



TOWN OF
VICTORIA PARK



Ordinary Council Meeting Minutes – 21 April 2020



**WE'RE OPEN
VIC PARK**

Please be advised that an **Ordinary Council Meeting** was held at **6:30 pm** on **Tuesday 21 April 2020** as an electronic meeting accessible at victoriapark.wa.gov.au.

Her Worship the Mayor Karen Vernon
22 April 2020

12.2 Scheme Amendment for Additional Use (Cafe and/or Office) at 53-55 Canning Highway

Location	Victoria Park
Reporting officer	Sturt McDonald
Responsible officer	Robert Cruickshank
Voting requirement	Simple Majority
Attachments	<ol style="list-style-type: none"> 1. Scheme Amendment Request FINAL - 53 - 55 Canning Hwy, Victoria Park [12.2.1 - 52 pages] 2. Schedule of submissions [12.2.2 - 18 pages]

Landowner	Kingsfort VP Pty Ltd
Applicant	Element
Application date	16/12/2019
DA/BA or WAPC reference	DA 10.2019.85.1
MRS zoning	Urban Zone and Primary Regional Road Reserve
TPS zoning	Residential
R-Code density	R80
TPS precinct	Precinct Plan P4 – McCallum Precinct
Use class	'Restaurant/Café' and 'Office'
Use permissibility	'X' (prohibited)
Lot area	1,392m ²
Right-of-way (ROW)	Not applicable
Municipal heritage inventory	Not applicable
Residential character study area/weatherboard precinct	Not applicable
Surrounding development	Residential development located between Canning Highway and McCallum Park and Taylor Reserve. Public carpark in close proximity at the southern end of McCallum Lane. Street parking also available along Taylor Street and Garland Street.

Recommendation

That Council:

3. Resolves pursuant to Section 75 of the *Planning and Development Act 2005* to initiate an Amendment (Amendment No. 85) to the Town of Victoria Park Planning Scheme No. 1 as follows:
 - a. Insert the following into Schedule C: Additional Uses of the Scheme Text:

REF NO.	LAND PARTICULARS	PERMITTED USES	DEVELOPMENT STANDARDS/CONDITIONS
A57 57	No. 53-55 (Lots 31, 32 and 33) Canning Highway, Victoria Park on Plan 1741	<ul style="list-style-type: none"> • Restaurant/Café (AA) 	<ol style="list-style-type: none"> 1. Additional Use is restricted to the ground floor at the corner of Taylor Street and McCallum Lane. 2. Additional Use must address the street to the satisfaction of the Town. 3. The maximum net lettable area of any Restaurant/Café uses shall be 120m² in aggregate. 4. The Additional Use of Restaurant/Cafe shall be deemed to be an "AA" use for the purposes of the Scheme. 5. A development application for the Additional Uses is to be supported by technical reports assessing the parking demands of the use, and the extent of available nearby public parking.

- b. Modify Town Planning Scheme No. 1 Precinct Plan P4 'McCallum Precinct' by applying to the properties known as Nos. 53 & 55 (Lots 31, 32 & 33) Canning Highway, Victoria Park the notation 'A57' as the Reference Number for that property listed in Schedule C – Additional Uses, of the Town Planning Scheme No. 1 Scheme Text.
4. Considers Amendment No. 85 to the Town of Victoria Park Town Planning Scheme No. 1 to constitute a 'standard amendment' in accordance with Regulation 34 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) for the following reasons:
 - i. Pursuant to Regulation 34(e) of the Regulations, it is considered that the amendment would have minimal impact on the land in the scheme area that is not the subject of the amendment; and
 - ii. Pursuant to Regulation 34(f) of the Regulations, it is considered that the amendment does not result in any significant environmental, social, economic or governance impact on the land in the scheme area.
5. Authorises the Chief Executive Officer and Mayor to execute the Town Planning Scheme No. 1 Amendment No. 85 documents.

6. Forwards Amendment No. 85 to the Environmental Protection Authority for assessment in accordance with Section 81 of the *Planning and Development Act 2005*, and the Western Australian Planning Commission for information.
7. Advertises Amendment No. 85 for public comments for a period of 42 days in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, with the following advice being included in all advertising notices and consultation letters circulated:

This proposed Amendment is available for inspection and public comment, and it should not be construed that final approval will be granted. Your written comments are welcome and will be considered by Council prior to a recommendation being made to either proceed, modify or abandon the proposal.

Purpose

A formal request has been submitted for Council to amend Town Planning Scheme No. 1 (TPS1). This amendment would assign an 'AA' (discretionary) use permissibility to the land uses of 'Restaurant/Café' and 'Office' at Nos. 53-55 Canning Highway, Victoria Park (the subject site). The land uses of "Restaurant/Café" and 'Office' are currently an 'X' (prohibited) land use in a 'Residential' zone under TPS 1.

Council is required to assess the merits of amending TPS1 as requested by the applicant, and if supported, formally resolve to initiate a Scheme Amendment.

In brief

- The proposal seeks to amend Schedule C of TPS1 by including the land uses of 'Restaurant/Café' and 'Office' as Additional Uses at the subject site. By listing these uses as Additional Uses for the site, the uses are capable of being approved by the Town as part of a future application for development approval.
- The intent is for the subject site to be developed as per the Joint Development Assessment Panel approval for 23 Multiple Dwellings and for the ground floor 'communal lounge' depicted on the approved plans to instead be used for the proposed Additional Uses (refer to approved plans within Appendix A of Attachment 2).
- In accordance with Local Planning Policy 37 'Community Consultation on Planning Proposals', preliminary consultation on the proposal was undertaken with three submissions being received. These three submissions oppose the proposal, primarily due to carparking issues.
- While supportive of the proposed Additional Use of 'Restaurant/Café' the proposed Additional Use of 'Office' is not supported. It is considered that an Office use would not offer the same level of activation, and potentially place a greater demand upon available nearby parking given the likely long-term use of car bays by office tenants.
- It is considered that the Scheme Amendment will be consistent with the strategic direction envisaged for the McCallum Precinct and will provide opportunity for an improvement to streetscape amenity, activation and passive surveillance.
- It is recommended that the Scheme Amendment be initiated subject to conditions and excluding the proposed Additional Use of Office.

Background

1. On 19 September 2018 the first of several Design Review Panel (DRP) Meetings took place between the Town, the DRP and consultants representing the landowner in relation to a concept development at the subject site. Feedback from the DRP prompted changes to the initial sketch design, removing one of two garage doors to the McCallum Lane frontage and replacing it with an active communal space. A 'Café' or equivalent was discussed as desirable from a street activation/surveillance standpoint. This land use, however, was also noted as an 'X' (prohibited) land use in the Residential zone under TPS1.
2. On 20 May 2019, a development application for 23 Multiple Dwellings (apartments) was lodged with the Town for 53-55 Canning Highway, Victoria Park. At its meeting held on 15 August 2019 the Metro Central Joint Development Assessment Panel (JDAP) conditionally approved the proposal. The approved plans feature a 'Communal Lounge' (for use by residents) at the lower ground floor corner of Taylor Street and McCallum Lane. This is in addition to other communal facilities on the upper ground floor.
3. On 16 December 2019 the Town received a proposal from a planning consultant acting on behalf of the landowner for a 'standard' Amendment to Town Planning Scheme No. 1 to permit the Additional Uses of 'Restaurant/Café' and 'Office' at Nos. 53-55 Canning Highway, Victoria Park (subject site).

Summary

4. This request proposes to amend TPS1 to include Additional Uses of 'Restaurant/Café' and 'Office' on the subject site, making them 'AA' (discretionary) use. These land uses are currently 'X' (prohibited) land uses on the subject site given the applicable 'Residential' zoning.
5. The Amendment, as proposed by the applicant, includes three Development Standards/Conditions that will apply to the use of the land. Development standards proposed by the applicant limit the scope and scale of the additional use, ensuring that these additional uses form a proportionally small component of the overall development and are located in a ground floor location.
6. The landowner is taking steps to pursue and commence construction of the JDAP approved apartments. It should be noted, however, that the Development Approval for the subject site does not compel the landowner to undertake the approved works. The Development Standards/Conditions must function irrespective of whether the approved development takes place. This, at least in part, explains why the recommended limitation of tenancy floor space exceeds the area depicted for this space on the approved development application plans.

Applicant's submission

7. The JDAP approved a development for 23 multiple dwellings on the subject site in August 2019. Following feedback received from the Town's Design Review Panel (DRP) on an initial development concept, it was made clear that the ground plane interface of the development with the adjacent public realm needed to be enhanced.
8. This request proposes to amend TPS1 to include Additional Uses of 'Restaurant/Café' and 'Office' on the subject site. This amendment will facilitate the future development of a commercial tenancy on the corner of the subject site, within the approved residential development. This tenancy will improve the approved development's interface and activation of the public realm leading into McCallum Park.
9. To ensure this, it is proposed that the Additional Uses be restricted to the ground floor and be required to address the street.
10. The applicant outlines that specific land uses will be subject to future planning processes, which at minimum would consist of a Development Application. Details of the proposed activity will be discussed and considered in greater detail as part of that Development Application.

11. Although noting that details will be considered in separate processes, the applicant contends that the land uses that are proposed to be facilitated in this location will have an acceptably low impact in terms of car parking. This argument, in part, relies on the likely users of a future commercial tenancy being existing users of McCallum Park and the Swan River (passing foot/cycle traffic) or existing members of the adjacent residential community. Under this scenario, there would be a limited impact upon car parking in the area.
12. The applicant has also noted that a large amount of public car parking is also provided within proximity to the site, suggesting that between this and other factors, there is sufficient supply to meet demand.

Relevant planning framework

Legislation	<ul style="list-style-type: none"> • <i>Planning and Development Act 2005</i> • <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> • Town Planning Scheme No.1 (TPS1) • TPS1 Precinct Plan P4 – ‘McCallum Precinct’
Local planning policies	<ul style="list-style-type: none"> • Local Planning Policy 3 – Non-Residential Uses In or Adjacent to Residential Areas • Local Planning Policy 23 – Parking Policy • Local Planning Policy 37 – Community Consultation on Planning Proposals
State planning documents	<ul style="list-style-type: none"> • Perth and Peel @3.5 million: Central Sub-regional Planning Framework

Legal compliance

Part 5 ‘Local Planning Schemes’ of the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015*, Regulations 50 and 51.

Planning and Development Act 2005

https://www.austlii.edu.au/cgi-bin/viewdb/au/legis/wa/consol_act/pada2005236/

Planning and Development (Local Planning Schemes) Regulations 2015

https://www8.austlii.edu.au/cgi-bin/viewdb/au/legis/wa/consol_reg/padpsr2015527/

13. In accordance with clause 17 of TPS1, the Council can initiate an Amendment to the Scheme to permit a prohibited use on a site by listing it within Schedule C – Additional Uses. Clause 17 requires that Council, if/when initiating such an Amendment, is to have regard to the orderly and proper planning of the locality, the conservation of its amenities and the Statement of Intent set out in the relevant Precinct Plan. The Council is also required to consider whether the proposed Amendment is likely to have any adverse effect on the occupiers and users of the development, the properties or inhabitants of the locality, or the future development of the locality. These and other matters are considered in the following report section “General matters to be considered”.
14. To resolve a potential anomaly, advice received from the Department of Planning is that designating the uses as “AA” (discretionary) uses within a Development Standard will serve the intended purpose of, making each of the land uses “AA” (discretionary) uses, as opposed to being ‘permitted uses’. This approach has been utilised by a number of other local governments.

General matters to be considered

<p>TPS precinct plan statements</p>	<p>The following Statements of Intent contained within the Precinct Plan are relevant to consideration of the application:</p> <p><i>"The McCallum Precinct's role as a major node of recreational and leisure activity, with adjacent commercial and residential uses will be enhanced. Further development will also serve to enhance and promote the precinct as a tourist attraction on the basis of its waterfront setting.</i></p> <p><i>Development will be concentrated in two areas. Further commercial development will be encouraged in the area centered around Berwick Street/Canning Highway intersection. Uses such as offices and showrooms are considered to be appropriate. High density, high quality residential uses will be encouraged in the second area which follows the alignment of Canning Highway, and backs onto the Park."</i></p>
<p>Local planning policy objectives</p>	<p>The following objectives of Local Planning Policy 3 – Non-Residential Uses In or Adjacent to Residential Areas are relevant in determining the application.</p> <p><i>(a) to ensure non-residential uses are compatible with the residential character, scale and amenity of surrounding residential properties</i></p> <p><i>(b) to provide for non-residential uses which serve the needs of the community;</i></p> <p><i>(d) to minimise the impacts of non-residential development through appropriate and sufficient management of car parking and traffic generation, noise, visual amenity and any other form of emissions or activities that may be incompatible with surrounding residential uses;</i></p> <p><i>(e) to ensure that the appearance and design of non-residential development is compatible with surrounding residential properties and the streetscape in terms of building size and scale, the provision of adequate landscaping treatments, the retention of existing mature trees and the suitable design and location of advertising signage;</i></p> <p><i>(f) to maintain and enhance the amenity of residential environments through ensuring appropriate landscaping treatments, location of car parking and vehicular access legs, and the protection of visual privacy when considering applications for non-residential development;</i></p>
<p>Deemed clause 67 of the Planning and Development (Local Planning Schemes) Regulations 2015</p>	<p>The following are relevant matters to be considered in determining the application:</p> <p><i>(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;</i></p> <p><i>(g) any local planning policy for the Scheme area;</i></p> <p><i>(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development</i></p>

- (n) the amenity of the locality including the following -
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development.
- (s) the adequacy of -
 - (i) the proposed means of access and egress from the site; and;
 - (ii) arrangements for the loading, unloading, manoeuvring of vehicles;
- (y) any submissions received on the application

Strategic alignment

Economic	
Strategic outcome	Intended public value outcome or impact
EC01 - A desirable place for commerce and tourism that supports equity, diverse local employment and entrepreneurship.	The ability for Council to consider development applications for a Café or Restaurant in this location is considered to align with making a desirable place for commerce, tourism and employment.

Environment	
Strategic outcome	Intended public value outcome or impact
EN01 - Land use planning that puts people first in urban design, allows for different housing options for people with different housing need and enhances the Town's character.	The ability for Council to consider development applications for Café or Restaurant is considered to align with putting people first in urban design by enhancing the amenity and vibrancy of this area.

Engagement

External engagement	
Stakeholders	Owners and occupiers of surrounding properties
Period of engagement	14 January 2020 – 5 February 2020 (21 days)
Level of engagement	2. Consult
Methods of engagement	Written submissions, notification signage on-site and Your Thoughts (the Town's online engagement tool)
Advertising	Advertising of the proposal comprised of letters being sent to owners and occupiers of surrounding properties (within 100m radius).
Submission summary	Three (3) submissions have been received, all opposing the proposal.

Key findings	<p>Submissions received raise concerns/objections as follows:</p> <ul style="list-style-type: none"> • Provision of car-parking is insufficient; • A river side Café is already envisioned/planned for at the northern end of Taylor Street. A café on this subject site is surplus to requirements and/or contrary to the riverside café vision. • An Office land use would not provide passive surveillance <p>See Attachment 2 for the full schedule of submissions.</p> <p>Responses to the objections raised are discussed in the Officer comments section of this report.</p>
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Engagement with internal and external stakeholders was undertaken as part of the Development Application for 23 Multiple Dwellings. Comments and feedback were taken into consideration in the assessment and determination of that proposal. Under Local Planning Policy 37, no additional stakeholder consultation (other than that listed above) has been undertaken for this proposal at this point.

Risk management consideration

Risk and consequence	Consequence rating	Likelihood rating	Overall risk analysis	Mitigation and actions
The Minister for Planning, Lands and Heritage is ultimately responsible for approving Scheme Amendments. It is possible that the Minister may decide to refuse or modify the Amendment notwithstanding Council's resolution.	Moderate	Unlikely	Moderate	Provide sufficient justification for the proposed Amendment

Financial implications

Current budget impact	Nil
Future budget impact	Nil

Analysis

15. Clause 17 of TPS1 requires the Council to have regard to a number of factors. The applicant has provided a response to each of these factors in their submission. These responses, and the ToVP Officer comment in relation to each, is detailed below:

Cl. 17 (3) – The Council is not to initiate an amendment under subclause (2) unless it is satisfied that –

LPS1 provision	Applicant response	Officer comment
<i>a) a development involving the proposed additional use would be consistent with -</i>		
<i>i) the orderly and proper planning of the locality;</i>	The activation of the corner of the approved residential building has been recommended by the Town's DRP. The proposed scheme amendment will facilitate a more holistic development of compatible uses in a prominent urban corridor. The proposed amendment is consistent with State planning direction for mixed use, high density development along urban corridors.	Support
<i>ii) the conservation of the amenities of the locality; and</i>	The proposed amendment will facilitate the future activation of the corner of this site, which directly fronts onto McCallum Park. The proposed amendment will facilitate a use that will provide mutual benefit afforded by the amenity of McCallum Park in that it will facilitate the optimal use and enjoyment of the park.	Support
<i>iii) the statement of intent set out in the relevant precinct plan.</i>	Refer above	Support
<i>b) the use of the specific site for that purpose would not have any undue adverse effect on -</i>		
<i>i) the occupiers and users of the development;</i>	The proposed uses of a 'restaurant/café' and 'office' have been presented in this scheme amendment because they will not have any adverse effect on the residential dwellings in the approved development or surrounding residential precinct. These uses are commonly accommodated in multistorey residential buildings to provide the desired street activation because they do not produce significant noise, odour or vibrations.	Support but not including the use of 'Office' for the reasons described further below. Car parking is discussed below.
<i>ii) the property in, or the inhabitants of, the locality; or</i>	The future development of a café, restaurant or office is considered to provide a positive service to current and future landowners in the area. The tenancy will be based on local demand and servicing the needs of the surrounding community. The proposed uses will not	As revealed in community consultation, concerns exist amongst nearby residents in relation to the availability of car parking. This is discussed below.

have any adverse impacts on the surrounding community.

iii) the likely future development of the locality.

The activation of the corner of the approved residential building has been recommended by the Town's DRP as a part of the approval of a multi-storey residential development on the site. The proposed scheme amendment will facilitate the future development of the site in a manner that provides increased amenity to the community. Support

16. Broadly speaking, the recommendation to Council reflects a view that the Scheme Amendment is consistent with the strategic direction envisaged for the McCallum Precinct and will provide opportunity for an improvement to streetscape amenity, activation and passive surveillance.

Office land use

17. Support for Additional Uses on the site is principally based upon benefits that can be delivered in terms of street activation and providing a service that offers a convenience and benefits users of the park and river foreshore.
18. While agreeing that the proposed uses of Restaurant/Café will deliver such benefits, it is not agreed that an Office use will do so. In particular an Office use will not provide any benefits to users of the park and foreshore.
19. Furthermore an Office use is likely to place a greater demand upon available car parking in the area, with the likelihood that office staff will occupy car bays for a more extended duration.
20. Accordingly it is recommended that Council not support Office as an Additional Use.

Taylor McCallum Concept plan

21. Submitters have referred to the Taylor McCallum Concept Plan and its depiction of a possible restaurant location at the northern end of Taylor Street as a reason to refuse the proposed Scheme Amendment. This view is not supported for a number of reasons, including the following:
 - The Taylor McCallum Concept Plan does not include 53 & 55 Canning Highway within its defined 'subject site' area. It is also not a binding statutory document. The proposed Scheme Amendment must be assessed on its merits. It must also be evaluated in the context of relevant planning documents. One such document is 'Perth and Peel and 3.5 Million' which promotes urban consolidation and designates this area as an 'urban corridor'.
 - Even if the Taylor McCallum Concept Plan *were* a binding document, it is noteworthy that the annotated 'Key activity node' at the end of Taylor street is followed by '(Restaurant / Lookout)'. The exact nature of the works in this area is yet to be determined. It could, potentially, be a decked viewing platform. The concept plan's flexibility in this regard is appropriate as the requirements of other key stakeholders (particularly the Swan River Trust/Department of Biodiversity, Conservation and Attractions) will influence what can/can't go ahead. Such stakeholder feedback has already impacted on sketch plans that had been prepared by Urbis on behalf of the Town.

- The adoption of a Scheme Amendment to make a Café/Restaurant land use an 'AA' (discretionary) use is not a commitment to approve a Development Application. Furthermore, a Development Approval of a café at the given location would not preclude a restaurant being established at the end of the road. Additionally, the issue of competition and commercial viability is not a relevant planning consideration.
22. Like the applicable Precinct Plan for the area, the Taylor McCallum Concept Plan states a number of objectives for the area. These include:
- Create active and vibrant public spaces;
 - Design spaces in line with Crime Prevention Through Environmental Design CPTED guidelines;
 - Create a distinctive landscape setting and character; and
 - Create connectivity with the river as part of the edge upgrade.

It is considered that the adoption of the Scheme Amendment aligns with these objectives.

Car parking concerns

23. The proposed Scheme Amendment as submitted to the Town on 10/12/2019 (and subsequently publically consulted upon) contained the following development standard:

3. A minimum of one on site car parking bay shall be provided per commercial tenancy.

Following further discussions the applicant has removed this development standard from the proposed Additional Use.

24. Despite the applicant proposing to remove this development standard from the proposal, it is worthwhile discussing its potential effects and intended purpose. As outlined in the 'Background' section of this report, a development application for 23 multiple dwellings with a 'communal lounge' area has been approved by the JDAP. If this development is constructed and the 'communal lounge' is then proposed to become a publically-accessible café, then the approximate number of car bays required under Local Planning Policy 23 (LPP23) for the café would be 14 bays (depending on the extent of the floor area used for dining).
25. In the above scenario a car parking shortfall would result, regardless of whether or not residential visitor bays are proposed to be re-purposed for commercial use. The previously proposed development standard for car-parking requirements would have prevailed over LPP23 (car parking) and would substantially reduce the car parking shortfall as assessed under the planning framework.
26. A Development Application for change of use to Café/Restaurant or Office with a car parking shortfall of one bay rather than a shortfall of fourteen bays would likely be a less contentious proposition. The development standard was therefore intended to reduce the developer's risk that a Café, Restaurant or Office could be refused by the Town/Council at that Development Application (Change of Use) stage.
27. The applicant's report has touched on a number of reasons why they believe a café/restaurant and/or office in this location are be appropriate in terms of car parking. These include the following:
- The parking ratios referred to in LPP23 are generally aimed at larger scale offices and restaurants which customers will travel distances to, as opposed to a local café or small office;
 - The users of a future commercial tenancy are likely to be existing users of McCallum Park or the Swan River, visiting the tenancy while visiting the public open space and therefore not increasing the car; and
 - A large amount of public car parking is provided in close proximity to the subject site.

28. The assertion that the proposed land uses will not function as a vehicular trip-generator is one that has been contested by some of the submissions received. It is also a difficult one to rigorously examine, with a case study type format of analysis being required of other riverside cafes to validate the applicant's assertion.
29. While not inherently opposed to the above described approach, the view taken is that when substantive decisions are being made in relation to car parking, a compelling case should be presented for consideration. While the matters raised by the applicant and stated at paragraph 27 appear reasonable, these arguments have not (at this time) been substantiated into a compelling case. The applicants assertion that car parking "will be assessed at the Development Application stage" (ie, is not a matter for consideration in the scheme amendment) is considered fair and reasonable, on the basis that the applicant will need to submit appropriate reports/justification at this later stage, demonstrating that there is sufficient on-site and/or nearby public parking available to support the proposed use.
30. Accordingly, a new condition 5 is proposed as follows:
- "A development application for the Additional Uses is to be supported by technical reports assessing the parking demands of the use, and the extent of available nearby public parking."*
31. While not recommended, it is open to Council to revert to the original condition proposed by the applicant, particularly if Council is comfortable making a decision on this matter without such technical advice, relying on local knowledge and a general judgement call on the issues. A development application would still be required for any Restaurant/Cafe use proposed. A proposed shortfall of one bay (rather than 14), however, could potentially be determined without the need for extensive consultant reports.

Relevant documents

Town of Victoria Park Town Planning Scheme No. 1 - <https://www.victoriapark.wa.gov.au/Build-anddevelop/Planning/Policy-regulation-and-legislation#section-2>

Local Planning Policy 3 – Non-Residential Use in or Adjacent to Residential Areas - <https://www.victoriapark.wa.gov.au/Build-and-develop/Planning/Policy-regulation-and-legislation#section-6>

Local Planning Policy 23 – Parking Policy - <https://www.victoriapark.wa.gov.au/Build-and-develop/Planning/Policy-regulation-and-legislation#section-6>

Local Planning Policy 37 – Community Consultation on Planning Proposals - <https://www.victoriapark.wa.gov.au/Build-and-develop/Planning/Policy-regulation-and-legislation#section-6>

Taylor McCallum Concept Plan - <https://yourthoughts.victoriapark.wa.gov.au/50391/widgets/265140/documents/118763>

Perth and Peel at 3.5 Million - <https://www.dplh.wa.gov.au/perth-and-peel-@-3-5-million>

Further consideration

At the Agenda Briefing Forum on 7 April 2020, a question was raised in relation to any intentions the Town may have to implement parking restrictions to the available nearby public parking. The following information has been provided by the Manager Business Services:

- a) There are no plans for parking restrictions for Taylor Street, Garland Street, and/or at the corner of Taylor Street and McCallum Lane
- b) The closest parking restriction exist on McCallum Lane which were installed in response to resident requests. Feedback has been received from local residents both for, and against the current 4 hour parking restrictions.
- c) The Town has no relevant occupancy data nor notable community feedback for the identified streets.

COUNCIL RESOLUTION (367/2020):

Moved: Cr Vicki Potter

Seconded: Cr Jesvin Karimi

That Council:

1. Resolves pursuant to Section 75 of the *Planning and Development Act 2005* to initiate an Amendment (Amendment No. 85) to the Town of Victoria Park Planning Scheme No. 1 as follows:

- (a) Insert the following into Schedule C: Additional Uses of the Scheme Text:

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- (b) Modify Town Planning Scheme No. 1 Precinct Plan P4 'McCallum Precinct' by applying to the properties known as Nos. 53 & 55 (Lots 31, 32 & 33) Canning Highway, Victoria Park the notation 'A57' as the Reference Number for that property listed in Schedule C – Additional Uses, of the Town Planning Scheme No. 1 Scheme Text.

2. Considers Amendment No. 85 to the Town of Victoria Park Town Planning Scheme No. 1 to constitute a 'standard amendment' in accordance with Regulation 34 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations) for the following reasons:
 - (i) Pursuant to Regulation 34(e) of the Regulations, it is considered that the amendment would have minimal impact on the land in the scheme area that is not the subject of the amendment; and
 - (ii) Pursuant to Regulation 34(f) of the Regulations, it is considered that the amendment does not result in any significant environmental, social, economic or governance impact on the land in the scheme area.
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This proposed Amendment is available for inspection and public comment, and it should not be construed that final approval will be granted. Your written comments are welcome and will be considered by Council prior to a recommendation being made to either proceed, modify or abandon the proposal.

CARRIED (9 - 0)

For: Mayor Karen Vernon, Cr Claire Anderson, Cr Vicki Potter, Cr Ronhhda Potter, Cr Brian Oliver, Cr Luana Lisandro, Cr Wilfred Hendriks, Cr Bronwyn Ife, Cr Jesvin Karimi

Against: nil