

**PLANNING AND DEVELOPMENT ACT 2005**

**RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME**

**CITY OF JOONDALUP**

**LOCAL PLANNING SCHEME NO. 3 – AMENDMENT NO. 1**

Resolved that the local government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by rezoning portion of Lot 1 (16) Sunlander Drive, Currambine from 'Residential' to 'Commercial' and 'Mixed Use'.

The Amendment is complex under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* as the proposed centre is not contemplated by the City's *Local Planning Strategy* or *Local Commercial Strategy (LCS)*.

DATED THIS 20<sup>TH</sup> DAY OF NOVEMBER 2018

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CHIEF EXECUTIVE OFFICER

COPY NO \_\_

***PLANNING AND DEVELOPMENT ACT 2005***

**CITY OF JOONDALUP**

**LOCAL PLANNING SCHEME NO. 3 – AMENDMENT NO 1**

The City of Joondalup under and by virtue of the powers conferred upon it in that behalf by Part 5 of the *Planning and Development Act 2005* hereby amends the above Local Planning Scheme by rezoning portion of Lot 1 (16) Sunlander Drive, Currambine from 'Residential' to 'Commercial' and 'Mixed Use'.

**PLANNING AND DEVELOPMENT ACT 2005****CITY OF JOONDALUP****LOCAL PLANNING SCHEME NO. 3 – AMENDMENT NO. 1****SCHEME AMENDMENT REPORT****EXECUTIVE SUMMARY**

The City has received an application to initiate an amendment to *Local Planning Scheme No. 3 (LPS3)* on behalf of the owners of Lot 1 (16) Sunlander Drive, Currambine. The site is zoned 'Residential' under LPS3, has a density coding of R80 and is currently vacant. Development approval has previously been issued (and since expired) for a retirement village on the site.

The scheme amendment proposes to rezone a portion of the subject site from 'Residential' to 'Commercial' and 'Mixed Use' which would, in effect, create a new neighbourhood centre. The applicant has indicated that the 'Commercial' zoned portion of the site will be developed with a supermarket and several supporting specialty stores and the 'Mixed Use' portion will be developed with aged care accommodation and a range of supporting uses such as a hairdresser, café and Allied Health Care Services.

The scheme amendment is considered to be a 'complex' amendment in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015 (LPS Regulations)* as the proposed centre is not contemplated by the City's *Local Planning Strategy* or *Local Commercial Strategy (LCS)*. If the scheme amendment is ultimately supported, the LCS will need to be amended to incorporate this new neighbourhood centre with an indicative maximum retail floorspace threshold of 3,200m<sup>2</sup>.

A *Retail Sustainability Assessment (RSA)* was undertaken by the applicant to assess the economic impact of the new centre. The RSA indicated that there is a need for a supermarket at that location and that, while the development would have a short-term impact on surrounding centres, it would not affect their long-term viability. Likewise, the traffic report has been submitted to demonstrate that the land uses envisaged by the scheme amendment would have no greater impact on trip generation than what could be developed under the existing zoning and density.

The proposed zoning will allow for a small commercial centre to be developed on the site to service the needs of the existing and future residents in the area.

**BACKGROUND**

Lot 1 (16) Sunlander Drive is zoned 'Residential' under LPS3 and has a residential density code of R80. The site has significant exposure to major roads, being bounded by Burns Beach Road to the north and Connolly Drive to the west. To the east the site is bounded by Sunlander Drive and to the south by Currambine Boulevard.

The surrounding area is predominantly 'Residential' zoned land with a residential density code of R80 and mostly developed with single dwellings except for two large multiple

dwelling developments adjoining the Currambine train station. The two sites immediately abutting Lot 1, on the corner of Burns Beach Road and Sunlander Drive, are zoned 'Service Commercial' and 'Mixed Use' and have been developed with a service station and medical centre.

Council, at its meeting held on 19 February 2008 (CJ025-02/08 refers), granted development approval for a retirement village on the site consisting of 231 dwellings, a community facility, respite day care centre, maintenance building and electricity substation. However, the development was not progressed, and the approval has since lapsed. The site is currently vacant.

## DETAILS

An application has been received from Taylor Burrell Barnett on behalf of Southern Cross Care WA Inc. to initiate an amendment to LPS3 to rezone the western portion of Lot 1 (16) Sunlander Drive, Currambine from 'Residential' to 'Commercial' and 'Mixed Use'. Approximately 1.2377 hectares is proposed to be rezoned 'Commercial' and 8,229m<sup>2</sup> rezoned 'Mixed Use'.

The proposed 'Commercial' zone is sited at the intersection of Connolly Drive and Currambine Boulevard and will allow the development of a full line supermarket of approximately 3,200m<sup>2</sup>, as well as several specialty retail stores.

The 'Mixed Use' portion is sited on the corner of Burns Beach Road and Connolly Drive and will facilitate the development of predominantly aged care accommodation with supporting uses on the ground floor such as shop, café, hairdresser and Allied Health Care Services.

The applicant has provided the following justification in support of the proposed scheme amendment:

- *The land is highly accessible, given its frontage to the two main district distributor arteries of Burns Beach Road and Connolly Drive, and Currambine Station.*
- *The Retail Sustainability Assessment prepared concludes:*
  - *that there is a clear need and demand for the development of a supermarket on the subject land, which can only be facilitated through the requested LPS3 amendment;*
  - *whilst there will be some impact on the surrounding centres, these will be minimal and will not threaten the ongoing viability of any existing or planned facilities;*
  - *any impacted facilities would still be able to achieve sustainable sales volumes and to continue to trade, after recovering relatively quickly from their respective impacts;*
  - *the proposed supermarket would represent a significant economic and social benefit for the local community; and*
  - *that development of the proposed supermarket would not result in any loss of service to the local community.*
- *The Transport Report concludes:*
  - *that the overall level of vehicle trips forecast to be generated as a result of this rezoning request would have no material impact when directly comparing the forecast volume of traffic that would be generated by residential land uses that are permissible under the current zoning; and*
  - *that there would not be any material impact upon the adjoining intersections.*

- *The proposed development of the subject land for Mixed Use, Commercial and Retail purposed is an appropriate land use given the land is currently vacant and ready for a comprehensive composite development based on it being highly accessible via vehicle and within the walkable catchment of the Currambine Station and within an existing fully developed residential catchment.*

### Retail Sustainability Assessment

The subject land is not contemplated as a 'centre' under the City's LCS and therefore the applicant has engaged MacroPlan Dimasi to assess the economic impact of the proposed commercial development on other centres, in the event that a portion of the subject site is zoned 'Commercial'.

The RSA defined the primary trade area as the land bounded by Moore Drive to the south, Marmion Avenue to the west, Blue Mountain Drive to the east and Selkirk Drive and Edinburgh Avenue to the north.

The RSA includes analysis on the trade area, the surrounding competition, and the economic impact that would occur as a result of developing a supermarket on the subject site. The RSA found that there would be some impact on the surrounding centres, however this would be minimal and would not threaten the ongoing viability of any existing or planned facilities.

The RSA states that with the addition of 3,200m<sup>2</sup> of shop retail floorspace in the new centre, the impact on trading at Kinross Central will be 9.4% and at Currambine Central, the impact would be 9.0%.

The RSA states that the location of the proposed supermarket is ideal to serve the defined trade area residents for their food and grocery needs, reflecting its convenient accessibility via Connolly Drive.

### *Review of the Retail Sustainability Assessment*

The City engaged the consultants RPS to undertake an independent peer review of the RSA prepared by MacroPlan Dimasi. The review supported the findings that there is a need for a small neighbourhood centre which includes a full line supermarket at the proposed location. The proposed centre will have a negative short-term impact on Kinross Central; however, as this centre has been trading well, it will not undermine its viability in the medium and long term. Although the review found that the RSA may have underestimated the trading impact on Kinross Central, the negative impact could be justified as it will not undermine the sustainability of the retail hierarchy in the long term.

The review of the RSA identified that the trade area could be expanded to include the southern portion of Currambine and the northern portion of Connolly, however MacroPlan Dimasi stated that as Currambine Central has strong trading patterns it is conservative not to include this area.

The RSA and proposed scheme amendment both state that the commercial development will consist of a supermarket of approximately 3,200m<sup>2</sup>, as well as several specialty retail stores, however the maximum retail floorspace of these specialty stores is not specified. The RSA has been undertaken based on a maximum shop retail floorspace of 3,200m<sup>2</sup>, which identified that this retail floorspace addition would have a 9.4% impact on trading at Kinross and a 9.0% impact on Currambine Central. Generally, any impact over 10% is regarded as being unacceptable. Therefore, at 3,200m<sup>2</sup>, the proposal is approaching the threshold as to what is considered to be an acceptable impact on Kinross Central. If the

actual total retail floorspace was increased to 3,500m<sup>2</sup>, for example, it is possible that this would push the impact on Kinross Central to over 10% and at 3,600m<sup>2</sup> the impact on Currambine Central may be pushed to over 10%.

Therefore, based on the RSA, the indicative maximum retail floorspace should be restricted to 3,200m<sup>2</sup>, as any greater floorspace may have an unacceptable impact on the nearby centres.

### Transport Report

A transport report was provided as part of the scheme amendment application.

The report (provided as Appendix C to the scheme amendment report) states that the overall level of vehicle trips forecast to be generated as a result of the rezoning would not have a significant impact when compared to the traffic that could be generated by the residential land uses that could be developed on the site under the current density code. There would also be no significant impact on the adjoining intersections.

The transport report compared the AM and PM peak hour traffic generation under the full development of the site with residential dwellings at 'Residential R80' and the development of retail and aged persons accommodation as proposed by the scheme amendment. There was substantially less traffic for the AM peak hour and no change to traffic for the PM peak hour.

The transport report also states that there will not be any material impact upon the adjoining intersections as the forecast volume of traffic for the intersections would not likely exceed the design levels considered for this area. In addition, retail land uses would attract linked or pass by trips rather than generating entirely new traffic trips.

However, it should be noted, that a more detailed traffic assessment will be required as part of a future application for development approval which outlines the traffic and vehicle movements associated with the development and impact on the adjoining intersections. This should include full analysis on how the intersections will perform in 2031 and a distribution breakdown in vehicle numbers.

### Suitability of proposed zoning

The proposed rezoning of a portion of the subject site to 'Commercial' will create a new neighbourhood centre comprising a supermarket and potentially several specialty retail shops. The proposed 'Mixed Use' zone will allow the development of a mixed use aged care facility with retail and Allied Health Care on the ground floor and aged care above.

The proposed zonings are considered potentially suitable for the subject site as it will allow an opportunity for facilities and services to be provided for the local community. The subject site is easily accessible as it has frontage to two district distributor roads Burns Beach Road and Connolly Drive, and is located within 350 metres of the Currambine Train Station.

The impact on adjoining properties is minimised as the subject site is large, with the proposed amendment area taking up a third of the overall site, with the rest of the site retaining the 'Residential' zoning. In addition, there are no immediate existing residential properties abutting the scheme amendment area, although it is noted that residential properties on Currambine Boulevard are located opposite the proposed 'Commercial' zoned land.

## Planning context

### State Planning Policy 4.2 Activity Centres for Perth and Peel

*State Planning Policy 4.2 Activity Centres for Perth and Peel* (SPP 4.2) specifies 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.

Clause 6.5 states that a RSA assesses the potential economic impact and related effects of a significant retail expansion on the network of activity centres in an area.

### Local Planning Scheme No. 3

It is proposed to rezone portion of the subject site to 'Commercial' and 'Mixed Use'. The following extract of Table 2 of LPS3 set out the objectives of the 'Commercial' and 'Mixed Use' zones.

**Table 2 Zone objectives**

Commercial	<ul style="list-style-type: none"><li>• To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres.</li><li>• To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades or improve the existing streetscape.</li><li>• To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.</li></ul>
Mixed Use Zone	<ul style="list-style-type: none"><li>• To provide for a wide variety of active uses on street level which are compatible with residential and other non-active uses on upper levels.</li><li>• To allow for the development of a mix of varied but compatible land uses which do not generate nuisance detrimental to the amenity of the district or to the health, welfare and safety of its residents.</li><li>• To encourage high quality, pedestrian friendly, street-orientated development that integrates with surrounding areas.</li></ul>

### Local Commercial Strategy

The LCS provides the framework for decision making for commercial centres with respect to development of new structure plans, amendments to existing structure plans and future rezoning and development applications. It states that a RSA should be prepared for proposals which seek to exceed the maximum indicative shop retail floorspace for any activity centre. As the LCS does not identify the subject site as an activity centre, an RSA is required to assess the need for the new centre and the economic impact of the new centre on existing centres.

If the scheme amendment is supported, the LCS would need to be amended to incorporate this new neighbourhood centre along with the proposed indicative retail floorspace threshold of 3,200 m<sup>2</sup> as supported by the RSA.

### Local Housing Strategy

The *Local Housing Strategy* (LHS) provides the rationale to cater for population growth for future housing needs within the City of Joondalup and meet residential infill targets. It identifies the subject site as a 'future development site for housing' and estimated that it could be developed with 231 dwellings.

The proposed rezoning affects approximately one third of the site, with the balance remaining 'Residential' with density coding of R80. The proposal therefore still allows for the majority of the site to be development for residential purposes and it is also noted that the proposed zonings also allow for residential development. As such, it is considered that the proposed scheme amendment does not prevent the site from achieving the dwelling estimate included in the LHS.

## **COMMENT**

The purpose of a scheme amendment is to determine the suitability of the site for the change in zoning. The proposed 'Commercial' and 'Mixed Use' zones are considered potentially suitable as they will allow a small commercial centre to be developed on the site which will service the needs of the local community.

The inclusion of the proposed indicative retail floorspace threshold of 3,200m<sup>2</sup> in the LCS would provide certainty to the surrounding residential community and nearby retail centres on the maximum size of retail development that can occur on the site.

**RESOLUTION TO AMEND**

Adopted by resolution of the Council of the City of Joondalup at the meeting of the Council held on the **20<sup>th</sup>** day of **November 2018**.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

**ADOPTION**

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

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF EXECUTIVE OFFICER

**WAPC RECOMMENDED/SUBMITTED FOR FINAL APPROVAL**

\_\_\_\_\_  
DELEGATED UNDER s16 OF THE *PLANNING AND DEVELOPMENT ACT 2005*

DATE \_\_\_\_\_

**APPROVAL GRANTED**

\_\_\_\_\_  
MINISTER FOR PLANNING  
S87 OF THE *PLANNING AND DEVELOPMENT ACT 2005*

DATE \_\_\_\_\_