre zone by prescribing minimum floor areas and restricting retail developments to larger format stand-alone businesses; (d) Ensure that the built form of site development is robust, to enable future adaptability and re-use; (e) Ensure new development presents an attractive street façade to enhance the visual amenity of surrounding areas; (f) Ensure the cumulative off site impacts of new residential, commercial and industrial development, particularly noise, traffic and parking impacts, are appropriately managed so that the area continues to provide a high quality living environment; and (g) Preclude the establishment of new uses which would clearly conflict with existing or approved residential uses. <p>Clause 5.5.7 sets out additional requirements relating to the Regional Centre Mixed Business Zone.</p>	<p>The scheme amendment request is considered consistent with LPS1 requirements including relating to the objectives of the Regional Centre Mixed Business Zone. In particular:</p> <ul style="list-style-type: none"> • it will provide employment opportunities in a manner that will not conflict with adjoining residential uses; • development will not compete with the City centre but will rather complement it; • the site contains existing development which is consistent with the area's character; and • car parking can be contained on site. <p>The scheme amendment addresses as historic anomaly in the zoning of Lot 103 which has previously being used for commercial purposes (including labour hire and training services). The generous parking, the large building size and the internal layout of the main building all suggest Lot 103 is suitable for commercial development.</p> <p>Amending the zoning on Lot 104 will ensure there is a consistent approach to the zoning of the site and for commercial development in the area. A medical centre use is a “D” (discretionary use) in the Regional Centre Mixed Business zone.</p>
<p>Lower Great Southern Strategy (2007)</p> <p>Albany is classified as a regional centre which offers</p>	<p>The requested scheme amendment is considered consistent with the strategy</p>

a wide range of services, facilities and employment opportunities. A key issue is protecting the city centre from commercial development on the outskirts of Albany. There is a preference to build on existing communities.	including that it will not impact the city centre.
--	--

3.3 Planning context implications for scheme amendment request

The requested Regional Centre Mixed Business zoning is considered consistent with the planning framework. This includes that employment generation and economic growth is encouraged, Albany is classified as a regional centre and the *Albany Local Planning Strategy* identifies the site as part of the city centre. Given Lot 103 has previously used for commercial purposes, the amendment will not harm the viability of the Albany City Centre but will rather support the local community and local economy.



4. AMENDMENT PROPOSAL

4.1 Proposed scheme amendment

The intent of the scheme amendment request is to:

1. Rezone Lot 103 Cockburn Road, Mira Mar on Deposited Plan 300002 from "Residential R30" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
2. Rezone Lot 104 Campbell Road, Mira Mar on Deposited Plan 300002 from "Residential R30" with "Additional Use AU17 Medical Centre" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
3. Amend the Scheme Map accordingly.

4.2 Scheme Provisions

Future development and land use will be controlled by LPS1 provisions.



5. PLANNING CONSIDERATIONS AND PLANNING JUSTIFICATION

5.1 Overview

This section brings together an assessment of the site's attributes and the planning framework in considering key planning matters and justifying the requested zoning for the site.

The buildings on Lot 103 are currently vacant and have had a low occupancy rate in recent years with the Residential zoning limiting the range of uses. Lot 103 is poorly used in its current state which indicates that the Residential Zone is not financially viable for commercial development. Given the size and internal layout of the building and the availability of parking, the site is suitable for re-use without major capital outlay.

5.2 Suitability of the site for Regional Centre Mixed Business Zoning

The site is considered suitable for the requested Regional Centre Mixed Business zoning for reasons including:

- the use is consistent with the planning framework;
- Lot 104 is currently a commercial site (medical centre) while Lot 103 has previously been used for commercial purposes. The generous car parking and the large size and the internal layout of the main building on Lot 103 are commercial in nature;
- the area contains a significant number of existing commercial development and the site is opposite an area zoned as Regional Centre Mixed Business. The amendment "rounds off" Regional Centre Mixed Business zoning in the area;
- the site is well located for the proposed land uses. This is evidenced by the location of a number of businesses in close proximity to the site (Figure 2). This locality has been well established with businesses for many years;
- the zoning will complement and not conflict with nearby land uses;
- the site is centrally located and has high levels of accessibility from throughout Albany;
- is located on an existing bus route (Campbell Road) and is conveniently located at the intersection of a priority road and a district level road;
- the site contains no environmental assets and the requested zoning is unlikely to create adverse environmental impacts;
- the site is not subject to heritage or landscape constraints;
- it is appropriately serviced; and
- traffic impacts are manageable and car parking can be contained on-site.

The requested zoning is considered consistent with the principles of orderly and proper planning.

5.3 Environmental Impact

It is expected that the requested scheme amendment will have limited environmental impacts. The reasons include:

- the site contains existing development and there is no remnant native vegetation;
- the site is connected to the reticulated sewerage system and the City's stormwater system;
- the site is close to the city centre limiting the need for motorised transport and providing opportunities for journeys to be made by cycling and walking; and
- it is not a contaminated site.

5.4 Compatibility with adjoining and nearby land uses

The site is near a range of businesses in an area containing a wide mix of uses (Figure 2). The proposed use is considered compatible with adjoining and nearby land uses/development which includes commercial, industrial and residential uses. There is considered to be minimal risk of land use conflict resulting from low-key commercial development use on Lot 103 adjacent to dwellings to the east and north of the site.

The proposed Regional Centre Mixed Business zoning will retain and/or enhance the area's character and amenity given there is existing commercial development on Lot 104 and Lot 103 has previously been used for commercial development. Accordingly, it is considered that the requested Regional Centre Mixed Business zoning represents a logical and sound planning outcome for the site.

5.5 Vehicular access and car parking

Vehicular access to both Lot 103 and Lot 104 is from Cockburn Road. Vehicular access to Lot 103 is appropriate and complies with sight distance standards which will facilitate safety for road users. Additionally, the site is highly accessible and it is centrally located.

Both Cockburn Road and Campbell Road can readily accommodate the expected traffic generated by a change of use on Lot 103 to facilitate commercial development.

The car parking is already sealed and vehicular access to the sites is via sealed crossovers. On-site car parking is considered to be sufficient for staff and clients. Should the Regional Centre Mixed Business zoning be approved by the Minister for Planning and gazetted, a change of use on Lot 103 will require separate planning consent from the City. Depending on the nature of the development, car parking number can be determined at the Planning Application stage.

5.6 Servicing

The sites are appropriately serviced and connected to reticulated water, reticulated sewer, power and telecommunications. It is not envisaged that upgrading of services is required to facilitate the re-use on Lot 103.

5.7 Building design

The existing buildings are compatible with surrounding development including in size, setbacks to boundaries and character.

The building containing the medical centre (dental practice) is relatively new. The external appearance of the buildings on Lot 103 is not proposed to change in the short term. Finalisation of the amendment should in time encourage investment in the buildings on Lot 103 Cockburn Road.

5.8 Supporting the local economy and community

As previously outlined, the proposed Regional Centre Mixed Business zoning is consistent with the planning framework and reflects that Lot 103 was previously used for commercial purposes. Should the scheme amendment be gazetted, it is expected to assist in encouraging upgrading and additional investment on Lot 103.

The formalisation of the zoning to facilitate commercial uses on Lot 103 will assist with job creation which will have various economic and community benefits. This includes it will support local employment and assist in a more sustainable local economy and it will add to Albany's overall viability, vitality and prosperity in accordance with the planning framework. Additionally, it will build onto an existing community with established facilities, services and infrastructure and assist to strengthen and sustain local businesses.

5.9 Planning Justification

In summary, the planning justification for the requested Regional Centre Mixed Business zoning is set out below:

- the proposal is consistent with the planning framework;
- it will address an historic anomaly of the zoning of Lot 103 which has been used for commercial purposes;
- it will result in a complementary approach to zoning of Lots 103 and 104;
- the proposed zoning is considered compatible with adjoining and nearby uses;
- the site is appropriately serviced and car parking can be contained on-site;
- the site contains no environmental assets and will not create adverse environmental impacts;
- the site is not subject to heritage or landscape constraints; and
- the proposal will assist in enhancing Albany as a regional centre and assist in creating jobs in a highly accessible location.

Given the above, the scheme amendment request is considered consistent with the principles of orderly and proper planning.

6. CONCLUSION

This report confirms that the scheme amendment request is consistent with the planning framework and that Lot 103 Cockburn Road, Mira Mar is considered to be both suitable and capable for accommodating mixed business use. The modifications to the zoning on Lot 104 simply formalises the existing commercial use and it provides a consistent approach to the zoning of Lots 103 and 104 which rounds of the Regional Centre Mixed Business zoning in the precinct.

The support of the WAPC and the Hon. Minister for Planning is requested to approve the scheme amendment to rezone Lot 103 Cockburn Road, Mira Mar from "Residential R30" to "Regional Centre Mixed Business" and to rezone Lot 104 Campbell Road, Mira Mar from "Residential R30" with "Additional Use AU17 Medical Centre" to "Regional Centre Mixed Business".

PLANNING AND DEVELOPMENT ACT 2005**CITY OF ALBANY****LOCAL PLANNING SCHEME No. 1****AMENDMENT No. 8**

That the Council, under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005*, hereby amends the above Local Planning Scheme by:

1. Rezoning Lot 103 Cockburn Road, Mira Mar on Deposited Plan 300002 from "Residential R30" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
2. Rezoning Lot 104 Campbell Road, Mira Mar on Deposited Plan 300002 from "Residential R30" with "Additional Use AU17 Medical Centre" to "Regional Centre Mixed Business" in accordance with the Scheme Amendment Map.
3. Amending the Scheme Map accordingly.


City of Albany

Local Planning Scheme No. 1

Amendment No. 8

LEGEND

RESERVES

 PARKS & RECREATION

 PRIORITY ROAD

ZONES

 RESIDENTIAL

 REGIONAL CENTRE MIXED BUSINESS

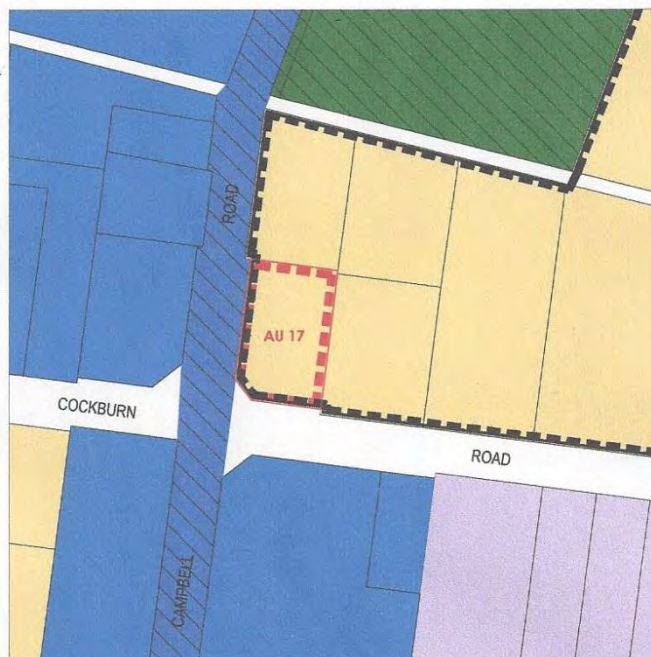
 LIGHT INDUSTRY

OTHER

 RCODE BOUNDARY

 ADDITIONAL USE
(SEE SCHEME TEXT)

 CADASTRE



Existing Zoning Map



Scheme Amendment Map

PLANNING AND DEVELOPMENT ACT 2005

CITY OF ALBANY

LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 8

ADOPTION

Adopted by resolution of the Council of the City of Albany at the meeting of the Council held on _____

MAYOR

Date

CHIEF EXECUTIVE OFFICER

Date

FINAL ADOPTION

Adopted by Resolution of the City of Albany at the meeting of the Council held on the _____, and pursuant to that Resolution was hereunto affixed by the authority of a resolution of the Council in the presence of:

MAYOR

Date

CHIEF EXECUTIVE OFFICER

Date

RECOMMENDED/SUBMITTED FOR FINAL APPROVAL

DELEGATED UNDER S.16 OF THE
PLANNING AND DEVELOPMENT
ACT 2005

Date

FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

Date

WESTERN



AUSTRALIA

REGISTER NUMBER 103/DP300002	
DUPLICATE EDITION N/A	DATE DUPLICATE ISSUED N/A

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME
1954FOLIO
992

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.

REGISTRAR OF TITLES

**LAND DESCRIPTION:**

LOT 103 ON DEPOSITED PLAN 300002

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

ROBERT GRAEME STOCKDALE
LIZZI MARIE STOCKDALE
BOTH OF POST OFFICE BOX 1742, ALBANY
AS JOINT TENANTS

(T G049698) REGISTERED 8 DECEMBER 1995

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. G049699 MORTGAGE TO NATIONAL AUSTRALIA BANK LTD REGISTERED 8.12.1995.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1954-992 (103/DP300002).
PREVIOUS TITLE: 1696-484.
PROPERTY STREET ADDRESS: 36 COCKBURN RD, MIRA MAR.
LOCAL GOVERNMENT AREA: CITY OF ALBANY.

- NOTE 1: L454984 LAND DESCRIPTION AMENDED ON ORIGINAL CERTIFICATE OF TITLE - BUT NOT SHOWN ON CURRENT EDITION OF THE DUPLICATE.
NOTE 2: SKETCH ON ORIGINAL SUPERCEDED PAPER TITLE AMENDED - BUT NOT SHOWN ON CURRENT EDITION OF THE DUPLICATE.
NOTE 3: DEPOSITED PLAN 300002 HAS YET TO BE PRODUCED.

LANDGATE COPY OF ORIGINAL NOT TO SCALE Tue Dec 11 13:24:55 2012 JOB 40684833

Superseded - Copy for Sketch Only

Page 1 (of 2 pages) 1954 VOL 992

ORIGINAL—NOT TO BE REMOVED FROM OFFICE OF TITLES

LT. 37

Sundry Document F138787
Volume 1696 Folio 484

WESTERN



AUSTRALIA

REGISTER BOOK
VOL. FOL.

CT 1954 992



CERTIFICATE OF TITLE

UNDER THE "TRANSFER OF LAND ACT, 1893" AS AMENDED

I certify that the person described in the First Schedule hereto is the registered proprietor of the undermentioned estate in the undermentioned land subject to the easements and encumbrances shown in the Second Schedule hereto.

Dated 24th February, 1993

REGISTRAR OF TITLES



ESTATE AND LAND REFERRED TO

Estate in fee simple in portion of Albany Suburban Lot 72, and being lot 103 on DP 300002 delineated on the map in the Third Schedule hereto.

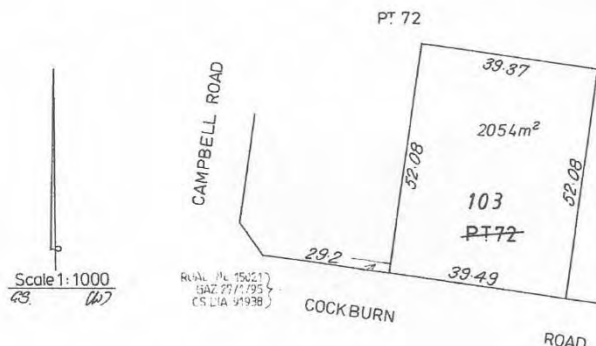
FIRST SCHEDULE (continued overleaf)

~~Helen Elizabeth Ford of 36 Cockburn Road, Albany~~

SECOND SCHEDULE (continued overleaf)

1. MORTGAGE E118445 to R & I Bank of Western Australia Ltd. Registered 24.2.93 at 8.07
hsr Discharged G49697 8.12.95

THIRD SCHEDULE



The Deposited Plan for this Certificate of Title is yet to be produced. The Plan and Lot number have been allocated as an interim measure to enable issue of a Digital Certificate of Title. Please refer to this Title for the sketch of the land.

Land Parcel identifier amended -
Regulation 8 of Transfer of Land
(Survey) Regulations 1996
Corr. 1775-2000-01
Date: 10/9/04

NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS.

E67590/3/89-20K-L/4664

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Page 2 (of 12 pages)
Superseded Copy for Sketch Only
 FIRST CHARGE (continued)
 NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS

LT. 37



REGISTERED PROPRIETOR

Robert Graeme Stockdale and Lizzi Marie Stockdale both of Post Office Box 1742, Albany as joint tenants.

INSTRUMENT	NATURE	NUMBER	REGISTERED	TIME	SEAL	CERT. OFFICER
	Transfer	G49698	8.12.95	8.12		

SECOND SCHEDULE (continued)

NOTE: ENTRIES MAY BE AFFECTED BY SUBSEQUENT ENDORSEMENTS

INSTRUMENT	NATURE	NUMBER	PARTICULARS	REGISTERED	TIME	SEAL	CERT. OFFICER	CANCELLATION	NUMBER	REGISTERED OR LODGED	SEAL	CERT. OFFICER
	Mortgage	G49699	to National Australia Bank Ltd.	8.12.95	8.12							

CERTIFICATE OF TITLE VOL.1954 FOL992

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WESTERN



AUSTRALIA

REGISTER NUMBER 104/DP300002	
DUPLICATE EDITION 4	DATE DUPLICATE ISSUED 5/10/2010

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **1416** FOLIO **88**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.


REGISTRAR OF TITLES



LAND DESCRIPTION:

LOT 104 ON DEPOSITED PLAN 300002

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

T & O MANAGEMENT PTY LTD OF 22 VISCOUNT HEIGHTS, ALBANY
(T L051906) REGISTERED 25 AUGUST 2009

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

1. L430630 MORTGAGE TO INVESTEC EXPERIEN PTY LTD REGISTERED 17.9.2010.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: 1416-88 (104/DP300002).
PREVIOUS TITLE: 445-91.
PROPERTY STREET ADDRESS: 26 CAMPBELL RD, MIRA MAR.
LOCAL GOVERNMENT AREA: CITY OF ALBANY.

LANDGATE COPY OF ORIGINAL NOT TO SCALE Tue Sep 23 14:07:37 2014 JOB 45725294


Landgate
www.landgate.wa.gov.au

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 11

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
1	Environmental Protection Authority Locked Bag 33 Cloisters Square PERTH WA 6850	The Environmental Protection Authority (EPA) considers that the proposed scheme amendment should not be assessed under Part IV Division 3 of the <i>Environmental Protection Act 1986</i> (EP Act) and that it is not necessary to provide any advice or recommendations.	Nil.	The submission is noted.
2	ATCO Gas 81 Prinsep Road JANDAKOT WA 6164	ATCO Gas Australia has no objections to the proposal.	Nil.	The submission is noted.
3	Telstra Forecasting/Area Planning – South Western Access Network & Technology Locked Bag 2525 PERTH WA 6001	No objections. A network extension may be required for any development within the area concerned. The owner/developer will have to submit an application before construction is due to start to NBN Co. (for greater than 100 lots or living units in a 3 year period) or Telstra (less than 100 lots or living units). Developers are now responsible for telecommunications infrastructure, NBN or Telstra will provide the cable at the developers cost.	The advice provided will be useful in guiding development in future, but has no bearing on the proposed zoning changes.	The submission is noted.
4	Water Corporation PO Box 100 LEEDERVILLE WA 6902	The Corporation is able to service the development, in principle, subject to the following advice and conditions. Both lots are served from Cockburn Road. There is an existing 100mm water main and a 150mm sewer main in Cockburn Road.	The advice provided will be useful in guiding development in future, but has little bearing on the proposed zoning changes.	The submission is noted.

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 11

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>Mains may need upgrading in size and this will be subject to detailed investigation. A 200mm water main existing in Campbell Road, and if necessary upgrade can occur from there. There is a 375mm sewer main in Symers Street and Cockburn Road (heading west) and if necessary upgrades can be made to that location.</p> <p>Reticulation size (pipes under 300mm) upgrades are to be funded by the developer.</p>		
5	Western Power Customer Service 363 Wellington Street PERTH WA 6000	Western Power will review the proposal with respect to any impact on its network and respond within an appropriate timeframe if required. Where detailed investigations are needed to support accurate advice, Western Power will advise City of Albany of additional information requirements within the advertising period.	No further advice was received from Western Power, so it assumed that there is no objection.	The submission is noted.
6	Dr J Darmody Mira Mar Veterinary Hospital 58 Cockburn Road MIRA MAR WA 6330	<p>I am a part-owner of Mira Mar Veterinary Hospital, situated at 58 Cockburn Road, opposite the site in question.</p> <p>I understand that the amendment is to allow development of a day hospital, consulting rooms, medical centre and ancillary building as well as residential units and health-related offices.</p>	The support for the proposed amendment is noted.	The submission is noted.

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 11

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Name/Address Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>I believe this sort of development would enhance the Albany lifestyle and will be important in growing health care services for all people in our region.</p> <p>The City of Albany already has a strategic direction that promotes major regional health facilities to provide a complete range of quality health care.</p> <p>A key aspect of this strategy is the encouragement of a network of privately resourced health service developments throughout Albany to provide appropriate facilities for healthcare providers.</p> <p>Public transport accessibility is important for any such facility, so the central location of the proposed private hospital on Cockburn Road is appropriate. This area has several bus routes in close proximity.</p> <p>After consideration, I do not believe that such a development would lead to any adverse impact on the private properties, residents and business operators nearby to this site. In fact, the further improvements in the infrastructure of stormwater management, drainage and pedestrian and vehicle thoroughfare would bring benefits to all these important local stakeholders.</p> <p>I am happy to support this application and</p>		

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 11

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Name/Address Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		hope that the Council will approve it.		
7	Dr D Warren & Dr K Auret Mira Mar Veterinary Hospital 58 Cockburn Road MIRA MAR WA 6330	<p>We are part owners of Mira Mar Veterinary Hospital, which is on the other side of the road from the site in question. Dr Auret is a practising physician in the Great Southern. We are involved in community life and take a keen interest in the future planning of the town.</p> <p>We understand that the amendment is to allow for the development of a day hospital, consulting rooms, medical centre and ancillary building as well as residential units and health-related offices.</p> <p>This sort of development will be good for the general prosperity of all by bringing more people into the area and will be important in growing health care in our region. We note that the City of Albany already has a strategic direction that the City will promote major regional health facilities to provide a complete range of quality healthcare; and that a key health aim of the City is the encouragement of a network of private health facilities and clinics throughout Albany to provide appropriate facilities for healthcare providers. It is important that</p>	The support for the proposed amendment is noted.	The submission is noted.

CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 11

SCHEDULE OF SUBMISSIONS AND MODIFICATIONS

No.	Name/Address Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>such facilities are accessible by public transport and so the central location of the proposed private hospital on Cockburn Road is appropriate as three bus routes closely serve it. The development of a private hospital would also reduce the stress on Albany Regional Hospital.</p> <p>The proposed development of residential units and offices would be compatible with the houses that are immediately beside the site on the western side. The proposed hospital's frontage on Cockburn Road would fit in well with the current mixed business character of the street. We do not believe there will be any adverse impact on the residential buildings on the southern side of the site, as the undeveloped storm drainage/right of way will provide an adequate buffer.</p> <p>We are happy to support this application and hope that the Council will approve it.</p>		

City of Albany Local Planning Scheme No. 1 Scheme Amendment No. 11

**Lots 312 & 1315 Cockburn Road
Mira Mar**

December 2014



Prepared by



www.edgeplanning.com.au

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME
CITY OF ALBANY LOCAL PLANNING SCHEME NO. 1

AMENDMENT No. 11

Resolved that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005*, amends the above local planning scheme by:

1. Rezoning Lot 312 on Deposited Plan 144712 and Lot 1315 on Deposited Plan 400795 Cockburn Road, Mira Mar from "Residential R30" to "Special Use (SU25)" in accordance with the Scheme Amendment Map.
2. Adding provisions to Schedule 4 "Special Use Zones" to the Scheme Text for SU25.
3. Amending the Scheme Map accordingly.

Dated this _____ day of _____ 2015

 Chief Executive Officer

 Date

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PROPOSAL TO AMEND A LOCAL PLANNING SCHEME

- | | |
|---|--|
| 1. LOCAL AUTHORITY: | City of Albany |
| 2. DESCRIPTION OF LOCAL PLANNING SCHEME: | Local Planning Scheme No. 1 |
| 3. TYPE OF SCHEME: | Local Planning Scheme |
| 4. SERIAL NUMBER OF AMENDMENT: | 11 |
| 5. PROPOSAL: | <ol style="list-style-type: none"> 1. Rezoning Lot 312 on Deposited Plan 144712 and Lot 1315 on Deposited Plan 400795 Cockburn Road, Mira Mar from "Residential R30" to "Special Use (SU25)" in accordance with the Scheme Amendment Map. 2. Adding provisions to Schedule 4 "Special Use Zones" to the Scheme Text for SU25. 3. Amending the Scheme Map accordingly. |

REPORT BY THE CITY OF ALBANY

1. INTRODUCTION

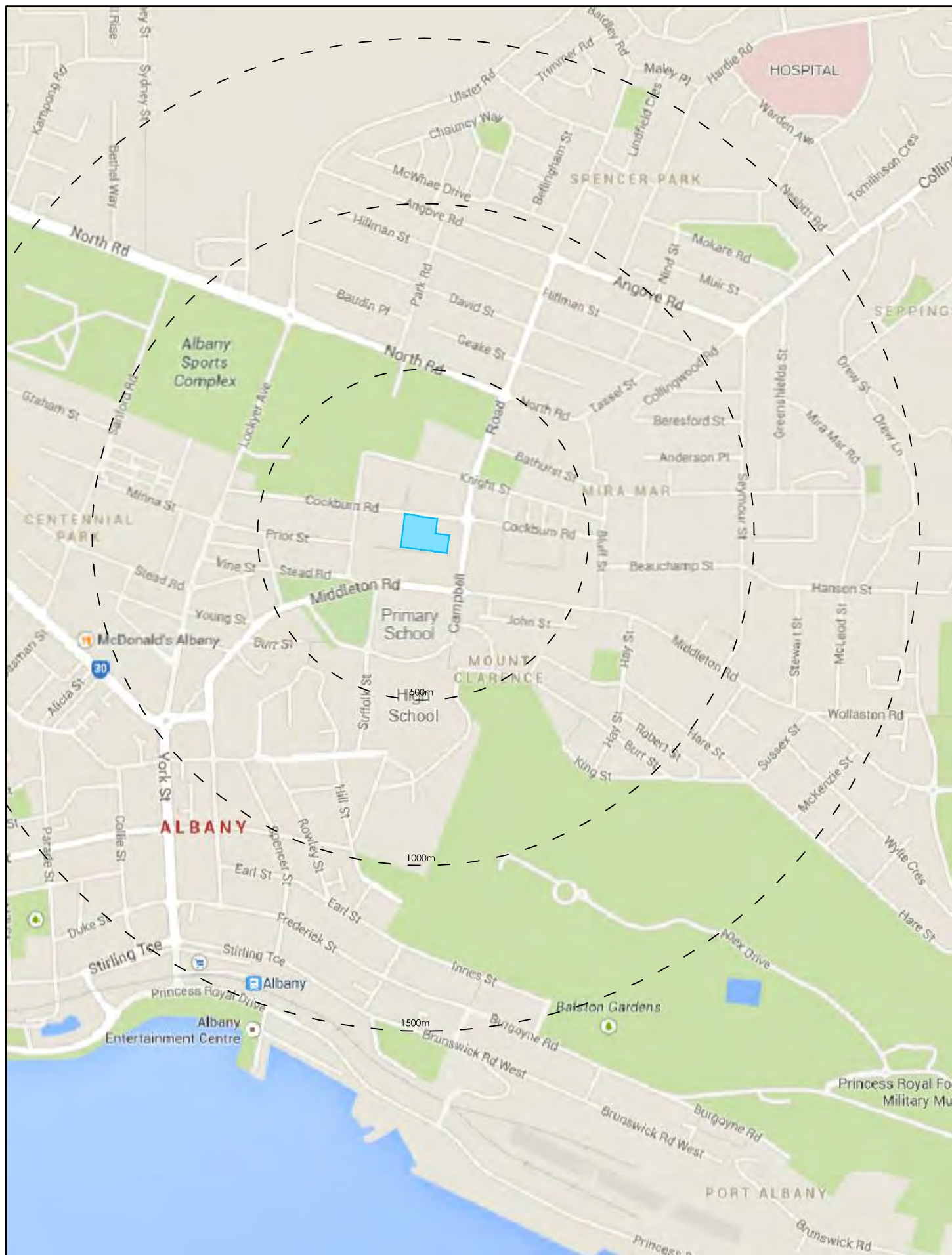
The City of Albany seeks the support of the Western Australian Planning Commission (WAPC) and the approval of the Hon. Minister for Planning to amend the *City of Albany Local Planning Scheme No. 1* (LPS1) by:

1. Rezoning Lot 312 on Deposited Plan 144712 and Lot 1315 on Deposited Plan 400795 Cockburn Road, Mira Mar from "Residential R30" to "Special Use (SU25)" in accordance with the Scheme Amendment Map.
2. Adding provisions to Schedule 4 "Special Use Zones" to the Scheme Text for SU25.
3. Amending the Scheme Map accordingly.

The purpose of this report and associated plans are to explain the proposal and set out the planning merits of rezoning Lots 312 and 1315 Cockburn Road to Special Use to facilitate the development of a health precinct along with complementary and ancillary uses.

The site's proximity to the Albany city centre, Albany Regional Hospital and other facilities (outlined in Figure 1) and that it is adjacent to commercial development (Figure 2) highlight its suitability for the proposed health precinct use.





LOCATION PLAN

Lots 312 and 1315 Cockburn Road
Mira Mar
Albany

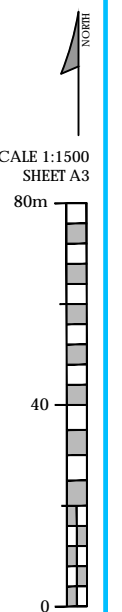


CONTEXT PLAN

Lots 312 and 1315
Cockburn Road
Mira Mar
City of Albany

LEGEND

-  SUBJECT LAND
-  REGIONAL CENTRE
-  SPECIAL USE / ADDITIONAL USE
-  LIGHT INDUSTRY
-  RESIDENTIAL
-  PARKS & RECREATION
-  PRIORITY ROAD



B MINOR MODIFICATIONS 141117 SJ ST
A CONTEXT PLAN 141116 SJ ST
REV DESCRIPTION YYMMDD DRAWN APPRVD
AERIAL PHOTOGRAPHY CAPTURE: 13th December 2013

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DRAWING NUMBER REV
EP 140827 04 B

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All areas and dimensions are
subject to detail design + survey.

2. BACKGROUND

2.1 Cadastral details

Cadastral details for the site are summarised below:

<i>Lot</i>	<i>Deposited Plan</i>	<i>Volume</i>	<i>Folio</i>	<i>Area</i>
Lot 312 Cockburn Road, Mira Mar	144712	2822	517	7546m ²
Lot 1315 Cockburn Road, Mira Mar	400795	2822	517	4656m ²

The registered proprietor of both lots is Three of a Kind Pty Ltd. Copies of the current Certificate of Titles are included in Attachment 1.

2.2 Regional context

The site is situated in the City of Albany which is located 409 kilometres south-east of Perth. Albany is the regional centre for the Great Southern Region. The city provides a wide range of services and facilities to residents and visitors including the regional hospital.

2.3 Local context

The site is located approximately 1.5 kilometres north-east of the Albany city centre (see Figure 1). The site adjoins and is surrounded by a wide range of uses (see Figure 2). This includes medium density residential development, commercial development and light industry along with nearby medical practices and consulting room uses.

The current LPS1 zonings surrounding the amendment site are shown in the existing zoning map. Land to the west, south and east of the amendment site is land zoned Residential with a density coding of R30. Land to the north and slightly east of the site is zoned Regional Centre Mixed Business.

2.4 Physical characteristics

The site has the following characteristics and features:


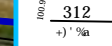



- it has a combined area of 12202m² (1.22 hectares);
- it is vacant (contains no buildings). It is likely that the land was cleared in the past for farming activities such as grazing;
- the land is gently sloping ranging from 23 metres AHD (Australian Height Datum) on the northern boundary to 26 metres AHD in the south-east section;
- it is cleared of native vegetation with the site covered in kikuyu;
- the soil landscape is coded as 242KgS7f, named "Minor Valleys S7 Floor Phase", described as "footslopes and swampy valley floors of minor valleys" with the soil type being predominantly semi-wet soils with deep sands/sandy duplexes as set out in the *Soil Landscape Mapping of South-Western Australia* (1987) by the Department of Agriculture and Food Western Australia. Further details are set out in Attachments 2 and 3; and
- it is not classified as a contaminated site.

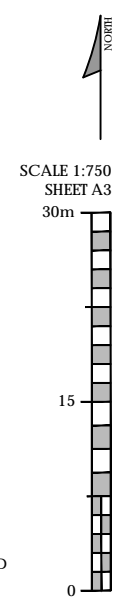
The amendment site is shown in Figure 3.

AMENDMENT SITE

Lots 312 and 1315
Cockburn Road, Mira Mar
City of Albany

LEGEND

-  SUBJECT LAND
-  EXISTING LOT DETAILS
-  CONTOURS
-  U/GROUND SEWER PIPE
-  U/GROUND WATER PIPE



B	AMENDMENT SITE	141117	SJ	ST
A	BASE PLAN	140827	SJ	ST
REV	DESCRIPTION	YYMMDD DRAWN APPRVD		
AERIAL PHOTOGRAPHY CAPTURE: 13th December 2013				

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2.5 Existing services

2.5.1 Roads

Vehicular access to the site is via Cockburn Road. Vehicular access to the site is well separated from the roundabout at the intersection of Cockburn Road and Campbell Road.

No footpath adjoins the site.

2.5.2 Drainage

There are currently open drains that dissent the site as well as an open drain within the Cockburn Road reserve. The site can be readily connected to the City's stormwater (drainage) network.

2.5.3 Water supply

The site can be readily connected to the reticulated water system operated by Water Corporation.

2.5.4 Wastewater disposal

The site can be readily connected to the reticulated sewerage operated by Water Corporation.

2.5.5 Power and telecommunications

Power and telephone services can readily be connected to the site.

2.6 Heritage

The Department of Aboriginal Affairs' Aboriginal Heritage Inquiry System shows no known sites of Aboriginal significance on the amendment site. The *Aboriginal Heritage Act 1972* provides for the protection and preservation of Aboriginal heritage and culture throughout Western Australia, including places and objects that are of significance to Aboriginal people.

The site does not contain any structure or place of heritage significance on the *City of Albany Municipal Heritage Inventory*.

3. PLANNING FRAMEWORK

3.1 Overview

The following section outlines how the proposed Special Use (SU) zoning, to facilitate the development of a health precinct, suitably addresses the planning framework. In summary, the scheme amendment request is considered consistent with the planning framework.

3.2 State Planning Strategy 2050 (2014)

The Strategy classifies Albany as a regional centre. The Strategy encourages urban intensification and economic development along with a range of public, private and not-for-profit health providers, facilities and services (page 98).

The requested scheme amendment is considered consistent with the Strategy given it promotes appropriate employment land and enhanced health facilities, centrally located, in a regional centre.

3.3 State Planning Policy No. 2.9 Water Resources (2006)

The State's water resources are subject to wide ranging impacts and demands. Effective planning should contribute to the protection and wise management of water resources by ensuring planning strategies, schemes, structure plans, subdivisions and other proposals adopt a sustainable approach.

The Policy supports an integrated approach, taking account of the total water cycle management, supporting water sensitive urban design principles and provides guidance on appropriate buffers to watercourses and waterways. The objectives of the Policy are to:

- protect, conserve and enhance water resources that are identified as having significant economic, social, cultural and/or environmental values;
- assist in ensuring the availability of suitable water resources to maintain essential requirements for human and all other biological life with attention to maintaining or improving the quality and quantity of water resources; and
- promote and assist in the management and sustainable use of water resources.

To address the requirements of SPP 2.9, a Local Water Management Strategy is provided in Attachment 3.

3.4 State Planning Policy No. 3 – Urban Growth and Settlement (2006)

This Policy sets out the principles and considerations which apply for urban growth and settlement in Western Australia. The policy promotes a sustainable settlement pattern, supports building on existing communities, and seeks convenient access to employment and services.

The requested scheme amendment is considered consistent with SPP 3 given the site is close to the city centre, provides opportunities for employment and can enhance

the provision of services to the local community. The site is highly accessible by walking, cycling, public transport and car.

3.5 State Planning Policy No. 3.1 Residential Design Codes (2013)

The site is currently zoned "Residential R30". The requested SU25 zoning incorporates a mix of uses including a residential component. Future residential development will be guided by the R Codes including setbacks, site planning and design, vehicular access and car parking.

3.6 Liveable Neighbourhoods (2007 with updates)

Liveable Neighbourhoods promotes walkable neighbourhoods, mixed uses, the provision of a range of housing types and lot sizes, to efficiently use land and to effectively manage stormwater. While particularly related to large master planned subdivisions, key elements can be applied for infill developments. Future development will incorporate various elements of Liveable Neighbourhoods including promoting mix use development in a centrally located area and effectively managing stormwater.

3.7 Lower Great Southern Strategy (2007)

Albany is classified as a regional centre which offers a wide range of services including health/medical, facilities and employment opportunities. A key issue is protecting the city centre from commercial development on the outskirts of Albany. There is a preference to build on existing communities.

The Strategy notes that there will be increased demands from increasing numbers of elderly residents and retirees who "will require improved aged care facilities, medical services and specialists. Incentive schemes are required for the recruitment and retention of health care professionals and specialists" (page 64).

The requested scheme amendment is considered consistent with the Strategy including that it will complement rather than impact the city centre and it will assist to enhance health services for a growing and aging population.

3.8 Albany Local Planning Strategy (2010)

A planning principle of the Strategy (page 71) is to "Facilitate opportunities for local employment and economic growth by providing appropriate locations for establishing and growing business" while a strategic objective (page 151) is to "Promote economic development and encourage local employment opportunities."

Strategic Plan: Urban (Map 9B) identifies the site as "City Centre" and Figure 8 shows the site as regional (town centre). Overall, the Strategy promotes a transition to mixed-use activities in the locality to enhance its amenity.

Relevant planning objectives include:

"Provide appropriate locations for establishing and growing business activity."

(section 5.2.2)

"To provide and promote health care facilities to cater for community needs and be located within or near major centres and connected to a major public transport system." (section 6.4.5).

The requested scheme amendment is considered consistent with the strategic direction set out in the *Albany Local Planning Strategy* given it is classified as City Centre.

3.9 City of Albany Activity Centres Planning Strategy (2010)

The Strategy identifies the regional centre as the York Street and Centennial Park districts (Figure 15), while Figure 32 shows the site within the regional (town) centre. The Strategy is intended to be used as a guide for assessing development applications both within and in the immediate context of the regional centre.

The requested scheme amendment is considered consistent with the Strategy given the site forms part of the Centennial Park district which is part of the regional (City) centre. The development will not compete with the City centre but will rather complement it. This is supported by a proposed SU25 condition which states "The retail use shall be limited and incidental to the predominant use of the property as determined by the Local Government."

3.10 City of Albany Local Planning Scheme No. 1 (2014)

Clause 1.6 "Aims of the Scheme" of LPS1 includes the following aims:

- “(a) Implement the findings of the *Albany Local Planning Strategy* (ALPS) within the City.
- (k) Provide for increased population growth within the City by establishing controls for the co-ordinated planning and development of land to be used for residential purposes allowing for complimentary uses to provide a range of services to meet the needs of the local residents.
- (m) Respond to the changing needs of the City through the provision of social, administrative and land use initiatives which support the retention and growth of rural townsites, the urban population and advance sustainable land use practices.
- (o) Promote opportunities for new and value-added industries and businesses, particularly those industrial and business activities that create synergies with existing activities.”

The site is currently zoned "Residential R30". The requested Special Use (SU25) zoning is intended to create a health precinct. The requested scheme amendment refines uses that are available in the Residential Zone along with those in the adjoining Regional Centre Mixed Business Zone. Uses that are incompatible with the health precinct such as Industry Light, Industry Service, Motor Vehicle, Boat or Caravan Sales, Motor Vehicle Repair, Motor Vehicle Wash, Showroom and Warehouse are proposed to be "X" uses (not permitted) in SU25.

Clause 4.7 of LPS1 states the following:

Amendment 11 to the City of Albany Local Planning Scheme No. 1

“4.7.1 Special Use zones are set out in Schedule 4 and are in addition to the zones in the Zoning Table.

4.7.2 A person must not use any land, or any structure or buildings on land, in a Special Use zone except for the purpose set out against that land in Schedule 4 and subject to compliance with any conditions set out in Schedule 4 with respect to that land.

Note: Special Use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme.”

The following is an extract from Table 5 Car and Bicycle Parking Requirements from LPS1:

Land Use	Car Parking	Bicycle Parking
Aged or Dependent Persons' Dwellings	As per R-Codes	
Consulting Rooms	3 per practitioner + 1 per 3 employees	1 per 10 car bays
Grouped Dwelling	As per R-Codes	
Hospital	1 per 4 beds plus 1 per employee	
Medical Centre	As per Consulting Room	1 per 10 car bays

The requested SU25 zoning proposes to use the standards of the Regional Centre Mixed Business Zone, unless otherwise set out in the special provisions, for non-residential development. Table 7 Site Requirements of LPS1 sets out the following for the Regional Centre Mixed Business Zone:

- maximum plot ratio – 0.8;
- front setback – 3 metres;
- rear setback – nil; and
- side setback – nil.

Land to the south of the site is reserved as “Local Road” in LPS1.

The scheme amendment request is considered consistent with LPS1 requirements. This includes it will provide employment opportunities in a manner that will not conflict with adjoining residential uses and development will not compete with the City centre but will rather complement it. Additionally, the site is located in an area that has a wide range of commercial development, the area is highly accessible including to the elderly, as it is serviced by a nearby bus route and is near medium density housing which promotes access by walking or cycling.

3.11 City of Albany Community Strategic Plan 2023 (2014)

The City's vision is “To be Western Australia's most sought-after and unique regional City to work, live and visit”. Key themes include a “Smart, Prosperous & Growing” and “A Sense of Community”. Associated outcomes include diversifying the

economy, growing local employment, the provision of accessible support and services and improved community health and wellbeing.

The development of a health precinct is considered consistent with the Community Strategic Plan including that it provides opportunities for training and research, diversifying the local economy, improving access to health services and assisting to improve community health and wellbeing.

3.12 City of Albany Economic Development Strategy 2013-2017 (2013)

Strategic objectives include "To strengthen and diversify our economic base" and "To foster links between education training and employment that support our economic growth and development." The Strategy notes Albany is well placed to facilitate research in various areas including studies related to rural environments such as health and education.

The development of a health precinct is considered complementary with the City's objectives of developing a Science and Technology Park and Regional University and becoming a Learning City.

3.13 Planning framework implications for the scheme amendment request

Common themes of the policies, strategies, plans and LPS1 and their implications for the scheme amendment request include promoting economic development, promoting enhanced provision of community services/facilities including health services, promoting infill development, addressing stormwater management and the need for appropriate servicing.

The requested Special Use (SU25) zoning is considered consistent with the planning framework. This includes that employment generation, economic growth and enhanced health services are encouraged, Albany is classified as a regional centre and the *Albany Local Planning Strategy* identifies the site as part of the city centre. Given the intent to create a health precinct, the requested amendment will not harm the viability of the Albany City Centre but will rather support the local community and local economy.

4. AMENDMENT PROPOSAL

4.1 Proposed scheme amendment

The intent of the scheme amendment request is:

1. Rezoning Lot 312 on Deposited Plan 144712 and Lot 1315 on Deposited Plan 400795 Cockburn Road, Mira Mar from "Residential R30" to "Special Use (SU25)" in accordance with the Scheme Amendment Map.
2. Adding provisions to Schedule 4 "Special Use Zones" to the Scheme Text for SU25.
3. Amending the Scheme Map accordingly.

4.2 Scheme provisions

Future development and land use will be controlled by site specific provisions added to Schedule 4 of LPS1.

The proposed Special Use zoning is considered the most appropriate zoning to facilitate the development of a health precinct. As set out in clause 4.7 of LPS1, "Special Use zones apply to special categories of land use which do not comfortably sit within any other zone in the Scheme."

4.3 Proposed health precinct

The requested zoning will create a health precinct with supporting complementary and ancillary uses. The expected health related uses include a day or general hospital, medical centre, health practitioner offices and complementary uses such as a pharmacy and a cafe.

It is envisaged that there would be a component of residential development which borders existing residential units in the western portion of the site. The residential uses may include providing short-stay accommodation for visiting health specialists, nurses and others along with the provision of accommodation for palliative/respite care.

The development of a health precinct is considered to be a "good fit" for Albany in terms of community health benefits and to support sustainable job creation. The site's central location is close to the city centre, hospital, and other health providers and is highly accessible.

The concept is to complement the Albany Regional Hospital and existing health services and not to compete with the city centre. It is not intended to develop offices unless they are complementary with the health industry.

4.4 Development Guide Plan

In support of the requested scheme amendment, a Development Guide Plan (DGP) is provided in Figure 4 which broadly shows how the site can be developed. The DGP is indicative only and will be subject to detailed design at the Development Application and Building Permit stages. The DGP has been designed to provide for the orderly and proper planning in terms of land use and design.

The DGP responds to the site's opportunities and constraints and the planning framework. In particular, key planning and design elements of the DGP include:

- managing water resources and the recommendations set out in the Local Water Management Strategy (Attachment 3);
- the Traffic Impact Assessment (Attachment 4);
- widening Cockburn Road;
- the potential for a road link between the site and Campbell Road on the southern boundary;
- enhancing pedestrian links to the site;
- land use compatibility; and
- providing sufficient flexibility to account for more detailed feasibility and detailed design.

The DGP shows:

- indicative development areas with the key use expected to be a day/general hospital with associated consulting rooms and ancillary uses, along with residential units which have the potential for health related office uses;
- indicative landscaping and open space which will include landscaping on the Cockburn Road frontage;
- two road connections to Cockburn Road and key internal vehicular access;
- the potential for a road link between the site and Campbell Road on the southern boundary;
- an anticipated service delivery area;
- road widening for a portion of Cockburn Road;
- enhanced pedestrian links;
- flood routes; and
- key development requirements.

It is highlighted that the indicative development areas are not intended to be “wall to wall” buildings but will also include open space and parking.

While noting that there is a need for detailed feasibility and design, including confirming land requirements, the total health related floor space for the day/general hospital; medical centre and support facilities could be in the order of 6000m². At this stage, it is expected that in the order of 15 residential units will be constructed.

It is expected there would be a mix of 1 – 3 storey buildings complemented by a high standard of landscaping.

The proposed development will consist of sealed access ways and car parking, full servicing, upgraded fire management measures, enhanced stormwater management and landscaping.

The DGP seeks to provide sufficient guidance while also providing the opportunity for appropriate flexibility to accommodate the needs of specialist health providers over the coming years. Variations may be permitted to the DGP by the Local Government after following the procedures in Clause 9.4 of the Scheme.



DEVELOPMENT GUIDE PLAN

Lots 312 and 1315 Cockburn Road, Mira Mar
City of Albany

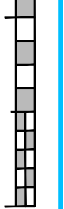
LEGEND

- SUBJECT LAND
- 312 EXISTING LOT DETAILS
- INDICATIVE DEVELOPMENT AREAS
- INDICATIVE LANDSCAPING AND OPEN SPACE
- KEY INTERNAL VEHICULAR ACCESS
- FUTURE ROAD RESERVE
- - - KEY PEDESTRIAN LINKS
- LAND CEDED FOR ROAD WIDENING
- * ANTICIPATED SERVICE DELIVERY AREA
- FLOOD ROUTE

DEVELOPMENT REQUIREMENTS

- The development will create a health precinct with supporting complementary and ancillary uses.
- The Development Guide Plan is indicative only and will be subject to detailed design at the Development Application and Building Permit stages.
- Current lot boundaries will be modified to accommodate development stages.
- Land will be ceded free of cost to the City for widening Cockburn Road as shown on the Development Guide Plan.
- Subject to the City securing appropriate land tenure, the developer will construct a road between the site and Campbell Road on the site's southern boundary.
- The day hospital will orientate towards Cockburn Road.
- Most buildings are expected to be two - three storeys and will accommodate ground level or basement parking.

SCALE 1:750
SHEET A3
30m

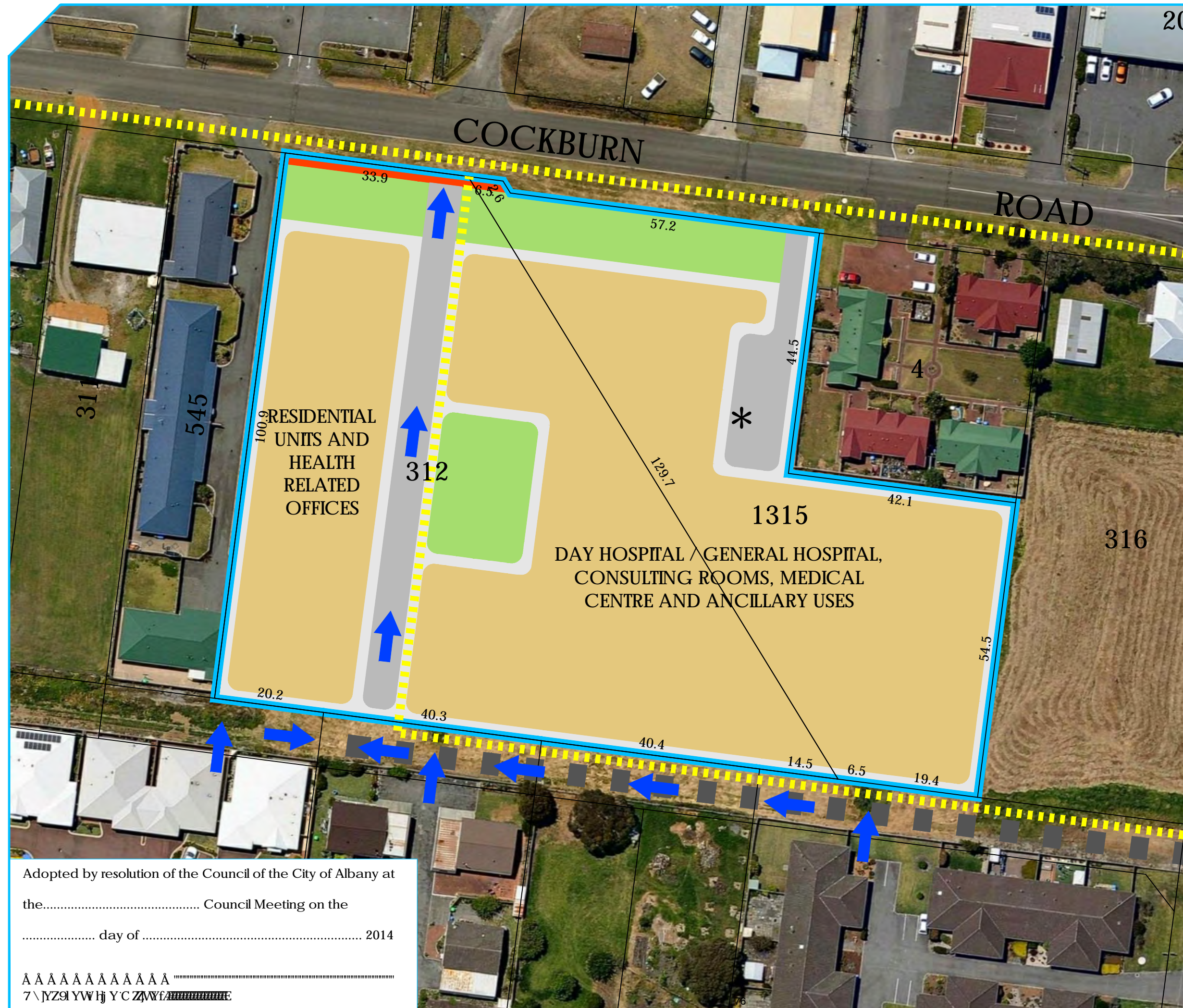


B	MODIFICATIONS	141117	SJ	ST
A	DGP	141021	SJ	ST
REV	DESCRIPTION	YYMMDD DRAWN APPRVD		
AERIAL PHOTOGRAPHY CAPTURE: 13th December 2013				

edge
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DRAWING NUMBER
EP 140827 03
REV
B

Issued for design intent only.
All areas and dimensions are
subject to detail design & survey.



Adopted by resolution of the Council of the City of Albany at
the..... Council Meeting on the
..... day of 2014

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5. PLANNING CONSIDERATIONS AND PLANNING JUSTIFICATION

5.1 Overview

This section brings together an assessment of the site's attributes and the planning framework in considering key planning matters and justifying the requested zoning for the site.

5.2 Suitability of the site for the proposed health precinct

There are considered to be limited opportunities for the development of a centrally located health precinct in Albany. Key criteria include a large and relatively flat site with access to local distributor or main roads.

The site is considered suitable for the requested Special Use (SU25) zoning to facilitate the proposed health precinct for reasons including:

- the use is consistent with the planning framework;
- the site is well located for the proposed land use. This is evidenced by the location of a number of businesses in close proximity to the site (Figure 2). The locality contains a number of consulting rooms, health practitioners and other businesses. The site is also opposite an area zoned as Regional Centre Mixed Business;
- the zoning will complement and not conflict with nearby land uses;
- the site is centrally located and has high levels of accessibility from throughout Albany;
- the site is located near an existing bus route (Campbell Road) and is conveniently located near the intersection of a priority road and a district level road;
- that traffic impacts are manageable and will have negligible impacts on the functioning of Cockburn Road, Campbell Road or nearby intersections;
- the site's large size enables car parking to be retained on site;
- it promotes infill development on a vacant site;
- the site is capable of being fully serviced;
- the site contains no environmental assets and future development is unlikely to create adverse environmental impacts;
- the site is not subject to heritage or landscape constraints; and
- the site is flat to gently sloping making it particularly attractive to elderly people and health service clients.

Accordingly, the requested zoning is considered consistent with the principles of orderly and proper planning. Development of the health precinct will provide significant additional health services for Albany and Great Southern residents.

5.3 Environmental impact

It is expected that the requested scheme amendment will have limited environmental impacts. The reasons include:

- the site contains no remnant native vegetation;
- the site will be connected to the reticulated sewerage system;

- stormwater will be effectively managed in accordance with the Local Water Management Strategy (Attachment 3);
- the site is close to the city centre limiting the need for motorised transport and providing opportunities for journeys to be made by cycling and walking; and
- it is not a contaminated site.

5.4 Geotechnical report

A Geotechnical Report (soil and groundwater investigation) has been prepared for the site by Albany Soil & Concrete Testing which is set out in Attachment 2. This investigation included excavation of 10 boreholes to 1500mm below ground level to log the soil profile and groundwater level (if intercepted).

The findings of this investigation identified grey sand with silt with some gravel across the majority of the site with small areas containing black sand with silt and organic matter from between 700mm – 1400mm over grey/ dark grey sand with silt. Onsite investigations identified groundwater in some locations which lie generally in the middle of the site, in a north-south direction, at between 900mm and 1100mm below ground level.

Site works and required servicing will ensure that proposed development is physically capable. As part of this, there is a need to manage acid sulfate soils in portions of the site and to ensure that stormwater is effectively managed. It is recognised that there will be a need for engineering design and implementation to meet the requirements of the City and other State Government departments.

5.5 Acid sulfate soils

The majority of the site is located in an area of High Risk of Actual Acid Sulfate Soil (AASS) or Potential Acid Sulfate Soils (PASS) as set out in the WAPC's Albany-Torbay Acid Sulfate Soils mapping.

During the onsite investigation undertaken by Albany Soil & Concrete Testing on 18 November 2011, four soil samples of black silty sand with high organic matter were collected from locations 5, 7, 8 and 10. The soil samples were analysed by BioScience. The laboratory testing by BioScience revealed that none of the samples had a field pH less than 4, therefore were not Actual Acid Sulfate Soils (AASS). The results of the soil samples analysed indicate that the black silty sand on the site is likely to be Potential Acid Sulfate Soil (PASS). It is recommended that PASS is managed as per Department of Environment Regulation requirements.

Prior to building, it is expected that relevant existing soil will be removed and backfilled with clean compacted sand fill to required levels for the development.

5.6 Water management

A Local Water Management Strategy (LWMS) has been prepared for the site by Opus International Consultants (Australia) Pty Ltd as outlined in Attachment 3. The LWMS provide an overview of water resources at the site and presents a recommended approach for total water cycle management, with an emphasis placed on water sensitive design.

Key recommendations of the LWMS include:

- treatment of the 1:1 year ARI post development stormwater events is required as per the Faculty for Advancing Water Biofiltration guideline of a treatment area based on 2% of constructed impervious area within the development area (only);
- the 1:10 year post development ARI stormwater runoff from within the development area (only) are proposed to be attenuated and released from the site as per predevelopment stormwater flows;
- stormwater runoff from the upstream catchment is required to be conveyed through the development via an appropriately sized pipe network to accommodate the 1:5 year ARI event. There is no requirement for the developer to treat the 1:1 year ARI event or attenuate 1:10 year ARI stormwater runoff from the upstream catchment, within the development area; and
- at the detailed design stage consideration is made for 1:100 year ARI event flood routing as per the Stormwater Management Strategy and Catchment Plan. The City will require that this flood route also accommodates the surface water runoff from the upstream catchment.

There is a need to ensure that stormwater from the development is effectively managed to the requirements of the City. The stormwater design is required to limit development run-off through promoting at source infiltration through the use of measures including swales, soak wells and revegetating/landscaping parts of the site. While noting this, given Albany's rainfall and the site's soil types, stormwater in major rainfall events will be directed to a legal point of discharge into the City's drainage system.

Stormwater is required to be designed and provided in accordance with the endorsed Local Water Management Strategy.

5.7 Vehicular access

The site is highly accessible being centrally located. Vehicular access to the site is currently from Cockburn Road. Cockburn Road, which links Lockyer Avenue and Campbell Road, is classified as a local distributor.

As set out on the DGP, the key vehicular access to and from the proposed health precinct will be from Cockburn Road, with access limited to two access points. To complement this, the DGP also states that "Land will be ceded free of cost to the City for widening Cockburn Road".

In addition to the above and subject to the City securing appropriate land tenure, the developer will construct a road between the site and Campbell Road on the site's southern boundary. The road will not be required as part of the stage 1 development, but is expected to be provided in future stages. Details will be addressed at the Development Application stage.

To support the scheme amendment request, Wood & Grieve Engineers were commissioned to prepare a Traffic Impact Assessment (TIA) which is set out in Attachment 4. The TIA considers the expected impacts of increased traffic volumes

generated from the development and its effect on Middleton Road/Campbell Road and Cockburn Road/Campbell Road roundabouts. The report concludes:

“This report provides guidance to the existing and long-term performance of the existing roundabouts of Middleton Road/Campbell Road, and Cockburn Road/Campbell Road. After modelling each of the roundabouts using SIDRA Intersection, the current and long term performance of these roundabouts are expected to provide an acceptable level of service, with the impact of the traffic generated from the development considered to be negligible.”

Both Cockburn Road and Campbell Road can readily accommodate the expected traffic generated by the health precinct and complementary uses.

Proposed vehicular access will comply with sight distance standards which will facilitate safety for road users. Access ways will be designed to allow two-way traffic at low speed, with details confirmed at the Development Application stage.

5.8 Car parking

Car parking design will be determined at the Planning Application stage. The numbers of car parking bays, including special purpose bays, which will depend on the nature and scale of the development and associated staging. While noting this, some preliminary principles are outlined below:

- car parking will be provided on site in accordance with clause 5.8.5 of LPS1. This includes consideration of shared/combined parking areas where justified by the applicant;
- car parking spaces will be provided for clients, visitors, health practitioners, support staff and for people with disabilities;
- there will be coordinated parking areas and access/egress points;
- vehicles will be able to enter and leave the site in a forward gear;
- a drop off/pick up area will be provided which will greatly assist clients who are often expected to be aged or have walking difficulties;
- vehicular access, parking and manoeuvring areas will be constructed, drained and sealed to the satisfaction of the City;
- some of the parking will be accommodated at ground level or basement parking, with a component of open parking; and
- car parking will be positioned behind the buildings fronting Cockburn Road.

5.9 Access from other forms of transport

The site's central location provides realistic opportunities for various journeys to be made by walking, cycling and public transport. Promoting more sustainable journeys, especially by walking and cycling, is consistent with the objectives of creating a healthy community and developing a health precinct. To assist:

- bicycle parking/racks will be provided to at least meet LPS1 standards;
- it is expected that showers and change rooms will be provided as part of the day hospital/general hospital or as part of the common facilities;
- residential units will have storage areas to accommodate bicycles;

- the developer will contribute to a dual use path on the site's Cockburn Road frontage;
- subject to securing appropriate land tenure, there are opportunities for a dual use path on the southern boundary of the site to connect with Campbell Road;
- the development will promote universal access including wheelchair access between buildings and car parks and within buildings. The site's flat to gentle slopes will assist; and
- there is an opportunity for a future bus bay to be located on the site's Cockburn Road frontage.

5.10 Servicing

The site can be readily serviced and connected to reticulated water, reticulated sewer, power and telecommunications. Increases in capacity of these services will be required in the normal manner at the time of development.

Additionally, to support the development of a health precinct, there will be a need for an appropriate fire service (e.g. hydrants, pumps and possible water tank), back-up power and specialist equipment such as a bulk storage oxygen vessel.

5.11 Compatibility with adjoining and nearby land uses

The site is located in an area containing a wide mix of uses including commercial, industrial and residential uses (Figure 2). The proposed health precinct is considered compatible with adjoining and nearby land uses/development.

The requested zoning refines uses that are available in the Residential Zone and the adjoining Regional Centre Mixed Business Zone. Uses that are incompatible with the health precinct such as Industry Light, Industry Service, Motor Vehicle, Boat or Caravan Sales, Motor Vehicle Repair, Motor Vehicle Wash, Showroom and Warehouse are proposed to be "X" uses (not permitted) in SU25. Not permitting these uses will further minimise the potential for land use impacts with adjoining and nearby properties.

A number of proposed SU25 conditions will assist to minimise land use impacts.

It is expected that a caretaker/site manager will be based on the site or live nearby. The caretaker/site manager will assist to ensure there is effective management of facilities and can address issues with neighbours.

The proposed health precinct is expected to enhance the area's character and amenity along with enhancing services. Accordingly, it is considered that the requested Special Use (SU25) zoning represents a logical and sound planning outcome for the site.

5.12 Building development and design

It is proposed to create a health precinct with supporting complementary and ancillary uses. At this early stage of the design process, it is expected that the total health related floor space for the day/general hospital, medical centre and support

facilities could be in the order of 6000m². It is also expected that in the order of 15 residential units will be constructed.

A number of proposed SU25 conditions will assist with guiding the design and ensuring there is appropriate consideration of adjoining and nearby development.

The DGP is indicative only and will be subject to detailed design at the Development Application and Building Permit stages based on detailed feasibility and design, including confirming land requirements. It is highlighted that the indicative development areas shown on the DGP are not intended to be "wall to wall" buildings but will also include open space and parking.

Design will be determined at the Planning Application and Building Permit stages. While noting this, some preliminary principles are outlined below:

- there will be a mix of 1 – 3 storey buildings complemented by a high standard of landscaping;
- buildings will not generally exceed 12 metres in height to the top of the pitched roof or have a wall height which exceeds 9 metres, which is measured vertically from the natural ground level, unless set out in design guidelines which have been approved by the local government;
- the buildings and site are to be designed to provide an attractive streetscape with coordinated parking areas and access/egress points;
- development to the R30 residential density code standard is permitted;
- development to the R60 residential density code standard may be permitted by the local government subject to the preparation of design guidelines to the local government's satisfaction;
- all setbacks for residential uses shall be as per the Residential Design Codes which will address matters including visual privacy;
- setbacks for non-residential uses shall be as per the Regional Centre Mixed Business Zone along with any variations as may be approved by the local government;
- the retail use shall be limited and incidental to the predominant use of the property as determined by the local government;
- the day hospital will orientate towards Cockburn Road;
- there will be an increased setback to Cockburn Road to accommodate landscaping and expected entry statement;
- the building walls are expected to be predominantly rendered with some feature brick, stone or other materials. It is expected that building's roofs will be colourbond;
- internal storage areas will be provided for each dwelling and storage areas provided for rubbish bins which are screened from the street;
- plant room equipment will be appropriately located and insulated to minimise noise;
- fencing and landscape screening will assist to minimise off-site impacts; and
- the proposed development will consist of sealed access ways and car parking, full servicing and enhanced stormwater management.

Given the site is essential flat, it will assist to minimise visual impact compared to a sloping block.

At the detailed design stage will need to be given to ensure external features such as solar collectors, aerials antennae, satellite dishes and pipes are integrated into the design and are not visually obtrusive from the street or neighbouring properties.

The development of the health precinct will enhance the area's character and amenity given the building design will be of a high standard.

5.13 Landscaping

Given the site has been completely cleared; required landscaping will enhance the amenity of the site and the area. A Landscape Plan is required to be prepared, approved by the City and then appropriately implemented at the Building Permit stage. The preliminary concept includes:

- it is expected that at least 10% of the site will be landscaped as guided by Table 8 of LPS1 for the Regional Centre Mixed Business Zone;
- particular emphasis will be placed on landscaping adjacent to the northern boundary and providing a central meeting area. The landscaping and open space will create an attractive environment for visitors and those working on the site;
- to use a mixture of local native and water-wise exotic species that are appropriate in an urban setting; and
- to complement the effective management of stormwater.

There may be opportunities for innovations including vertical gardens and internal courtyards/atriums which can be further discussed with health service providers.

5.14 Detailed feasibility, detailed design and staging

It is highlighted there is a need for more detailed feasibility and design which is intended to be progressively undertaken as relevant approvals are obtained. It is also highlighted that development is expected to be staged over a number of years. While noting this, the SU25 provisions and the DGP provide sufficient guidance.

The current lot boundaries will be modified through the development process to accommodate development stages.

5.15 Supporting the local economy and community

The proposed health precinct will result in job creation which will have various economic and community benefits. This includes:

- it will improve the service Albany and Great Southern residents have in conveniently access specialist services without the requirement to travel to Perth;
- the health precinct will provide a valuable enhanced health service for Albany and Great Southern residents;
- the proposed investment will further enhance the range of services offered in Albany and will support training, research and a Learning City;
- it will support local employment (direct and indirect jobs) and assist in a more sustainable local economy;

- it will add to Albany's overall viability, vitality and prosperity in accordance with the Local Planning Strategy and other documents; and
- it will build onto an existing community with established facilities, services and infrastructure and assist to strengthen and sustain local businesses.

5.16 Planning justification

In summary, the planning justification for the requested Special Use (SU25) zoning to facilitate a health precinct is set out below:

- the proposal is consistent with the planning framework;
- the site is well located for the proposed land use;
- the proposed zoning is considered compatible with adjoining and nearby uses;
- traffic impacts are negligible;
- the site can be appropriately serviced and car parking will be contained on-site;
- it promotes infill development on a vacant site;
- the site contains no environmental assets and will not create adverse environmental impacts;
- the site is not subject to heritage or landscape constraints;
- it will benefit local residents through enhanced and conveniently accessible health services; and
- the proposal will assist in enhancing Albany as a regional centre and assist in creating jobs in a highly accessible location.

Given the above, the scheme amendment request is considered consistent with the principles of orderly and proper planning.



6. CONCLUSION

This report confirms that the scheme amendment request is consistent with the planning framework and that the site is considered to be both suitable and capable of accommodating a health precinct.

The support of the WAPC and the Hon. Minister for Planning is requested to approve the scheme amendment to rezone Lots 312 and 1315 Cockburn Road, Mira Mar from "Residential R30" to "Special Use (SU25)".

PLANNING AND DEVELOPMENT ACT 2005

CITY OF ALBANY

LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 11

That the Council, under and by virtue of the powers conferred upon it in that behalf by the *Planning and Development Act 2005*, hereby amends the above Local Planning Scheme by:

1. Rezoning Lot 312 on Deposited Plan 144712 and Lot 1315 on Deposited Plan 400795 Cockburn Road, Mira Mar from "Residential R30" to "Special Use (SU25)" in accordance with the Scheme Amendment Map.
2. Adding the following to Schedule 4 "Special Use Zones" to the Scheme Text:

No.	Description of Land	Special Use	Conditions
SU25	Lots 312 and 1315 Cockburn Road, Mira Mar	<p>All uses permissible in the Regional Centre Mixed Business Zone, as set out in the Table 1 – Zoning Table, along with the following variations with associated permissibility:</p> <p>Aged or Dependent Persons' Dwelling: "D"</p> <p>Aged Persons' Village: "A"</p> <p>Ancillary Accommodation: "D"</p> <p>Boarding/Guest/Lodging House: "D"</p> <p>Caretaker's Dwelling: "D"</p> <p>Chalet/Cottage Unit: "D"</p> <p>Civic Use: "A"</p>	<p>1. Purpose</p> <p>1.1 The purpose of Special Use Zone SU25 is to create a health precinct with supporting complementary and ancillary uses.</p> <p>2. Development Guide Plan</p> <p>2.1 Development shall be generally in accordance with the Development Guide Plan endorsed by the CEO.</p> <p>2.2 Variations may be permitted to the Development Guide Plan by the Local Government after following the procedures in Clause 9.4 of the Scheme.</p> <p>3. General</p> <p>3.1 Buildings shall not generally exceed 12.0 metres in height to the top of the pitched roof or have a wall height which exceeds 9.0 metres, which is measured vertically from the natural ground level, unless set out in design guidelines which have been approved by the Local Government.</p> <p>3.2 The buildings and site are to be</p>

		<p>Convenience Store: "A"</p> <p>Family Day Care: "A"</p> <p>Grouped Dwelling: "D"</p> <p>Holiday Accommodation: "D"</p> <p>Home Business: "D"</p> <p>Hospital: "A"</p> <p>Industry Light: "X"</p> <p>Industry Service: "X"</p> <p>Motor Vehicle, Boat or Caravan Sales: "X"</p> <p>Motor Vehicle Repair: "X"</p> <p>Motor Vehicle Wash: "X"</p> <p>Multiple Dwelling: "D"</p> <p>Nursing Home: "A"</p> <p>Residential Building: "A"</p> <p>Restaurant: "A"</p> <p>Showroom: "X"</p> <p>Warehouse: "X"</p> <p>Other ancillary health and support uses approved by the Local Government.</p>	<p>designed to provide an attractive streetscape with coordinated parking areas and access/egress points.</p> <p>4. Residential Density and Use</p> <p>4.1 Development to the R30 residential density code standard is permitted.</p> <p>4.2 Development to the R60 residential density code standard may be permitted by the Local Government subject to the preparation of design guidelines to the Local Government's satisfaction.</p> <p>4.3 All setbacks for residential uses shall be as per the Residential Design Codes.</p> <p>5. Other Uses</p> <p>5.1 Setbacks for non-residential uses shall be as per the Regional Centre Mixed Business Zone along with any variations as may be approved by the Local Government.</p> <p>5.2 The retail use shall be limited and incidental to the predominant use of the property as determined by the Local Government.</p> <p>6. Car Parking</p> <p>6.1 On site car parking to be provided in accordance with the Local Government's car parking requirements as set out in clause 5.8.5 of the Scheme. This includes consideration of shared/combined parking areas where justified by the applicant.</p> <p>7. Stormwater Management</p> <p>7.1 Stormwater shall generally be accommodated in accordance with the endorsed Local Water Management Strategy.</p>
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3. Amending the Scheme Map accordingly.

City of Albany

Local Planning Scheme No. 1

Amendment No. 11

LEGEND

RESERVES

 PRIORITY ROAD

ZONES

 RESIDENTIAL

 REGIONAL CENTRE MIXED BUSINESS

OTHER

 RCODE BOUNDARY

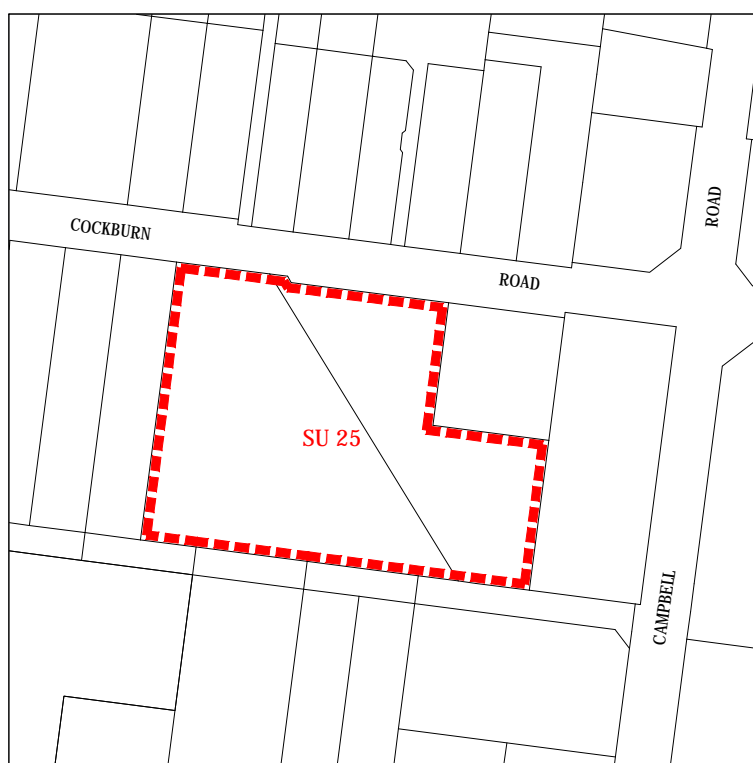
 SPECIAL USE
(SEE SCHEME TEXT)

 LOCAL ROAD

 CADASTRE



Existing Zoning Map



Scheme Amendment Map

PLANNING AND DEVELOPMENT ACT 2005

CITY OF ALBANY

LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 11

ADOPTION

Adopted by resolution of the Council of the City of Albany at the meeting of the Council held on _____

MAYOR

Date

CHIEF EXECUTIVE OFFICER

Date

FINAL ADOPTION

Adopted by Resolution of the City of Albany at the meeting of the Council held on the _____, and pursuant to that Resolution was hereunto affixed by the authority of a resolution of the Council in the presence of:

MAYOR

Date

CHIEF EXECUTIVE OFFICER

Date

RECOMMENDED/SUBMITTED FOR FINAL APPROVAL

DELEGATED UNDER S.16 OF THE
PLANNING AND DEVELOPMENT ACT
2005

Date

FINAL APPROVAL GRANTED

MINISTER FOR PLANNING

Date