



TOWN OF
VICTORIA PARK



TPS 1 AMENDMENT 86

Scheme Amendment No. 86 - Report



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**PLANNING AND DEVELOPMENT ACT 2005
TOWN OF VICTORIA PARK TOWN PLANNING SCHEME NO. 1
AMENDMENT NO. 86**

SCHEME REPORT

LOCAL AUTHORITY	Town of Victoria Park
LOCAL PLANNING SCHEME	Town Planning Scheme No. 1
TYPE OF SCHEME	Local Planning Scheme
SERIAL NUMBER OF AMENDMENT	Amendment No. 86
PROPOSAL	To amend the Scheme to rezone Lots 5 & 6 Temple Street from 'Public Purpose – Civic Use' reserve to 'Residential R60' zone under the Town Planning Scheme No. 1.

PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION TO AMEND A LOCAL PLANNING SCHEME
TOWN OF VICTORIA PARK TOWN PLANNING SCHEME NO. 1
AMENDMENT NO. 86

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

1. *Rezone Lots 5 and 6 Temple Street from 'Public Purposes – Civic Use' reserve to Residential R60 zone.*
2. *Amend the Scheme Maps accordingly.*

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

- *The amendment relates to a zone that is consistent with the objectives identified in the scheme for that zone;*
- *The amendment has minimal impact on land in the scheme area that is not the subject of the amendment; and*
- *The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.*

Dated this day of 2020

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CHIEF EXECUTIVE OFFICER

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1 INTRODUCTION

1.1 PURPOSE OF SCHEME AMENDMENT

This report has been prepared on behalf of the Town of Victoria Park to facilitate the rezoning of Lots 5 and 6 Temple Street, Victoria Park ('the subject site'), from 'Public Purposes – Civic Use' to 'Residential R60' zone. This submission seeks to initiate a Scheme Amendment to rezone the subject site under the Town of Victoria Park Town Planning Scheme No. 1 (TPS 1).

The subject site is owned entirely by the Town of Victoria Park, and currently accommodates an Infant Child Health Care Centre and a Dental Clinic. The Town of Victoria Park have entered discussions with the operators of the existing facilities in relation to opportunities for relocation within the municipality. Given the strategic location of this site in the context of an urban renewed corridor, it is clear that its existing use is no longer optimal.

This report provides details of the subject site and the proposal, an assessment of the various town planning and servicing considerations applicable to the site as well as the rationale supporting the Scheme Amendment, to gain the support of the Town of Victoria Park, the Western Australian Planning Commission (WAPC) and the Hon. Minister of Transport; Planning.



2 SITE CONTEXT

2.1 SITE LOCATION

The subject land comprises Lots 5 (No. 4) and Lot 6 (No. 6) Temple Street, Victoria Park. Lot 5 has an area of 1,098m² and Lot 6 has an area of 931m². The north-eastern boundary of the site abuts a right-of-way which provides rear access to lots fronting Albany Highway. The Albany Highway café strip extends both north and south of the subject site.

A Location Plan is included at **Figure 1**, which identifies the location of the subject land in the context of the Victoria Park locality.



FIGURE 1 – LOCATION PLAN

2.2 EXISTING LAND USE

The subject site is owned by the Town of Victoria Park. Details of the land are included at **Table 1**.

LOT NO.	ADDRESS	LANDOWNER	DIAGRAM/ PLAN	VOL.	FOLIO
5	No. 4 Temple Street, Victoria Park	Town of Victoria Park	D007868	1089	604
6	No. 6 Temple Street, Victoria Park	Town of Victoria Park	D007868	1089	604

TABLE 1 – SUMMARY OF LAND

The subject land currently accommodates two existing buildings and with a rear car parking area accessed by the adjacent right of way. These buildings accommodate an Infant Health Clinic and Dentistry Clinic; the Infant Health Clinic building traverses both Lots 5 and 6. A crossover to Temple Street is located on the western portion of Lot 6 Temple Street, providing access to additional car parking spaces to service the facility.

The site accommodates existing mature vegetation, generally concentrated to the front of the clinic on Lot 5, and sporadically on the site boundaries. The Temple Street reserve includes verge plantings with street trees and additional street parking. An Aerial Photograph of the existing improvements to the subject site is included at **Figure 2** (*overleaf*).

2.2 EXISTING CHARACTER

The subject site forms a part of the transitional zone, being located in between the Albany Highway café strip (commercial) and existing residential area. The existing character of this portion of Albany Highway is largely dominated by established car sales yards and associated commercial activities. Other commercial tenancies are sporadically located throughout the strip, generally with rear loaded car parking and shop fronts addressing Albany Highway.

Temple Street is largely characterised by residential land uses, predominantly grouped dwelling developments, much of which is located to the rear of retained character homes. The Temple Street amenity therefore comprises a well-kept suburban street, lined with mature street trees and offering a high level of passive surveillance.



FIGURE 2 – AERIAL PHOTOGRAPH



3 PLANNING FRAMEWORK CONTEXT

3.1 METROPOLITAN REGION SCHEME

The subject site, as with the broader surrounding area, is zoned 'Urban' under the Metropolitan Region Scheme (MRS). Shepperton Road, reserved as a Primary Regional Road under the MRS, is located approximately 285m north-east of the site; and Roberts Road, reserved as an Other Regional Road under the MRS, is located approximately 500m south-east of the site. The Armadale Rail Line (Railways Reserve) is located approximately 650m east of the site. An extract of the MRS is included at **Figure 3** (below).

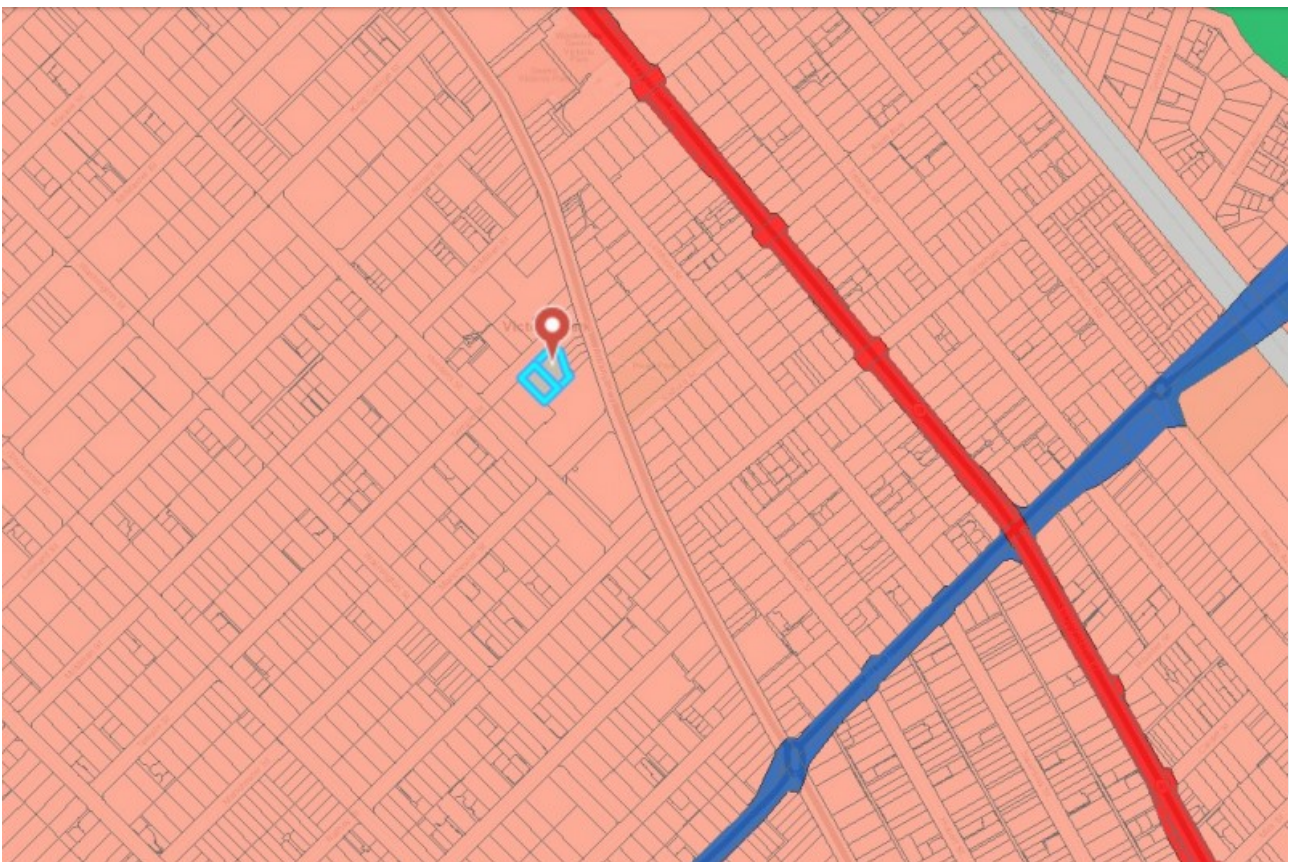


FIGURE 3 – METROPOLITAN REGION SCHEME

3.2 REGIONAL AND SUBREGIONAL STRATEGIES AND STRUCTURE PLANS

3.2.1 PERTH AND PEEL @ 3.5 MILLION

The *Perth and Peel@3.5 Million* suite of documents released by the WAPC in March 2018, to provide a planning framework for the Perth and Peel Regions as they grow to a population of 3.5 million people by 2050. The strategy broadly seeks to provide guidance to creating liveable communities that are part of a consolidated, well connected and vibrant city. The strategy is supported by Sub-Regional Planning Frameworks, and the subject site is located the Central Sub-Regional Planning Framework, as being within an Urban Corridor.

Based on demographic forecasting, the Perth and Peel @ 3.5 Million sets out a forecast of the total infill developments likely required by each of the subregions by 2050, with 213,130 new dwellings required within the Central sub-region by 2050. The document further sets out infill targets for each of the local government areas, with the Town of Victoria Park requiring 19,320 new dwellings by 2050.

The document also sets out a hierarchy for consolidated residential development. Urban Corridors, being second most preferred location after Activity Centres, is described as follows:

“Urban corridors provide connections between activity centres and maximise the use of high-frequency and priority public transport. Urban corridors shown in the framework represent significant opportunities to accommodate increased medium-rise higher density residential development by good quality, high frequency public transport.”

3.2.2 CENTRAL SUB-REGIONAL PLANNING FRAMEWORK

The Sub-Regional Planning Frameworks were released by the Department of Planning, Lands and Heritage as part of the Perth and Peel @ 3.5 Million suite of documents in March 2018. These frameworks provide the strategic guidance for the urban form and infrastructure for the Perth and Peel region over the next 30 years. The Sub-Regional Planning Frameworks are considered a Sub-Regional Strategy under the planning framework.

Broadly, the Frameworks seek to provide for a more consolidated urban form to accommodate the long-term housing requirements of the metropolitan area. In providing for the needs of a consolidated urban form, the Framework also focuses on transport links, employment centres, regional infrastructure and public open space. Each of these aspects of a functional, consolidated urban form are reflected in the varying maps throughout each of the frameworks.

The subject land is located within the Central Sub-Regional Planning Framework. Plan 1 of the Planning Framework illustrates the key land use proposals for the subregion, and which identifies the site as being located within the Albany Highway Corridor as part of the Activity Centre. An extract of Plan 1 has been included at **Figure 4**.

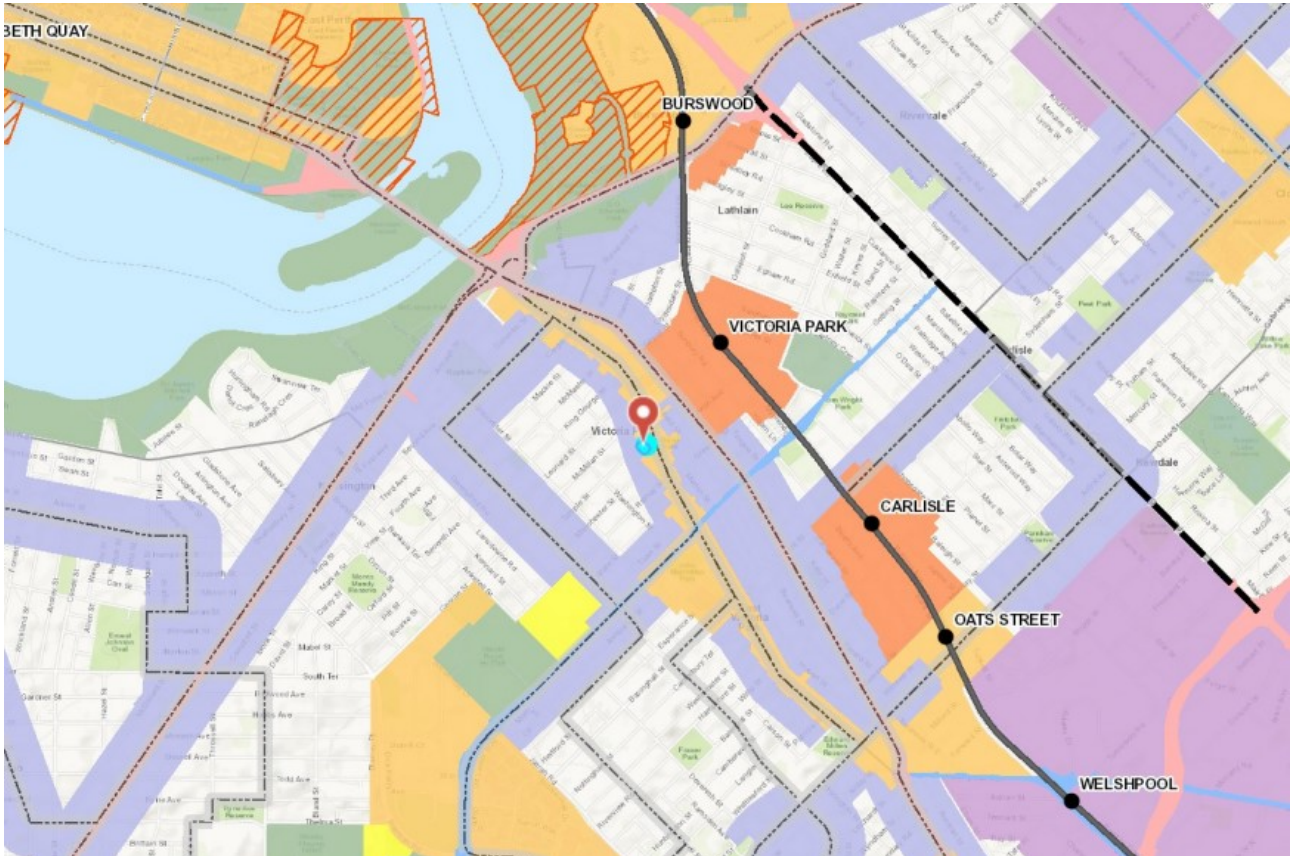


FIGURE 4 – EXTRACT OF PLAN 1 – CENTRAL METROPOLITAN PLANNING FRAMEWORK

The Framework builds on Perth and Peel @ 3.5 Million to set out the key roles for each of the land use proposals within the investigation area. The role of Activity Centres is to consolidate appropriately, providing opportunities for increased residential density to reduce distances travelled by providing local employment. The Sub-Regional Framework further investigates the existing and required infrastructure links to connect these activity centres appropriately. The framework encourages the retention of existing character while pursuing quality development to accommodate increased densities.

A range of Urban Corridors have also been identified as part of the Sub-Regional Framework, which aim to provide for an integrated land use and transport outcome. The identified corridors (Albany Highway) provide connections between rail station precincts, other activity centres and industrial centres. The key objective of the Urban Corridor is in creating a sense of place, rather than simply a mode of transport. The Framework provides that Urban Corridors, particularly those with existing high-frequency transit routes, are most suited to high-density development. It also provides suggested Urban Corridor cross sections, which includes the recommended streetscapes and density decreases providing for a residential transition from the corridor as the distance increases.

In particular to the subject land, the Framework has provided an analysis of the Albany Highway/Kent Street and Albany Highway streetscapes, and its intended revitalisation. This is included at **Figure 5** (overleaf).



FIGURE 7: Albany Highway/Kent Street, Victoria Park – existing



FIGURE 8: Albany Highway/Kent Street, Victoria Park – visualisation



FIGURE 9: Albany Highway, Victoria Park – existing



FIGURE 10: Albany Highway, Victoria Park – visualisation

FIGURE 5 – VISUALISATION OF URBAN CORRIDOR RENEWAL OF ALBANY HIGHWAY

3.3 STATE PLANNING POLICIES, DEVELOPMENT CONTROL POLICIES AND OPERATIONAL POLICIES

3.3.1 STATE PLANNING POLICY 3: URBAN GROWTH AND SETTLEMENT

State Planning Policy 3: Urban Growth and Settlement (SPP 3) was prepared by the WAPC to provide guidance on the orderly and proper planning of urban settlements in the State. The objectives of SPP 3 are defined in the policy as follows:

- *To promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space.*
- *To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.*

- *To manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.*
- *To promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand whilst ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.*
- *To coordinate new development with the efficient, economic and timely provision of infrastructure and services.*

This proposal includes the rezoning of two Council owned lots from 'Public Purpose' to 'Residential R60' under the TPS 1. The redevelopment of the site could include higher density residential development, or associated uses capable of approval under the Zoning Table of TPS 1. It is considered that proposed amendment in this location is consistent with orderly and proper planning principles; given its immediate proximity to a high-amenity activity corridor and activity centre, and the existing adjacent residential zoning. Further to this, the Town of Victoria Park has commenced discussions with the current facility operators as to their future relocation; and as such, the community will not be disadvantaged by the demise of these services. It is therefore considered consistent with the State Planning Policy 3.

3.3.2 STATE PLANNING POLICY 4.2: ACTIVITY CENTRES

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP 4.2) was prepared by the Western Australian Planning Commission to specify the broad planning requirements for the planning and development of new activity centres, and the redevelopment and renewal of existing centres in Perth and Peel. It is mainly concerned with the distribution, function, broad land use and urban design criteria of activity centres, and with coordinating their land use and infrastructure planning. Further, it aims to prioritise the integration of activity centres with public transport, reducing private vehicle use and promoting a diversity of land uses where appropriate.

East Victoria Park is defined as a 'District Centre' by the SPP 4.2 Activity Centre Hierarchy. The main function of a District Centre is defined by the Policy as:

"District centres have a greater focus on servicing the daily and weekly needs of residents. Their relatively smaller scale catchment enables them to have a greater local community focus and provide services, facilities and job opportunities that reflect the particular needs of their catchments."

With respect to Residential development, Clause 5.2.2 of SPP 4.2 sets out the following policy parameters:

- *Commercial and residential growth should be optimised through appropriately-scaled buildings and higher-density development in walkable catchments of centres.*
- *Higher-density housing should be incorporated within and immediately adjacent to activity centres to establish a sense of community and increase activity outside normal business hours. Performance targets for residential density are in Table 3.*
- *Housing supply in specialised centres (apart from Perth and Jandakot airports) should be assessed on a case-by-case basis.*

Given the site is directly adjacent 'Commercial' zoned land which forms part of the East Victoria Park District Centre, it is considered that the proposal to rezone the subject land to R60 is an appropriate density, and consistent with the provisions of SPP 4.2.

3.3.3 STATE PLANNING POLICY 7.3: RESIDENTIAL DESIGN CODES

State Planning Policy 7.3 – Residential Design Codes Volume 2 (SPP 7.3) was introduced by the WAPC in May 2019 as part of the Design WA suite of documents, which intended to begin the planning and design reform within the state. SPP 7.3 applies to the development of multiple dwellings (or apartments) in areas with residential coding of R40 or greater, mixed use areas and activity centres. It aims to introduce a performance-based approach to policy in the context of ten design principles. SPP 7.3 provides for the preferred process for the review and approval of apartment developments; comprising of concept design and early liaison with local government; detailed design and pre-lodgement design review by a panel of built-environment professionals; and then submission of the Development Application to the local government.

Part 2 of SPP 7.3 sets out the default acceptable outcomes for the primary controls for developments, which provides for the minimum development requirements of developments. The relevant criteria for R60 coded development is summarised in **Table 2** (*overleaf*). This proposal includes the rezoning of land to Residential R60 coded land; which is consistent with the surrounding residential zoned land. Any future Applicant will be required to prepare development plans in accordance with the Primary Controls set out in **Table 2**.

Aside from the built form elements above, there are generally no specific prescriptions set out within SPP 7.3. The policy sets the intent, objectives, acceptable outcomes and design guidance for each of the remaining built form elements, allowing the local government to assess applications in terms of their own locality objectives, site responsiveness and innovation included within the design.

R60 development represents medium-rise streetscape character which, as stated in Appendix 2 of SPP 7.3, is most appropriately located adjacent to areas with good walkability to public transport, local services and open space, and which may be located to higher density land uses or an urban corridor. Further, the policy sets out a preference for a highly landscaped character, which would be considered a requirement in achieving a consistency with the existing amenity.

Primary Controls for R60 Coded Areas	
Streetscape Contexts & Character	Medium-Rise
Site R-Coding	R60
Building Height (Storeys)	3
Boundary Wall Height (Storeys)	1 (<i>boundary wall only permitted on one boundary, and shall not exceed 2/3 length</i>)
Minimum Primary & Secondary Street Setbacks	2m
Minimum Side Setbacks	3m
Minimum Rear Setback	3m
Average Side Setback Where Building Length Exceeds 16m	3.5m
Plot Ratio	0.8

TABLE 2: EXCERPT FROM TABLE 2.1 OF SPP 7.3

3.4 LOCAL PLANNING FRAMEWORK

3.4.1 TOWN OF VICTORIA PARK TOWN PLANNING SCHEME NO. 1

The Town of Victoria Park Town Planning Scheme No. 1 (TPS 1) represents the statutory planning framework for the Town of Victoria Park, and includes a range of zonings and reservations relating to land within the Scheme area. These zones and reservations provide for different land use opportunities and constraints and form the basis for land use planning decisions in relation to subdivision, rezoning and development, both at local and state levels. The subject land is currently reserved for "Public Purposes – Civic Uses" under TPS 1. An excerpt of the TPS 1 map has been included overleaf, at **Figure 6**.

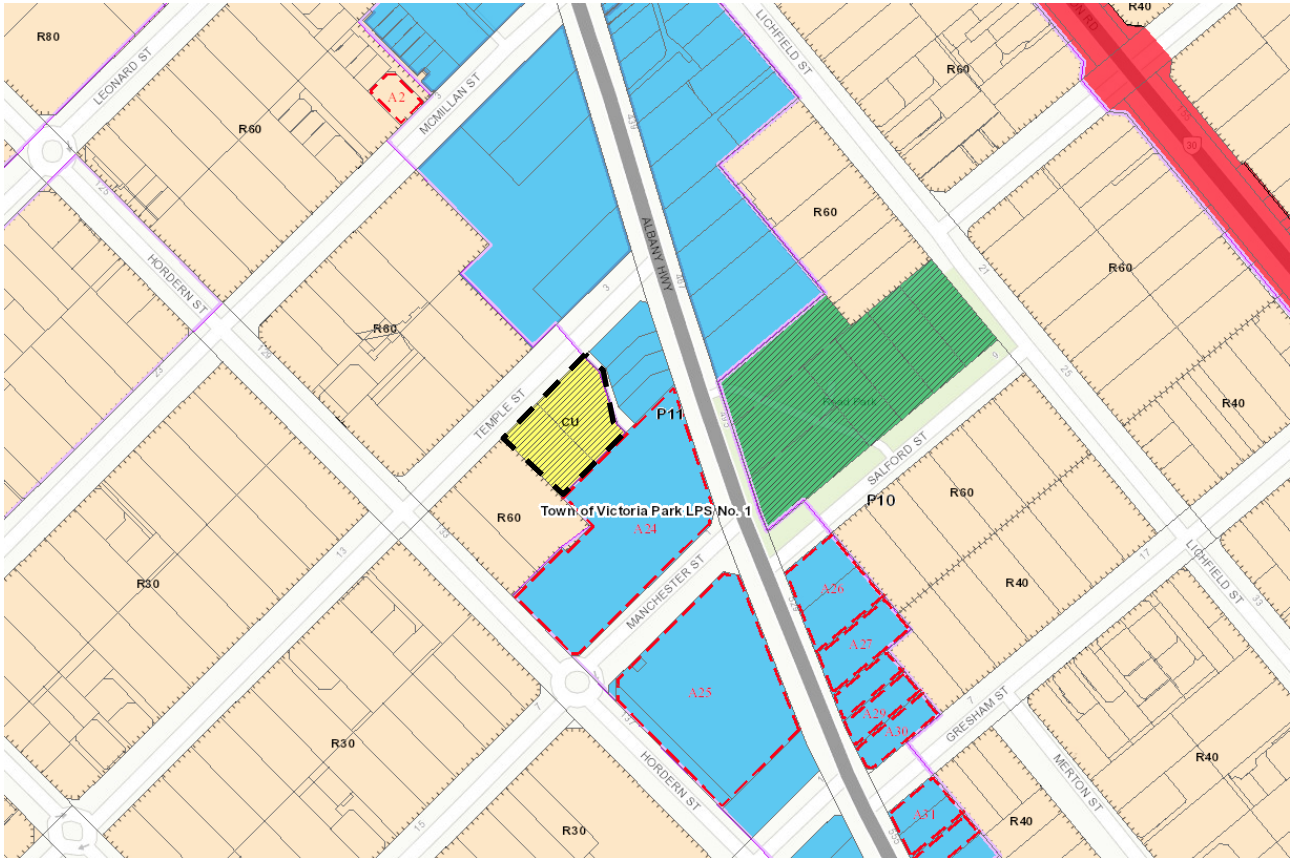


FIGURE 6 – EXISTING ZONING

TPS 1 also divides the Scheme Area into a range of planning precincts, as set out in the Scheme. Accordingly, the subject site is located within “Precinct 12 – East Victoria Park”. The statement of intent for this precinct is as follows:

“The East Victoria Park Precinct will be enhanced and consolidated as a residential neighbourhood in which a range of housing types of low scale is predominant.

A large part of precinct is to remain low to medium density, with some higher density permitted close to Albany Highway to take advantage of the array of amenities offered there. Specialised forms of accommodation and a limited number of non-residential uses, to serve the needs of the local population, may be permitted in these areas.

...”

Figure 7 (overleaf) provides an extract of the Precinct Plan 12.

The Residential zone, in the East Victoria Park Precinct, seeks to provide for single housing with some infill development, by including small areas of grouped and multiple dwellings located to the rear of existing single dwellings to encourage the retention of suburban street blocks and streetscapes. It sets out that redeveloped areas shall be consistent with the existing character of dwellings within that precinct. The East Victoria Park Precinct Plan sets out that R60 residential development “shall not exceed 8.6m in height” which would be applicable to any development on this site.

A limited number of non-residential land uses are discretionary land uses in the residential zone subject to amenity impacts, as set out by Zoning Table of TPS 1.

An amendment to the Scheme will facilitate the redevelopment of the site for residential purposes, at a residential density of R60, which is consistent with residential zoned land adjoining the Albany Highway 'commercial' zoned land (Precinct 11). Further details relating to the particular nature of amendments to TPS 1 proposed by Scheme Amendment No. 86 are detailed at Section 4 of this Report.

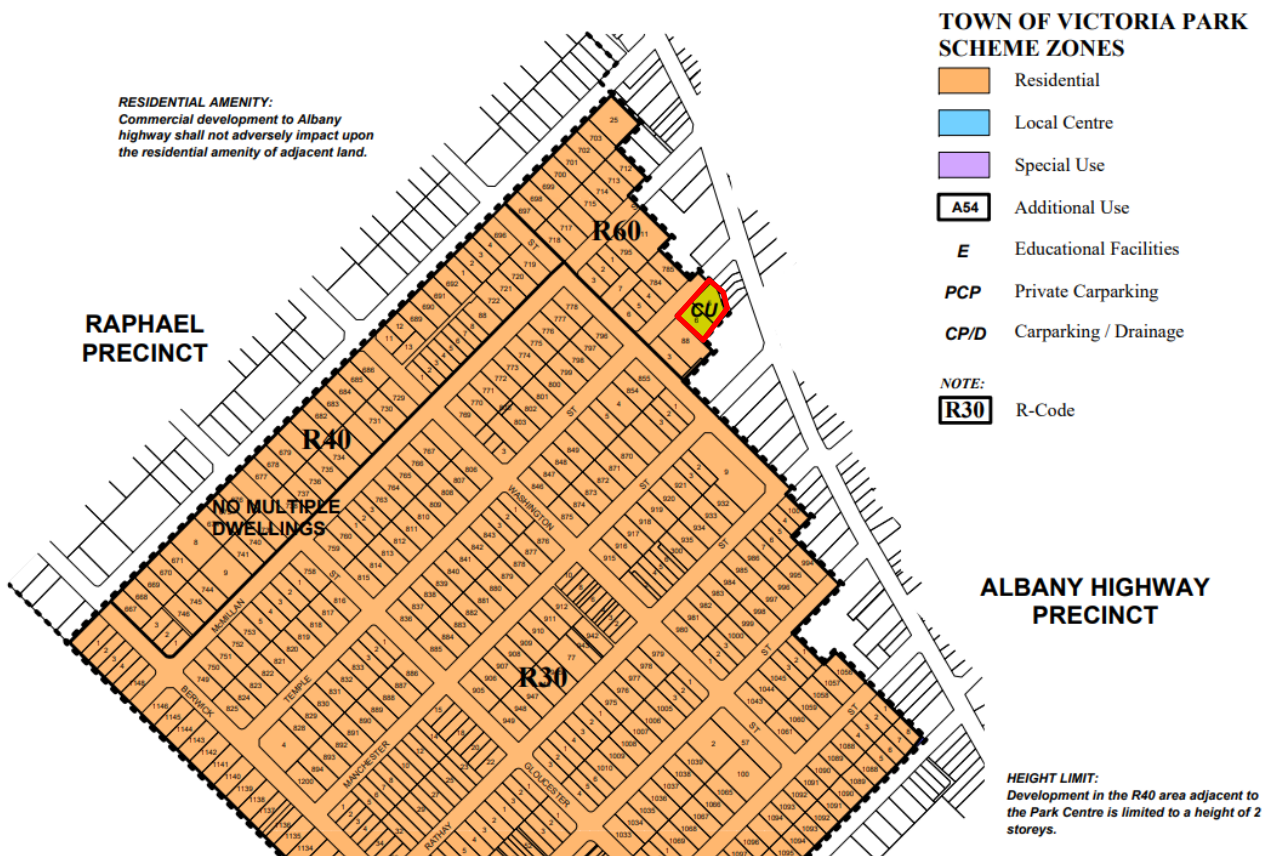


FIGURE 7 – EXTRACT OF EAST VICTORIA PARK PRECINCT PLAN

4 DESCRIPTION OF SCHEME AMENDMENT

The proposed amendments are detailed in **Table 2** below, and illustrated in **Figures 8 and 9** (overleaf). The current Precinct Plan P12 Sheet A is also provided in **Attachment 1** for reference.

SCHEME REFERENCE	DESCRIPTION OF AMENDMENT	PURPOSE OF AMENDMENT
Scheme Text	Inclusion of the details of Amendment No. 86 to TPS 1 within the Text Amendments Table.	As required by the <i>Planning and Development (Local Planning Scheme) Regulations 2009</i> .
Scheme Map	Amend Scheme Maps 02 – Burswood Locality and 04 – Victoria Park Locality to rezone Lots 5 & 6 Temple Street, Victoria Park from “Public Purpose – Community Use” to “Residential” zone, with the associated density coding of R60.	To facilitate residential development on the subject site.
Precinct Plan P12: Statement of Intent	No amendment proposed.	No amendment required.
Precinct Plan P12: Residential Zone	Amend Precinct Plan P12 Sheet A to rezone Lots 5 & 6 Temple Street from “Public Purposes – Civic Use” reserve (yellow) to “Residential” R60 zone (orange).	For consistency with the Town Planning Scheme No. 1 zoning.
Precinct Plan P2 Sheet A: Use of Land	No amendment proposed.	No amendment required.

TABLE 3 – DESCRIPTION OF PROPOSED SCHEME AMENDMENT NO. 86

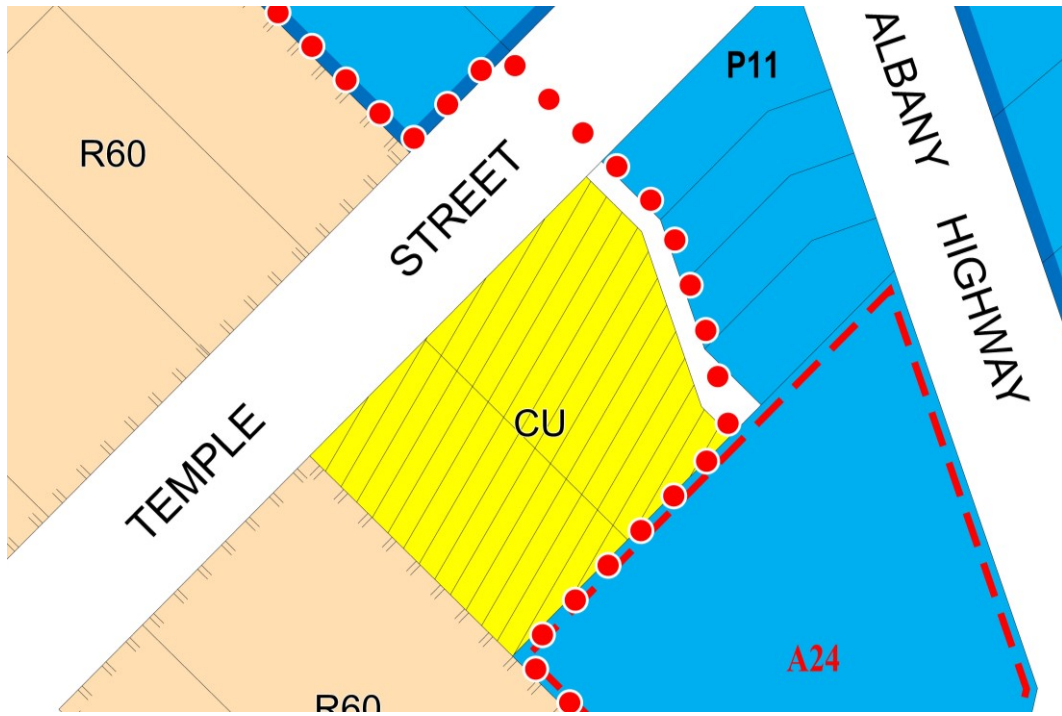


FIGURE 8 – CURRENT TPS 1 MAP



FIGURE 9 – PROPOSED AMENDMENT TO TPS 1 MAP

5 RATIONALE FOR PROPOSED SCHEME AMENDMENT

5.1 GENERAL CONSISTENCY WITH STRATEGIC PLANNING VISION

It is considered that the rezoning of Lots 5 & 6 Temple Street, Victoria Park from “Public Purpose – Civic Use” reserve to “Residential R60” zone under the Town of Victoria Park Town Planning Scheme No. 1 is capable of approval and is an appropriate planning outcome, as outlined below:

- The proposed development will facilitate the redevelopment of the subject site for higher density residential purposes, providing opportunities for increased density and dwelling choice in a high amenity location that affords a high level of services including commercial, high frequency public transport, employment and public open space.
- By developing this site for residential purposes, it contributes to providing for increased infill development, relatively free from design constraints. The development of this site will contribute to the infill targets for the Town of Victoria Park, set out in Perth and Peel @ 3.5 Million.
- This particular location, being directly adjacent the Albany Highway Urban Corridor, has been identified within the Central Sub-Regional Planning Framework as appropriately located for mid-rise residential redevelopment as an area of existing high amenity, with visualised revitalisation. The redevelopment of this site will contribute to the revitalisation of the corridor by increasing the activity and residential capacity on the subject site.
- The proposed density (R60) is appropriate for the subject site and will provide for development of the land that is consistent with the type of residential development in this location, envisaged by State Planning Policy 4.2, Perth and Peel @ 3.5 Million and the Central Sub-Regional Planning Framework.
- While the Precinct Plan for Victoria Park does prefer lower density residential development to the rear of retained character dwellings, it does also identify areas of R60 development on the land adjacent to the Albany Highway Precinct Plan. The proposed density coding for the site is therefore consistent with the Precinct Plan, and any future development of the site would require the design to be consistent with the provisions of this precinct plan.

5.2 STAKEHOLDER ENGAGEMENT

The Town of Victoria Park have begun discussions with the operators of the existing Infant Child Care Centre and Dental Clinic, currently located on the subject land. These ongoing discussions with the operators will provide the context of the operational details and clinical needs, to provide informed advice to the Town as to their eventual relocation to another facility in a more appropriate location. The Town of Victoria Park will also formally advertise this Scheme Amendment proposal in accordance with the Deemed Provisions, and via the Town’s Community Consultation online platform.

6 CONCLUSION

This Scheme Amendment report has been prepared with respect to Scheme Amendment No. 86 for the purpose of facilitating the rezoning of Lots 5 & 6 Temple Street, Victoria Park from “Public Purposes – Civic Use” to “Residential R60” under the Town of Victoria Park Town Planning Scheme No. 1.

The preceding assessment of the proposal has demonstrated that it is consistent with the applicable requirements of the Town of Victoria Park and State planning and decision making framework, as well as the surrounding land and in response to the context of the site. Accordingly, it is logical and timely to progress Scheme Amendment No. 86 under the Town of Victoria Park TPS 1.



ATTACHMENT 1

EAST VICTORIA PARK PRECINCT PLAN (P12 SHEET A)

