



City of Melville
Local Planning Scheme No. 6

Amendment No. 16

Additional Use 20 at Lot 234 (338) Marmion Street, Melville

Summary of Proposal to Amend a Local Planning Scheme

Local Authority: City of Melville

Description of Scheme: Local Planning Scheme No. 6

Type of Scheme: Local Planning Scheme

Serial No of Amendment: Amendment No. 16

Proposal: To amend Local Planning Scheme No. 6 to introduce an additional Use at Lot 234 (338) Marmion Street, Melville.

Planning and Development Act 2005
RESOLUTION TO PREPARE OR ADOPT AMENDMENT
TO LOCAL PLANNING SCHEME

Local Planning Scheme Number 6

Amendment Number 16

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by: [LIST

1. Amend the scheme map by including within the boundary of Lot 234 (338) Marmion Street, Melville the 'A20' Additional Use designation.
2. Amend the scheme text by inserting the following into Table 4:

No	Description of land	Additional Use	Conditions
20	Lot 234 (338) Marmion Street, Melville	Medical Centre (A)	<p>Psychiatry / Psychology / Counselling services only.</p> <p>Maximum of four (4) practitioners at the premises at any one time.</p> <p>Buildings to be designed at typical residential scale.</p> <p>Marmion Street frontage to be landscaped and developed as a typical residential front garden with any fencing being open screen fencing.</p>

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

- The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment.
- The amendment would not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this _____ day of _____ 20__

(Chief Executive Officer)

1.0 INTRODUCTION

An application was received by the City of Melville to amend Local Planning Scheme No. 6 (LPS6) by adding 'Medical Centre' as an additional use for the property at Lot 234 (No. 338) Marmion Street, Melville.

The property is zoned Residential R40 and therefore the permissible uses for the Residential zone detailed in the LPS6 zoning table apply. Medical centre is a use not permitted in the Residential zone in LPS6.

Council resolved to prepare and initiate Amendment 16 to LPS6 at its Ordinary Meeting held on 17 September 2024.

2.0 SITE DESCRIPTION

The subject property is located on Marmion Street, 40m away from the Marmion Street local centre. It is 908sqm in area and is occupied by one single-storey dwelling.

The adjacent property to the west is Residential Zone R40 site with an area of 905sqm and occupied by one single-storey dwelling.

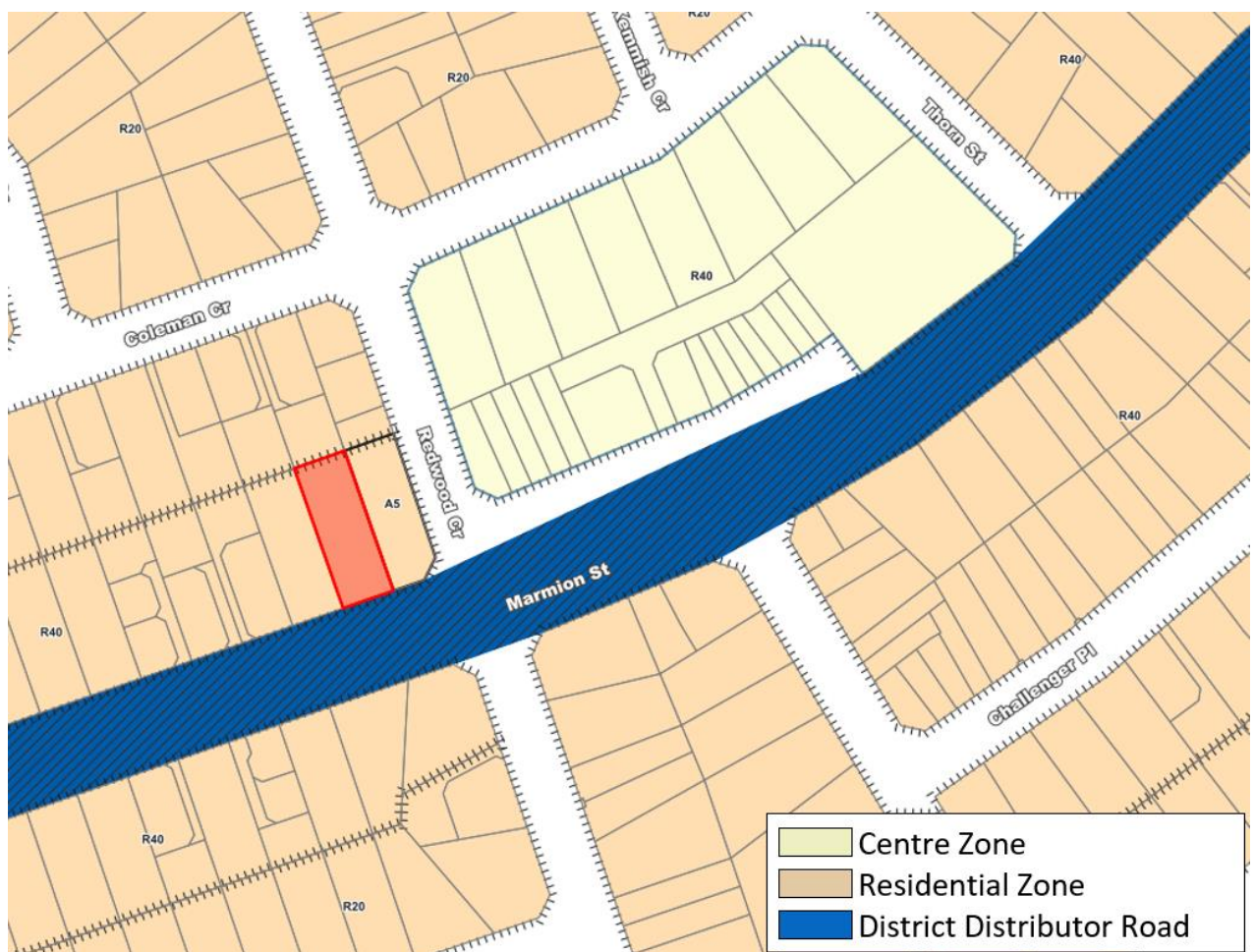
The adjacent property to the east (340 Marmion Street) contains one single-storey dwelling which is in use as a medical centre. It is also a Residential Zone R40 site but has an Additional Use permitting use of the site as a Doctors Surgery.

The properties to the north along Coleman Crescent are also zoned Residential but have a lower density at R20. Most of the properties on Coleman Crescent have been subdivided into two lots, typically in a front and rear configuration.

The subject property is located on the No. 915 high frequency bus route, which travels between Bull Creek station and Fremantle station via Marmion Street.



Above: Aerial imagery of subject property (outlined in red).



Above: LPS6 zoning map of subject site (outlined in red) and surroundings



Above: Property viewed from Marmion Street (Google Street View, May 2024)

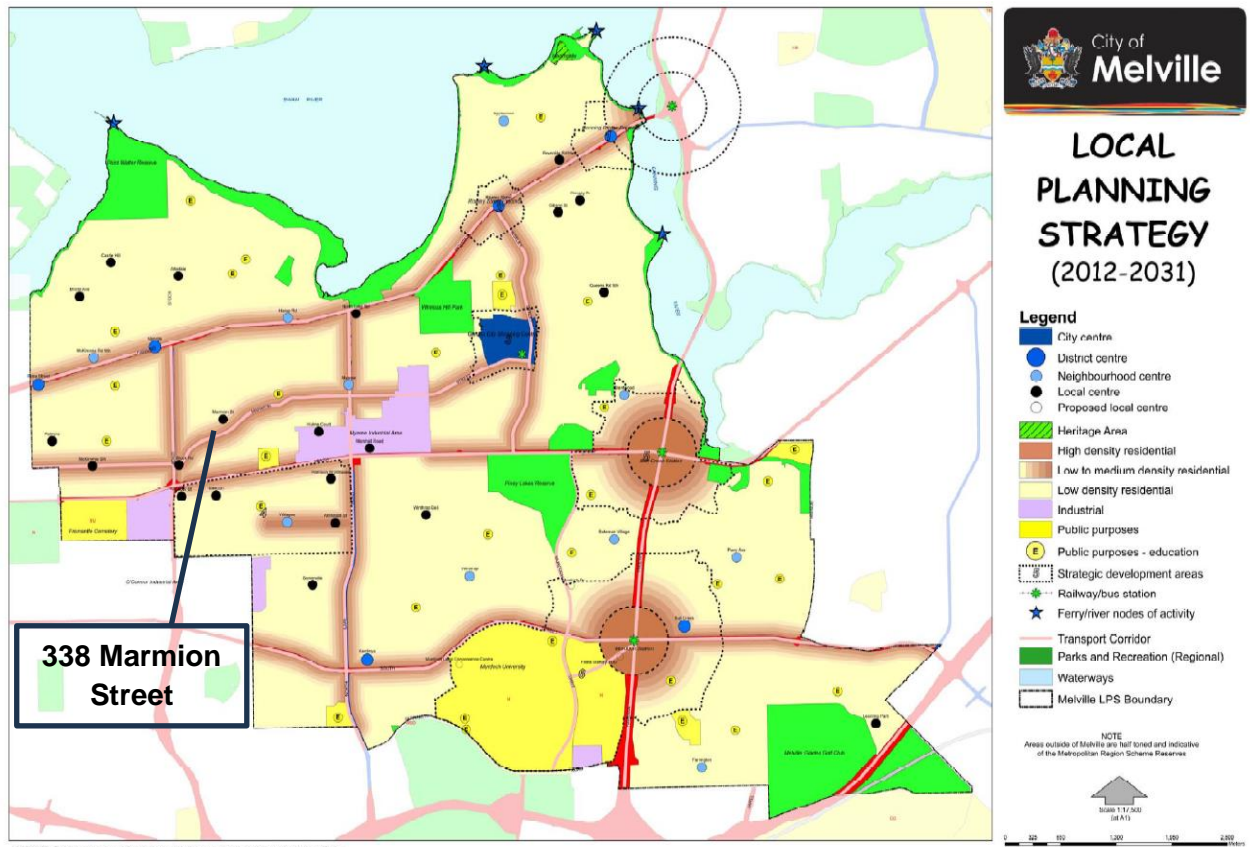
3.0 LOCAL PLANNING CONTEXT

State & Regional Planning Context

The site is zoned 'Urban' under the Metropolitan Region Scheme (MRS) which allows for a broad range of urban land uses.

City of Melville Local Planning Strategy (2016)

Marmion Street is one of a number of roads identified in the City's Local Planning Strategy (2016) as being suitable for medium density residential, as is the land around the centres along its length.



Above: City of Melville Local Planning Strategy (2016) map

Local Planning Scheme No. 6

The subject site is zoned 'Residential' and the applicable residential density code is R40.

4.0 PROPOSAL

Details

An application was received to amend LPS6 by adding 'Medical Centre' as an additional use for the property at Lot 234 (No. 338) Marmion Street, Melville.

Medical Centre is an 'X' use in the Residential zone, meaning that it is not permitted by LPS6 in the Residential zone.

'Consulting Rooms' is an 'A' use, meaning that the use is not permitted unless the local government has exercised its discretion by granting development approval after giving special notice in accordance with clause 64 of the deemed provisions. Notwithstanding, a Consulting Room use is limited to no more than two practitioners, whereas the applicant is seeking four.

After discussing the proposal with the City, the applicant has proposed conditions on the scale and appearance of the Additional Use to limit any potential impacts. These conditions are:

- Psychiatry / Psychology / Counselling services only
- Maximum of four (4) practitioners at the premises at any one time.
- Buildings to be designed at typical residential scale.
- Marmion Street frontage to be landscaped and developed as a typical residential front garden with any fencing being open screen fencing.

An indicative site layout plan has been prepared by the applicant to show that ten parking spaces can be provided within the site at the rear of the building, accessed from Marmion Street.



Above: Indicative parking layout (Source: applicant)

Consideration

The proposed Additional Use of Medical Centre at the subject property is considered to warrant further investigation for the following reasons:

- The proposed Additional Use is consistent with the Additional Use applied to the property to the east. Additional Use 5 applies to Lot 235 (340) Marmion Street and is for a 'Doctors Surgery' with a maximum of four doctors.
- The intention of LPS6 is for a 'Medical Centre' to be located within a Centre zone. The closest centre to the subject property is the Marmion Street centre (40m) which is noted to be fully tenanted.
- The business will contribute to the ongoing viability of the Marmion Street local centre.
- It has been demonstrated that ten parking spaces can be provided. The applicant advises that visitors will be generally by appointment only, therefore it is unlikely that the proposed use would attract a high number of vehicles at any one time.
- The residential locale and built form will benefit clients of the proposed use, acknowledging that the proposed psychology's primary clientele are children and adolescents
- Marmion Street is a District Distributor Road, meaning that a higher level of activity is to be expected in this area compared to areas located on Local Distributor Roads and local roads.

At the Ordinary Meeting of Council on the 17 September, Council chose to initiate the scheme amendment and approve it being referred to the WAPC for permission to advertise. The Department of Planning, Lands and Heritage, under delegation from the Minister, has determined to approve the draft scheme amendment for advertising, subject to the use being identified in the scheme as an 'A' Use (discretionary use).

5.0 CONCLUSION

The proposed scheme amendment is considered to align with the intent of the City's Local Planning Scheme No.6, by providing for a compatible land use within an existing single residential house, ensuring it remains sympathetic to the surrounding residential context.

The site's proximity to the nearby centre and R40 density properties along the length of Marmion Street means the proposed use exists within a growth area expected to see modest redevelopment and intensification over time.

The proposed child psychology facility will serve the needs of a uniquely vulnerable group within the population, and the residential setting with associated outdoor garden area is considered to project a safer space for children to engage. It can also do so without potential amenity impacts associated with commercial uses establishing in residential areas (i.e. no anticipated noise, low traffic volumes, nominal signage and sleeved parking).

The proposed scheme amendment is therefore recommended for approval.

Planning and Development Act 2005

RESOLUTION TO AMEND LOCAL PLANNING SCHEME

Local Planning Scheme Number 6

Amendment Number 16

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme as follows:

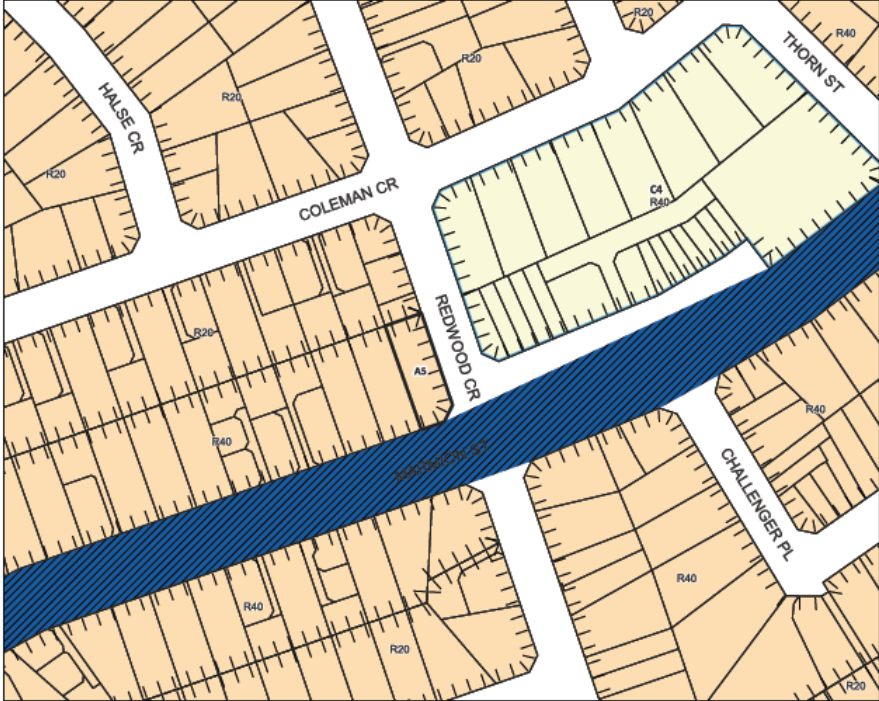
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SCHEME AMENDMENT MAP



City of Melville
Local Planning Scheme No. 6



EXISTING ZONING



SCHEME (AMENDMENT) MAP

SCHEME LEGEND

- Local Zone**
- Residential
 - Centre
- Local Reserves**
- District Distributor Road
 - Local Road
- Other**
- R-Code Boundary
 - Additional Use



Scale 1:2000 (at A3)
18th November 2024

LPS6 Amendment 16
Map 1

Lot 234 (338) Marmion Street,
Melville

ADOPTION

ADOPTED by resolution of the Council of the City of Melville at the Ordinary Meeting of Council held on the 17 day of September 2024.



Mayor



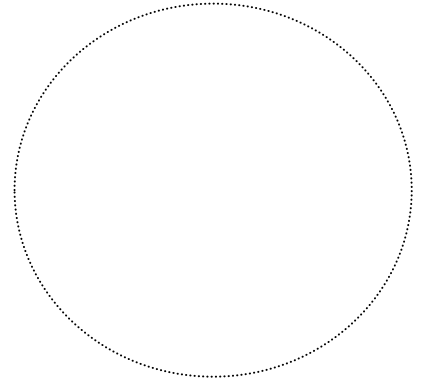
Chief Executive Officer

FINAL APPROVAL

ADOPTED for final approval by resolution of the Council of the City of Melville at the Ordinary Meeting of the Council held on the ____ day of _____, 20____ and the seal of the City of Melville was, pursuant to that resolution, hereunto affixed in the presence of:

Mayor

Chief Executive Officer



WAPC ENDORSEMENT (r.63)

DELEGATED UNDER S. 16 OF
THE P&D ACT 2005

Date

APPROVAL GRANTED

Minister for Planning

Date