



ATTACHMENTS

Planning and Development Committee Meeting

07 September 2016

6.00pm

City of Albany Council Chambers

PLANNING AND DEVELOPMENT COMMITTEE
ATTACHMENTS –07/09/2016

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15/08/2016

1:10000



CITY OF ALBANY
LOCAL PLANNING SCHEME NO. 1
AMENDMENT NO.

SCHEME AMENDMENT REQUEST

107 (Lot 36) Catalina Road, Lange

“Public use: Government”

To

“Residential” with an applicable density code of ‘R30’

January 2016

**RESOLUTION DECIDING
TO AMEND A LOCAL PLANNING SCHEME**

**CITY OF ALBANY
LOCAL PLANNING SCHEME NO. 1
AMENDMENT NO.**

RESOLVED that the Council, in pursuance of Section 75 of the Planning and Development Act 2005, amend the above Local Planning Scheme by:

1. Rezoning 107 (Lot 36) Catalina Road, Lange from 'Public use: Government' Local Scheme Reserve to the 'Residential' zone with an applicable density code of 'R30'; and
2. Amending the Scheme Map accordingly.

Dated this _____ day of _____ 20____

CHIEF EXECUTIVE OFFICER

REPORT ITEM PD138 REFERS

PLANNING AND DEVELOPMENT ACT 2005

CITY OF ALBANY Local Planning Scheme No. 1 Amendment No.

The Albany City 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 107 (Lot 36) Catalina Road, Lange from 'Public use: Government' Local Scheme Reserve to the 'Residential' zone with an applicable density code of 'R30'; and
2. Amending the Scheme Map accordingly.

ADOPTION

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

MAYOR

CHIEF EXECUTIVE OFFICER

REPORT ITEM PD138 REFERS

FINAL APPROVAL

Adopted for Final Approval by Resolution of the City of Albany at the _____ meeting of the Council held on the _____ day of _____ 20____ and the Common Seal of the City of Albany was hereunto affixed by the authority of a resolution of the Council in the presence of:

MAYOR

Seal

CHIEF EXECUTIVE OFFICER

Recommended/ Submitted for final approval

Delegated under S. 16 of PD Act 2005

Date

Final Approval Granted

MINISTER FOR PLANNING

Date

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Figure 1: Structure Plan Map

Figure 2: Local Planning Scheme Map

APPENDICES

Appendix 1: Scheme Amendment Map

Appendix 2: Copy of Certificate of Title

1.0 INTRODUCTION

This amendment proposes to amend the City of Albany Local Planning Scheme No. 1 (LPS) by rezoning 107 (Lot 36) Catalina Road, Lange (herein referred to as the ‘subject site’) from ‘Public use: Government’ Local Scheme Reserve to the ‘Residential’ zone with an applicable density code of ‘R30’ in conformity with the zoning of the surrounding land.

The intent of this Scheme Amendment is to enable the subject site to be developed in accordance with the land use and development provisions applicable to the ‘Residential’ zone.

It is therefore respectfully requested that Council support initiation of this Amendment to Local Planning Scheme No. 1.

1.1 Location, Area and Ownership

The subject site is identified as 107 (Lot 36) Catalina Road, Lange (Figure 1 – Structure Plan map), with a total land area of 9.4144 hectares.

The subject site is owned by the Electricity Networks Corporation (trading as and herein referred to as Western Power) and is contained in Certificate of Title Vol. 2055 Fol. 297 (refer appendix 2), located on the corner of Catalina Road and Lockheed Road.

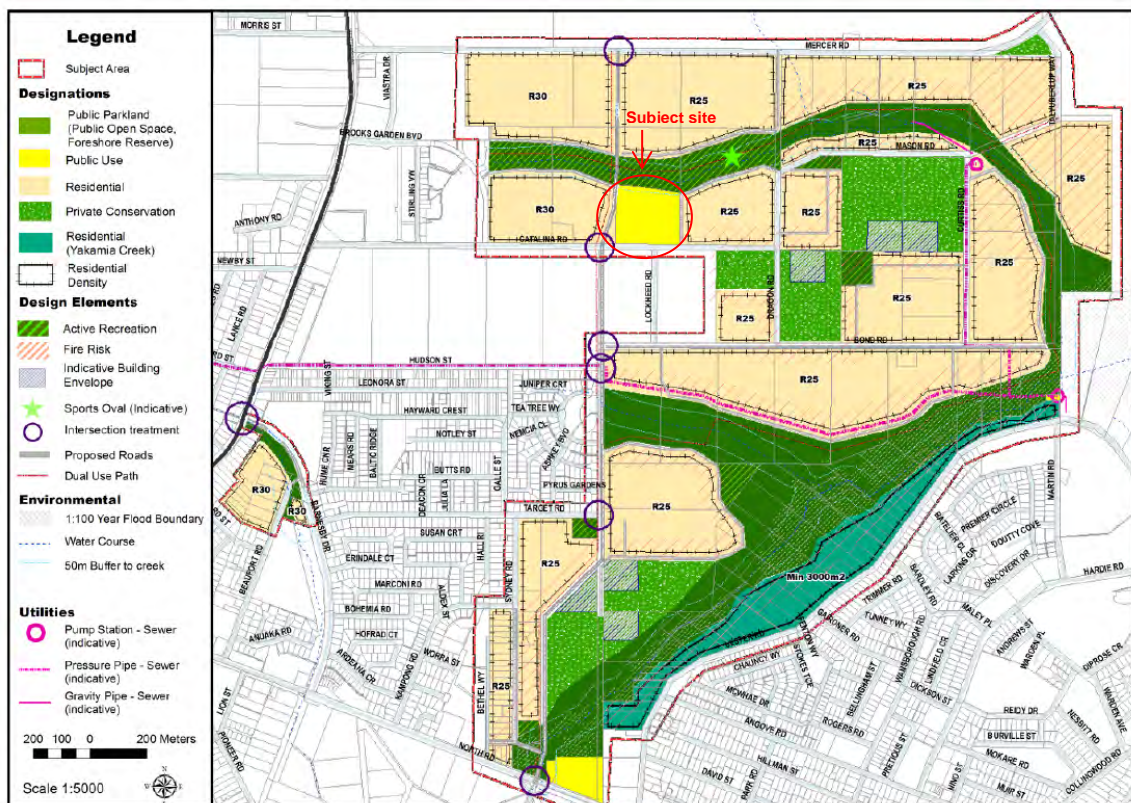


Figure 1 – Structure Plan Map (City of Albany) – Subject Site in yellow adjacent to Residential

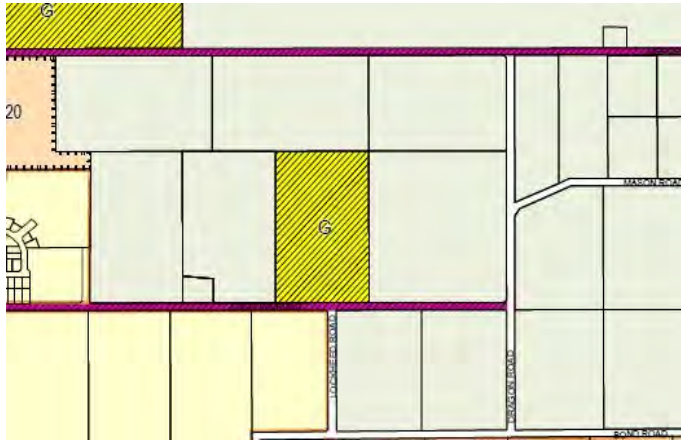


Figure 2 – Local Planning Scheme Map (City of Albany) – Subject Site in yellow

2.0 PHYSICAL CONTEXT

2.1 Land Use

The subject site is predominantly cleared of vegetation and is used for grazing of cows and sheep with several sheds located on the southern portion of the lot. Centrally located on the subject site are two water bodies entirely contained on Lot 36.

2.2 Topography

The southern portion of the site is predominately flat, whilst there is a slight incline towards the northern end.

2.3 Utilities and Services

The site is not currently serviced.

3.0 PLANNING CONTEXT

3.1 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 rezoning of the subject site to ‘Residential’ with an applicable density code of ‘R30’ is consistent with the intent and objectives of the Scheme.

3.2 Albany Local Planning Strategy

The Strategic Planning Objectives of the Albany Local Planning Strategy (ALPS) that are applicable to the subject site include:

- *Facilitate and manage sustainable growth for the urban area in the City of Albany;*
- *Support the consolidation of serviced urban areas and facilitate staged fully serviced urban frontal development;*
- *Support urban infill development based on compatibility of land uses and infrastructure capacity; and*
- *Protect future fully serviced urban areas from inappropriate land uses, subdivision and development.*

Rezoning the subject site to ‘Residential’ with an applicable density code of ‘R30’ is consistent with the objectives of the Strategy.

4.0 PROPOSED AMENDMENT

It is proposed by way of Council’s initiation of a Scheme Amendment to Local Planning Scheme No. 1 to rezone 107 (Lot 36) Catalina Road, Lange from ‘Public use: Government’ to ‘Future Urban’. It is the expectation of Western Power that the Structure Plan will be updated accordingly to ‘Residential’, with an applicable density code of ‘R30’.

5.0 CONCLUSION

It is considered that the proposed Scheme Amendment is well justified in the context of the current State planning framework, overarching Scheme objectives and local context.

In summary, the rezoning of the subject site is supported as:

- The subject site forms part of the Regional Centre of Albany which is experiencing strong growth and demand for additional housing lots;
- The land is capable of being developed and fully serviced;
- The land is in single ownership, facilitating ease of development, and will integrate with the surrounding area; and
- Adherence of the proposal to the planning policies and strategies of the City of Albany and the Western Australian Government.

It is therefore respectfully requested that the City of Albany resolve to initiate and adopt this Scheme Amendment and forward to the Western Australian Planning Commission and Hon Minister for Planning for consideration and approval.

APPENDIX 1

Scheme Amendment Map

PLANNING AND DEVELOPMENT ACT 2005 AND TOWN PLANNING REGULATIONS 1967 (AS AMENDED)			
LOCAL PLANNING SCHEME AMENDMENT No. LOCAL PLANNING SCHEME No. 1		CITY OF ALBANY	
<p>EXISTING ZONING</p>	LEGEND 	<p>SCHEME AMENDMENT MAP</p>	
ADOPTION [Regulation 13(1)] Adopted by resolution of the Council of the City of Albany at the Ordinary meeting of the Council held on the day of 20.... MAYOR 20....	FINAL APPROVAL SEAL	[Regulations 21(2), 22(1) &(2)] This Section to be completed only at the FINAL APPROVAL STAGE after the Minister has approved the Amendment [Regulation 21(2)] 1. Adopted by resolution of the Council of the City of Albany at the meeting of Council held on the day of 2016 and the seal of Council was pursuant to that resolution hereunto affixed in the presence of: MAYOR Chief Executive Officer	2. Recommended / Submitted for final approval by the Western Australian Planning Commission. DELEGATED UNDER S.16 OF P&D ACT 2005 DATE 3. Final approval granted. MINISTER FOR PLANNING DATE
AMENDMENT No. SCHEME MAP SHEET No.		DATE CHECKED	PLAN No. REF No.

APPENDIX 2

Copy of Certificate of Title

184K
Perth Batch
K529336



WESTERN




AUSTRALIA

REGISTER NUMBER 36/D73451	
DUPLICATE EDITION 4	DATE DUPLICATE ISSUED 1/4/2008

DUPLICATE CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **2055** FOLIO **297**

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.

Roberts
REGISTRAR OF TITLES 

LAND DESCRIPTION:

LOT 36 ON DIAGRAM 73451

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

ELECTRICITY NETWORKS CORPORATION OF 363-365 WELLINGTON STREET, PERTH
(T K529336) REGISTERED 7 MARCH 2008

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

Warning: A current search of the certificate of title held in electronic form should be obtained before dealing on this land.
Lot as described in the land description may be a lot or location.

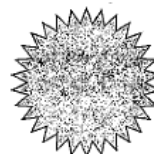
-----END OF DUPLICATE CERTIFICATE OF TITLE-----

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:	2055-297 (36/D73451).
PREVIOUS TITLE:	1801-39.
PROPERTY STREET ADDRESS:	107 CATALINA RD, LANGE.
LOCAL GOVERNMENT AREA:	CITY OF ALBANY.

*Yakamia SS (Albany 2)
M/3/SS 337 (37A) u*



CITY OF ALBANY LOCAL PLANNING SCHEME No. 1

AMENDMENT No. 18

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
1	ATCO Gas 81 Prinsep Road JANDAKOT WA 6164	ATCO Gas do not have any gas mains or infrastructure within the application area, nor within the surrounding road reserves. ATCO Gas do not have any objection to the proposed local planning scheme amendment.	Nil.	Submission noted.
2	Telstra Locked Bag 2525 PERTH WA 6001	Telstra Corporation Limited has no objection.	Nil.	Submission noted.
3	Water Corporation PO Box 100 LEEDERVILLE WA 6902	<p>Reticulated water is currently available to the subject lots.</p> <p>Lot 1 on the corner of Chester Pass Road and Mercer Road has a Water Corporation water main located within it. Development on that lot may require the water main to be protected or located.</p> <p>The principle followed by the Water Corporation for the funding of subdivision or development is one of user pays. The developer is expected to provide all water and sewerage reticulation if required. A contribution for water, sewerage and drainage headworks may also be required.</p>	Water Corporation's advice will be relevant to subsequent development stages.	Submission noted.

CITY OF ALBANY LOCAL PLANNING SCHEME No. REPORT ITEM PD139 REFERS

AMENDMENT No. 18

SCHEDULE OF SUBMISSIONS

No.	Name/Address of Submitter	Summary of Submission	Officer Comment	Staff Recommendation
		<p>In addition, the developer may be required to fund new works or the upgrading of existing works and protection of all works. Any temporary works needed are required to be fully funded by the developer. The Water Corporation may also require land being ceded free of cost for works.</p>		
4	<p>Main Roads WA Great Southern Region 2-6 Kelly Street ORANA WA 6330</p>	<p>Main Roads has no objections to the proposed scheme amendment and acknowledges that the rezoning of Lots 201, 202 and 203 Chester Pass Road will serve to facilitate the accessing of these lots from Viastra Drive via Lot 1004, as access via Chester Pass road or Mercer Road is not possible at this location.</p>	Nil.	Submission noted.



Local Planning Scheme No. 1
Amendment No. 18
Lots 201, 202 & 203 Chester Pass Road, Lange

Planning & Development
Services

REPORT ITEM PD139 REFERS

Document Approval			
Document Officer:		Development	
Planning Officer		Executive Director Planning and Development Services	
Document Control			
File Number - Document Type:		LAMD18 – Local Planning Scheme Amendment	
Synergy Reference Number:		PSA1654184	
Meta Data: Key Search Terms		Local Planning; Chester Pass; Mercer; Lange; Scheme Amendment	
Status of Document:		Council decision: Adopted	
Document file details:		Location of Document: N:\Planning & Development\PLANNING\03 Amendments \Amendments\LPS1\LAMD18	
Quality Assurance:		Executive Management Team; Planning and Development Committee; Council	
Distribution:		Public Document	
Document Revision History			
Version	Author	Version Description	Date Completed
1.0	Senior Land Officer	<i>Adopted by Council for the purpose of referral to the Environmental Protection Authority and Department of Planning for consent to advertise for public comment on 26/04/2016 Report Item PD121. Adopted by Planning and Development Committee on 06/04/2015. Approved by Executive on 29/03/2016.</i>	26/04/2016
1.1	Planning Officer	<i>Updated cover page added and minor typographical errors corrected on 19/05/2015.</i>	19/05/2015

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME

CITY OF ALBANY

LOCAL PLANNING SCHEME NO. 1

AMENDMENT NO. 18

RESOLVED that the Council, in pursuance of Section 75 of the *Planning and Development Act 2005*, amend the Local Planning Scheme by:

1. Rezoning Lots 201, 202 and 203 Chester Pass Road from 'General Agriculture' to 'Special Use Zone SU23';
2. Amending Schedule 4 – Special Use Zones No 23 as follows:
 - a. Include in the Description of Land column "Lots 201, 202 and 203 Chester Pass Road, Lange".
 - b. Include the use of "Pharmacy" in the Special Use column;
 - c. Include the following in the Conditions column:
 5. *The Pharmacy use shall include a dispensary and the sale of incidental & medical products.*
 6. *In making application for a Pharmacy Use, the developer shall provide evidence that approval has been granted under the Pharmacy Location Rules as set by the National Health Act 1953 and the National Health (Australian Community Pharmacy Authority Rules) Determination 2006, for as long as these rules are current.*
3. Amending the Scheme Maps accordingly.

Dated this day of 2016

.....

CHIEF EXECUTIVE OFFICER

MINISTER FOR PLANNING

PROPOSAL TO AMEND A LOCAL PLANNING SCHEME

Local Authority:	City of Albany
Description of Local Planning Scheme:	Local Planning Scheme No. 1
Type of Scheme:	Local Planning Scheme
Serial No. of Amendment:	Amendment No. 18
Proposal:	<ol style="list-style-type: none">1. Rezoning Lots 201, 202 and 203 Chester Pass Road from 'General Agriculture' to 'Special Use Zone SU23';2. Amending Schedule 4 – Special Use Zones No 23 as follows:<ol style="list-style-type: none">a. Include in the Description of Land column “Lots 201, 202 and 203 Chester Pass Road, Lange”.b. Include the use of “Pharmacy” in the Special Use column;c. Include the following in the Conditions column:<ol style="list-style-type: none">5. <i>The Pharmacy use shall include a dispensary and the sale of incidental & medical products.</i>6. <i>In making application for a Pharmacy Use, the developer shall provide evidence that approval has been granted under the Pharmacy Location Rules as set by the National Health Act 1953 and the National Health (Australian Community Pharmacy Authority Rules) Determination 2006, for as long as these rules are current.</i>3. Amending the Scheme Maps accordingly.

Scheme Amendment Report

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1. Introduction

The City of Albany would like to facilitate the future redevelopment of the three lots at the corner of Chester Pass and Mercer Roads in conjunction with the adjoining land, being Lot 1004 Viastra Drive. Lots 201, 202 and 203 Chester Pass Road have previously been developed as a public gardens, though through a series of major road improvements, it has become inaccessible. Further, the intersection of two significant roadways may not be an ideal location for public recreation. Given the lack of vehicle access to the land, the best possible use for the site was considered to be its development in conjunction with the adjoining property.



FIGURE 1 – LOTS 201, 202 & 203 CHESTER PASS ROAD, VIEW FROM MERCER ROAD

2. Background

Lots 202 and 203 were purchased by the then Shire of Albany in 1968 and Lot 201 was purchased in 1985. The original reasons for these land purchases are not known. The land was then developed as public gardens and a tribute to Archibald Menzies was placed on site. Archibald Menzies was a Scottish naturalist who accompanied Captain George Vancouver on his visit to King George Sound in 1791.

Since 2004, the City has been involved in a number of discussions concerning the development of the land bound by Chester Pass Road, Mercer Road and Viastra Drive.

Throughout all discussions, the Rural zoning was noted as a scheme anomaly and it has been questioned whether it was an appropriate location for public gardens. These discussions did not result in any action and majority of the land remained in receivership for a number of years.

In 2000, Main Roads WA took 765m² from the three lots for the purposes of widening Chester Pass Road and facilitating the improvement of this major road. A further 832m² was taken from the three lots in 2012 in order to create a left turn auxiliary lane from Mercer Road, with a merge lane onto Chester Pass Road. At this time, Main Roads WA advised the City that it was highly unlikely that crossover access would be permitted to the three lots from either Mercer or Chester Pass Road and vehicle access through Lot 1004 Viastra Drive would need to be negotiated. While the road widening and future road works were supported by Council (OCM 16/10/2012 Item 4.5), it was at this time the decision was made about the public gardens aspect. The report to Council noted that this park is not a popular active or passive recreation space, with little amenity and in close proximity to major roads carrying high traffic numbers and heavy vehicle traffic. The Archibald Menzies memorial has since been relocated to Eco Park on Reidy Crescent, Spencer Park, as a more suitable location for such a dedication.



FIGURE 2 – LEFT TURN AUXILIARY LANE ON MERCER ROAD CONSTRUCTED 2012/13



FIGURE 3 – MERGE LANE FROM MERCER ROAD ONTO CHESTER PASS ROAD, CONSTRUCTED 2012/13

When the adjoining land at Lot 1004 Viastra Drive passed into new ownership in 2015, the City entered into discussions with these owners in an effort to secure vehicle access to the subject land. In these discussions, the owners indicated their preference to purchase the three lots and develop them in conjunction with their land at Lot 1004 Viastra Drive. This option was supported by Council at its meeting held on 22 September 2015, noting the need to rezone the land to a similar Special Use zoning as Lot 1004 Viastra Drive. As part of the Contract of Sale, the City has agreed to undertake the rezoning of the subject land on behalf of the Buyers.

While no details are yet available, it is understood that the owners of Lot 1004 Viastra Drive would like to develop their property and the adjoining land as a medical centre / day hospital and pharmacy, consistent with the Special Use zoning of the land.

3. Purpose of Amendment

The purpose of this amendment to Local Planning Scheme No. 1 (LPS1) is to extend Special Use Zone No. 23 to include Lots 201, 202 and 203 Chester Pass Road.

It is also proposed to include the use of 'Pharmacy' as a separate use. While it could be argued it might reasonably be considered under the definition of "and other ancillary health

and support uses approved by the Local Government”, this would be a discretionary decision of the approving authority.

Generally, a dispensary use would support a medical centre or hospital use and a dispensary does not include the retail component that is common with Pharmacies. However, a dispensary is often financially assisted or operated by the main use which it is supporting (i.e. medical centre or hospital). If the business model requires this use operate as an independent entity, it may be difficult to attract an operator if the retail component is not permitted, as the retail component offers a greater level of economic viability for a Pharmacy use. As such, it is the Buyer’s preference that the Pharmacy use be specified. This will also give greater clarity for future decision making.

The Buyer has advised that they understand a license for the Pharmacy use will be granted under the Pharmacy Location Rules as set by the *National Health Act 1953* and the *National Health (Australian Community Pharmacy Authority Rules) Determination 2006*, as the intent is that there will be more than seven full-time prescribing doctors on site. In this case, minimum separation distances between pharmacies are waived. This amendment suggests that conditions regarding this licensing be included in the Scheme, though stipulating for “as long as those rules are current”, as it is understood the Pharmacy Location Rules may be phased out.

4. Site Description

Location

The subject land has a total land area of 4,629m² and is located at the corner of Chester Pass Road and Mercer Road, which are two significant roadways in Albany. It is situated approximately four kilometres from the Central Business District and in close proximity to the Catalina Commercial Precinct / Brooks Garden Shopping Centre.

Details of land

The relevant details of land are as follows:

Details of land	Plan Survey No	Title Number
Lot 201 Chester Pass Road, Lange	DP400007	Volume 2820 Folio 132
Lot 202 Chester Pass Road, Lange*	DP400007	Volume 2820 Folio 133
Lot 203 Chester Pass Road, Lange*	DP400007	Volume 2820 Folio 133

* This is a multi-lot title.



FIGURE 4 – LOCATION PLAN

Land Uses

Considering the subject land and the adjoining Lot 1004 Viastra Drive, there is an aged care village to the east, the Catalina Commercial Precinct to the south (including the Brooks Garden Shopping Centre and Harvey Norman) and industrial uses on the western side of Chester Pass Road. The City's Depot Site and South Coast Natural Resource Management (SCNRM) are situated on the land to the north.

The City's recent strategic planning considerations highlight the need to consolidate the Catalina Commercial Precinct as a multi-purpose activity centre. As such, the vacant site bound by Chester Pass Road, Mercer Road and Viastra Drive lends itself to a development which may add to the range of land uses available in this activity centre. The proposed medical centre / day hospital use could potentially also become a new medical node supporting future growth in the Catalina and Yakamia Structure Plan areas.



FIGURE 5 – VIEW OF SUBJECT LAND FROM CHESTER PASS ROAD



FIGURE 6 – VIEW OF SUBJECT LAND FROM MERCER ROAD (SURVEY PEG BOTTOM LH CORNER)



FIGURE 7 – LOT 1004 VIASTRA DRIVE, VIEW FROM VIASTRA DRIVE



FIGURE 8 – LOT 1004 VIASTRA DRIVE, CITY DRAINAGE BASIN MAINTAINED UNDER EASEMENT

5. Planning Context

5.1 State Planning Context

WAPC Statement of Planning Policies

State Planning Policies and development control policies are prepared and adopted by the WAPC under the *Planning and Development Act 2005*. Local Government must have due regard to the provisions of state planning policies when preparing or amending local planning schemes. Relevant to this amendment is the following State Planning Policy.

State Planning Policy 2.5 – Land Use Planning in Rural Areas

This policy applies to Rural land in Western Australia and shall be considered in assessing amendments to Rural zoned land in a local planning scheme. This policy aims to protect rural land from incompatible land uses, supports primary production activities and protects priority agricultural land. It also aims to promote sustainable settlement in and adjacent to existing urban areas.

The subject land has an area of less than one hectare and is not currently used for agricultural purposes. It is also bound on all boundaries by non-rural land uses. It is agreed that the General Agriculture zoning of this land is an anomaly and the rezoning of the subject land would not be in contravention of the State Planning Policy 2.5.

5.2 Local Planning Context

Local Planning Scheme No. 1

The City of Albany Local Planning Scheme No. 1 was gazetted on 28 April 2014. It zones the subject land 'General Agriculture', though it is bound by land zoned for a variety of non-rural purposes. There is Light Industrial land west of Chester Pass Road, residential land to the east, Highway Commercial land to the south and a Public Use reserve to the north (City's Depot site and South Coast NRM). The land immediately adjoining Lots 201, 202 and 203 Chester Pass Road, being Lot 1004 Viastra Drive, is currently designated as Special Use zone SU23.

Albany Local Planning Strategy

The Albany Local Planning Strategy (ALPS) was endorsed by the WAPC on 26 August 2010 and establishes a number of principles relating to this proposal.

The Strategy sets as a core principle the need to protect and manage agriculture land for economic, environmental landscape, social and tourism values. It is considered that the 'General Agriculture' zoning applied to Lots 201, 202 and 203 Chester Pass Road is an anomaly within the Scheme and the planning principles of the Strategy to protect agricultural land would not apply. This site is small in nature and has been used as public gardens for a number of years. The land is somewhat low lying and of poor quality, not lending itself as suitable for agricultural uses. Further, an agricultural land use would be somewhat

inconsistent with the mix of industrial, commercial and residential land uses in very close proximity.

The Strategy designates the Catalina Commercial Precinct & Brooks Garden Shopping Centre as an Existing Large Neighbourhood Centre (up to 5000m² permitted) and notes this shopping precinct as an important activity centre. The Strategy highlights the need to encourage medical facilities to locate within neighbourhood centres to reduce issues associated with the location of smaller consulting rooms in residential areas.

Part 6.4.5 of the Strategy highlights the need to provide an corresponding increase in aged and specialist health care services to align with the rising number of middle-aged and senior residents. A key health aim is to encourage a network of private clinics and health facilities throughout Albany to improve access to health care providers. Co-location of these facilities in suburban locations and with other community services / activities is encouraged by the Strategy. The proposed development on the subject and adjoining land will support these aims, improving the availability of medical facilities outside of the CBD.

Catalina Central Planning Framework

The Catalina Central Planning Framework applies to this proposal. This document was adopted as a planning policy in March 2011 and sets the basis for the development of a neighbourhood centre at the intersection of Chester Pass and Catalina Roads. The subject land and adjoining Lot 1004 Viastra Drive fall within Precinct 2 in this Framework.

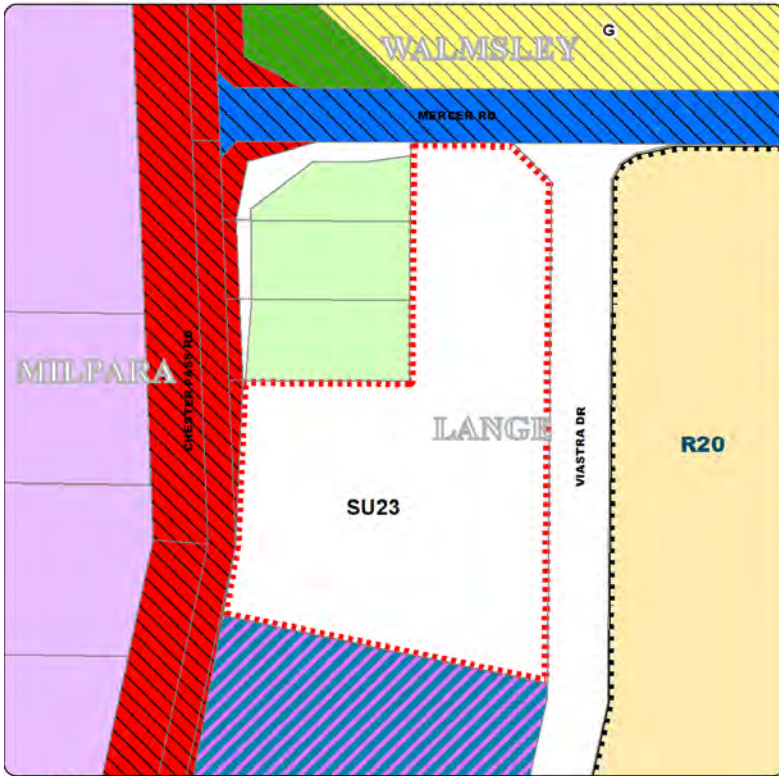
While the Catalina Central Planning Framework does not provide a detailed plan for Precinct 2, it proposes the principles to be considered when this Precinct Plan is prepared. It notes that Precinct 2 may include a health campus, with a range of uses such as a nursing home and private day care hospital. These uses are to be located at the intersection of Chester Pass Road and Mercer Road, though noting the restriction of access to any future development must be from Viastra Drive only. It recommends that any development of this land should have a visual address to Chester Pass Road, despite being accessed from Viastra Drive.

This framework notes the public gardens at the intersection of Chester Pass and Mercer Roads, though is silent on its intended or potential future use. There is also no comment on the suitability of this land as public open space.

6. Conclusion

The purpose of the amendment is to facilitate the development of land which has been isolated by significant road works on adjoining major roads and that would be best developed in conjunction with the adjoining property. This would allow the future development to address Chester Pass and Mercer Roads, whilst being accessed from Viastra Drive. The future health uses on the land will serve to consolidate and enhance the Brooks Garden activity centre and will support both the current and future residential areas outside of the CBD.

REPORT ITEM PD139 REFERS
CITY OF ALBANY
Local Planning Scheme No. 1
Amendment No. 18



LPS1

- R Code Boundary
- Cadastre
- Special Use
- Local Road
- Priority Road
- Major Road
- Parks and Recreation
- Public Use
- Highway Commercial
- Light Industry
- Residential
- General Agriculture

Existing Zoning



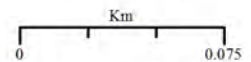
Proposed Amendment

- Special Use

Proposed Zoning



SCALE @ A4:
 1:2,500
 Date Printed: 17/02/2016



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PLANNING AND DEVELOPMENT ACT 2005

CITY OF ALBANY

LOCAL PLANNING SCHEME NO. 1

AMENDMENT NO. 18

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 - b. Include the use of "Pharmacy" in the Special Use column;
 - c. Include the following in the Conditions column:
 5. *The Pharmacy use shall include a dispensary and the sale of incidental & medical products.*
 6. *In making application for a Pharmacy Use, the developer shall provide evidence that approval has been granted under the Pharmacy Location Rules as set by the National Health Act 1953 and the National Health (Australian Community Pharmacy Authority Rules) Determination 2006, for as long as these rules are current.*
3. Amending the Scheme Maps accordingly.

ADOPTION

Adopted by resolution of the Council of the City of Albany at the meeting of the Council held on the day of the 2016.

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

FINAL APPROVAL

Adopted for final approval by resolution of the City of Albany at the meeting of the Council held on the day of of 20..... and the seal of the Municipality was pursuant to that resolution hereunto affixed in the presence of:

.....

MAYOR

.....

CHIEF EXECUTIVE OFFICER

Recommended/Submitted for Final Approval

.....

Delegated under S.16 of PD Act 2005

Date:.....

Final Approval Granted

.....

MINISTER FOR PLANNING

Date:.....

Appendix 1
Certificate of Titles

WESTERN



AUSTRALIA

REGISTER NUMBER	
201/DP400007	
FIRST SCHEDULE	DATE DEPOSITED
1	3/10/2013

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

VOLUME 2820 PAGE 132

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 201 ON DEPOSITED PLAN 400007

REGISTERED PROPRIETOR:
 (FIRST SCHEDULE)

SHIRE OF ALBANY OF CHESTER PASS ROAD, ALBANY

(AF M380818) REGISTERED 23 AUGUST 2013

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

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.
 † as described in the land description may be a lot or lotation

-----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: DP400007
 PREVIOUS TITLE: 1270-820
 PROPERTY STREET ADDRESS: 214 CHESTER PASS RD, LANGE
 LOCAL GOVERNMENT AREA: CITY OF ALBANY

WESTERN



AUSTRALIA

REGISTER NUMBER	
N/A	
DUPLICATE FACTORY	DUPLICATE DATE (MM/DD)
1	3/10/2013

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

VOLUME 2820 PAGE 133

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



THIS IS A MULTI-LOT TITLE

LAND DESCRIPTION:

LOTS 202 & 203 ON DEPOSITED PLAN 400007

REGISTERED PROPRIETOR:
 (FIRST SCHEDULE)

SHIRE OF ALBANY OF CHESTER PASS ROAD, ALBANY

(XA M389621) REGISTERED 2 SEPTEMBER 2013

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

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 s. lot in location.

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

STATEMENTS:

(The statements set out below are not intended to be used 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: DP400007.
 PREVIOUS TITLE: 2820-130, 2820-129.
 PROPERTY STREET ADDRESS: 210 CHESTER PASS RD, LANGE (203/DP400007).
 212 CHESTER PASS RD, LANGE (202/DP400007).
 LOCAL GOVERNMENT AREA: CITY OF ALBANY.

LANDGATE COPY OF ORIGINAL NOT TO SCALE Tue Feb 16 08:21:46 2016 JOB 50146582

<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:15%;">VERSION</th> <th style="width:15%;">APPROVED</th> <th style="width:15%;">AUTHORISED BY</th> <th style="width:15%;">DATE</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	VERSION	APPROVED	AUTHORISED BY	DATE					<p style="text-align: center;">LOTS 301 - 303 TO BE ACQUIRED SOLELY FOR A PUBLIC PURPOSE (ROAD WIDENING, CHESTER PASS ROAD AND MERCER ROAD)</p>	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2">TYPE FREEHOLD</td> </tr> <tr> <td colspan="2">PURPOSE ACQUISITION</td> </tr> <tr> <td colspan="2">PLAN OF</td> </tr> <tr> <td colspan="2" style="text-align: center;"> LOTS 201, 202 & 203 AND ROAD WIDENINGS (LOTS 301, 302 & 303) </td> </tr> <tr> <td>DISTRICT PLANTAGENET</td> <td>SSA : NO</td> </tr> <tr> <td>TOWNSHIP FILE</td> <td>FIELD BOOK</td> </tr> <tr> <td>LOCAL AUTHORITY CITY OF ALBANY</td> <td>SEE TABLE</td> </tr> <tr> <td>LOCALITY LANGE</td> <td></td> </tr> <tr> <td>ON</td> <td>FIELD BOOK</td> </tr> <tr> <td>BOOK BOOK (2) 10 004, 10 00</td> <td>122197</td> </tr> <tr> <td>RANGE 122197</td> <td></td> </tr> <tr> <td>SCALE (IN METRES)</td> <td>1:300 (A2)</td> </tr> <tr> <td colspan="2"> <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%;"> SURVEYOR'S CERTIFICATE - Reg 64 I, M. 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HELD BY LANDGATE
IN DIGITAL FORM ONLY.

JOHN KINNEAR & ASSOCIATES
Consulting Surveyors
15 Collins Street
PO BOX 1020
ALBANY WA 6171
PHONE 08 9426 1233 FAX 08 9426 1274
JKA REG 048

Landgate
www.landgate.wa.gov.au