

MINUTES

OF THE

SPECIAL MEETING OF COUNCIL

HELD ON

MONDAY 9 DECEMBER 2013

AT 6.30PM IN THE COUNCIL CHAMBERS

MELVILLE CIVIC CENTRE

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MINUTES OF THE SPECIAL MEETING OF THE COUNCIL HELD IN THE COUNCIL CHAMBERS, MELVILLE CIVIC CENTRE, 10 ALMONDBURY ROAD, BOORAGOON, COMMENCING AT 6.30PM ON MONDAY, 9 DECEMBER 2013.

1. OFFICIAL OPENING

The Presiding Member welcomed those in attendance to the meeting and declared the meeting open at 6:30pm. Mr J Clark, Governance and Compliance Program Manager, read aloud the Disclaimer that is on the front page of these Minutes and then His Worship the Mayor, R Aubrey, read aloud the following Affirmation of Civic Duty and Responsibility.

Affirmation of Civic Duty and Responsibility

I make this Affirmation in good faith on behalf of Elected Members and Officers of the City of Melville. We collectively declare that we will duly, faithfully, honestly, and with integrity fulfil the duties of our respective office and positions for all the people in the district according to the best of our judgement and ability. We will observe the City's Code of Conduct and Standing Orders to ensure the efficient, effective and orderly decision making within this forum.

2. PRESENT

His Worship the Mayor, Russell Aubrey

COUNCILLORS

Cr N Foxtton
Cr D Macphail, Cr R Aubrey
Cr R Willis, Cr C Robartson
Cr C Schuster, Cr N Pazolli
Cr S Taylor-Rees
Cr R Hill, Cr P Phelan

WARD

University
City
Bull Creek/Leeming
Applecross/Mount Pleasant
Bicton/Attadale
Palmyra/Melville/Willagee

3. IN ATTENDANCE

Dr S Silcox	Chief Executive Officer
Mr M Tieleman	Director Corporate Services
Ms L Hartill	A/Director Community Development
Mr J Christie	Director Technical Services
Mr L Hitchcock	Executive Manager Legal Services
Mr G Ponton	A/Director Urban Planning
Mr J Clark	Governance & Compliance Program Manager
Mr D Cracknell	Senior Strategic Urban/Property Planner
Mr N Fimmano	Governance & Property Officer
Ms J Paparella	Minute Secretary

At the commencement of the meeting there were 48 members of the public and one member from the Press in the Public Gallery.

4. APOLOGIES AND APPROVED LEAVE OF ABSENCE**4.1 APOLOGIES**

Mr S Cope - Director Urban Planning

4.2 APPROVED LEAVE OF ABSENCE

Cr M Reynolds (Deputy Mayor) – University Ward
Cr J Barton – Bicton/Attadale Ward

**5. ANNOUNCEMENTS BY THE PRESIDING MEMBER (WITHOUT DISCUSSION)
AND DECLARATIONS BY MEMBERS****5.1 DECLARATIONS BY MEMBERS WHO HAVE NOT READ AND GIVEN
DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE
BUSINESS PAPERS PRESENTED BEFORE THE MEETING.**

Nil.

**5.2 DECLARATIONS BY MEMBERS WHO HAVE RECEIVED AND NOT READ
THE ELECTED MEMBERS BULLETIN.**

Nil.

6. QUESTION TIME**Julie Considine on behalf of Southern Frame Group, (Booragoon)****Question 1**

The activity centre structure plan for Garden City uses and defines a boundary. Can you please advise where we can obtain a copy of the endorsed activity centre structure plan boundary for Melville? Is one available from Council or the WA Planning Commission?

Response:

The activity centre or structure plan boundary was publicly advertised as part of the draft structure plan and was shown as a red dotted line on the Structure Plan Map (Plan 1).

Minor amendments are proposed to the structure plan boundary following feedback from the community as detailed in the Council Agenda item.

Question 2

We have been informed by your Planning Department that the Melville City Centre Structure Plan boundaries cannot be changed without a public advertising period. Why is it that lot numbers 115 -121 Riseley Street were allowed to be included in the boundary without this change being advertised?

Response:

Minor amendments to structure plan boundaries can typically be progressed without further public advertising. Major amendments to structure plan boundaries would typically require additional public advertising given that they may have added implications for a particular area.

As noted in the Council report on page 6,

"Extending the structure plan area to include an additional four lots at No.s 115-121 Riseley Street, Ardross as requested in a number of submissions received. This is considered to be a minor boundary change and appropriate from a planning perspective as:

- a. The lots are currently zoned R40 and have potential for more development including multiple dwellings as per the Residential Design Codes*
- b. The lots are within walking distance of the centre and bus station*
- c. The lots front on to a busy major road with frequent bus services".*

This is considered to be a minor boundary change that affects four lots that currently have the ability to build multiple dwellings in accordance with Part 6 of the Residential Design Codes (where housing densities no longer apply). This is an incremental change to the development potential of these lots. Riseley Street is also a major four lane road and quite different in character to a low density residential street (such as Colleran Way).

Kevin Miller (Booragoon)

Question 1

Who did the Melville City engage to conduct a residential impact study covering the residential areas directly affect by the placement of the boundary surrounding the Melville City Centre Structure Plan? Where can we obtain a copy of that report?

Response:

The process for setting a structure plan boundary is explained below in the response to question 2. Preparing a separated Residential Impact Study does not form part of that requirement.

Question 2

Can you please advise in which Government document (Directions 20031 SPP4.2 SPP3.1 or other) can we source the guidelines for defining a boundary for a City Structure Plan?

Response:

Each activity centre across Perth has different circumstances. Activity centre or structure plan boundaries are based on a case by case assessment of each activity centre and are also influenced by the objectives for each particular project.

Clause 6.3.1 of State Planning Policy 4.2 – Activity Centres for Perth and Peel provides some guidance on defining activity centre boundaries.

The City reviewed the options for setting the structure plan boundary for the Melville City Centre at the start of the project and liaised with the Department of Planning. The Department provided written approval for the structure plan boundary prior to the preparation of the structure plan.

The structure plan boundary was also influenced by the key objective of the project to help transform a 'big box' shopping centre into a true city centre.

7. DECLARATIONS OF INTEREST**7.1 FINANCIAL INTERESTS**

- P13/3449 – Mayor R Aubrey – Proximity Interest in accordance with the Act
- P13/3449 - Cr D Macphail – Financial Interest under the Act
- P13/3450 - Cr N Pazolli – Proximity Interest in accordance with the Act

7.2 DISCLOSURE OF INTEREST THAT MAY CAUSE A CONFLICT

- P13/3449 - Cr R Aubrey – Interest under the Code of Conduct
- P13/3449 - Cr P Phelan – Interest under the Code of Conduct
- P13/3450 - Cr C Schuster – Interest under the Code of Conduct

8. APPLICATIONS FOR NEW LEAVES OF ABSENCE

Nil

9. IDENTIFICATION OF MATTERS FOR WHICH MEETING MAY BE CLOSED

Nil

At 6.41pm, his Worship the Mayor advised the meeting that he had declared an Interest in Item P13/3449 and that he would be leaving the meeting during presentations and discussion on the Item.

His Worship the Mayor then called for nominations for the position of acting Presiding Member.

A nomination was received for Cr Robartson to act as Presiding Member.

At 6.42pm Cr Schuster moved, seconded: Cr Willis

That Cr Robartson be elected Presiding Member for Item P13/3449 of the Special Meeting of Council.

At 6.42pm the Mayor submitted the motion which was declared

CARRIED (11/0)

At 6.43pm Cr Robartson was declared elected Presiding Member for Item P13/3449 of the Special Agenda Briefing Forum and assumed the chair.

At 6.43pm His Worship the Mayor left the meeting having declared an interest in the item P13/3449 - Final Adoption of the Melville City Centre Structure Plan.

At 6.43pm Cr Macphail having declared an interest in item P13/3349 left the meeting whilst the Council decided on his request to stay, discuss and vote.

At 6.44pm Cr Willis moved, seconded Cr Hill

**That in accordance with Section 5.68 (1) of the Local Government Act 1995
Cr Macphail be allowed to stay, discuss and vote.**

At 6.44pm the Presiding Member submitted the motion, which was declared

CARRIED (9/0)

At 6.45pm Cr Macphail returned to the meeting.

10. REPORTS OF THE CHIEF EXECUTIVE OFFICER

P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN (REC) (ATTACHMENT)

Disclosure of Interest

Item No.	P13/3449
Member	Mayor R Aubrey
Type of Interest	Proximity Interest in accordance with the Act
Nature of Interest	Owner of property adjacent
Request	Leave
Decision of Council	Not Required

Disclosure of Interest

Item No.	M13/3449
Member	Cr D Macphail
Type of Interest	Financial Interest in accordance with the Act
Nature of Interest	AMP taken over Cr Macphail's NM – AXS Superannuation Plan
Request	Stay, Discuss and Vote
Decision of Council	Stay, Discuss and Vote

Disclosure of Interest

Item No.	P13/3449
Member	Cr R Aubrey
Type of Interest	Interest under the Code of Conduct
Nature of Interest	Family owns property on Ramble, backing on to Garden City
Request	Stay, Discuss and Vote
Decision of Council	Not Required

Disclosure of Interest

Item No.	P13/3449
Member	Cr P Phelan
Type of Interest	Interest under the Code of Conduct
Nature of Interest	Brother owns property in Rambles
Request	Stay, Discuss and Vote
Decision of Council	Not Required

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)**

Ward	: Applecross/Mt Pleasant, City
Category	: Strategic
Application Number	: Not applicable
Property	: All properties within the structure plan area
Proposal	: Consideration of the Final Adoption of the Melville City Centre Structure Plan
Applicant	: Rowe Group on behalf of AMP Capital Investors
Owner	: Various land owners within study area
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: P13-3417 - Public Advertising of the Draft Melville City Centre Structure Plan – Ordinary Meeting of Council 17 September 2013
Responsible Officer	: Gavin Ponton Manager Strategic Urban Planning

AUTHORITY / DISCRETION

DEFINITION

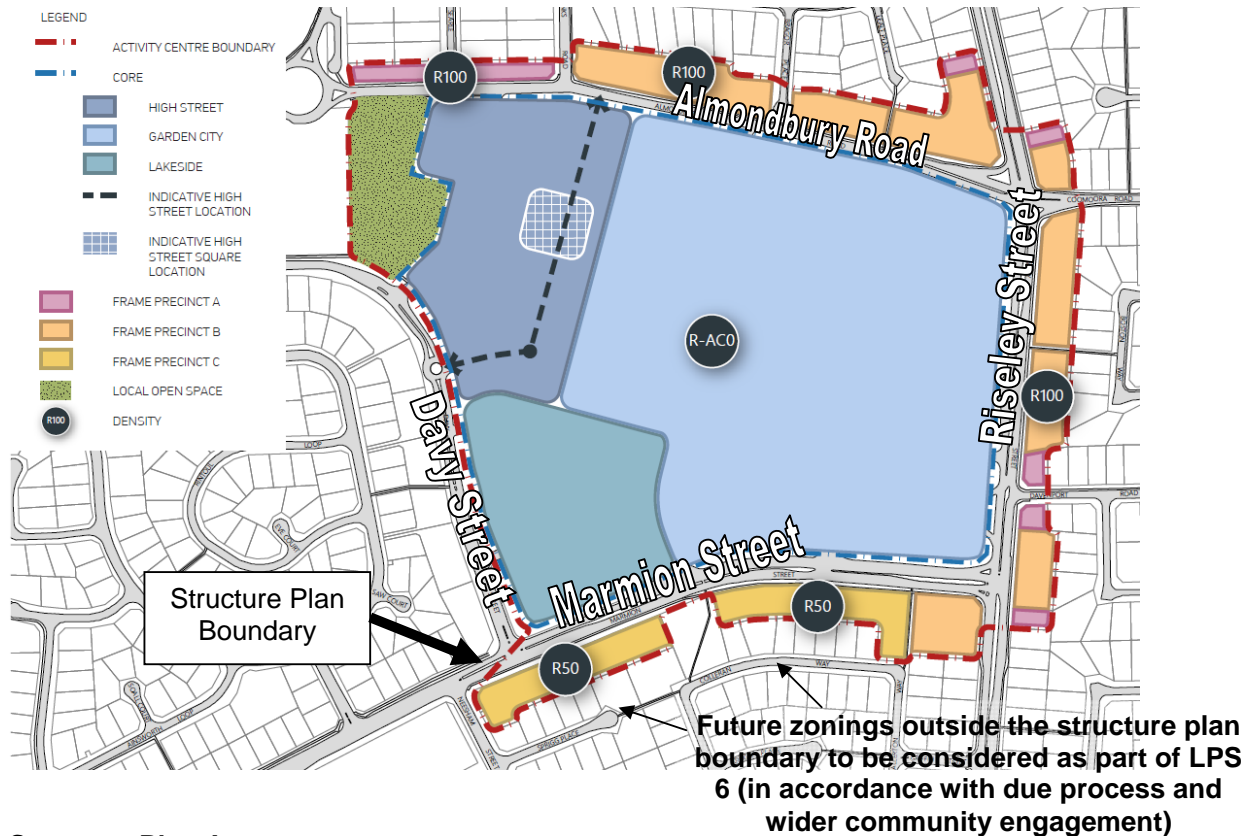
<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)****KEY ISSUES / SUMMARY**

- A draft structure plan has been prepared to guide the future redevelopment of the Melville City Centre, Booragoon.
- The draft structure plan makes recommendations on matters such as the future zoning, development and land use of lots within the study area. It will provide the planning framework for future redevelopment or land use changes. It also provides direction on the proposed expansion of the Garden City Shopping Centre.
- Nine project updates have been provided to Elected Member Information Sessions held on 7 November 2012, 4 December 2012, 13 February 2013, 6 May 2013, 9 July 2013, 23 July 2013, 30 July 2013, 10 September 2013 and 12 November 2013.
- The Council authorised the public advertising of the draft structure plan at the OMC held on 17 September 2013.
- The draft plan was publicly advertised from 1 October 2013 to 31 October 2013. A total of 107 submissions were received during the public advertising process that in summary either:
 - Supported the intent of the draft plan;
 - Raised concerns about several issues which are further discussed in the report.
- A range of modifications are recommended to the draft plan to appropriately address the issues raised by the community.
- It is requested that Council:
 - Consider the feedback received during the public advertising process; and
 - Consider the recommendation to approve the updated structure plan.
- The Western Australian Planning Commission (WAPC) is responsible for the final determination on the draft structure plan following the Council's decision.

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)**

Amended Structure Plan Area Map



Structure Plan Area

The City determined the area of the structure plan in conjunction with and consistent with the views of the Department of Planning (DoP). The structure plan area has been slightly amended to respond to community feedback, including:

1. Removing Ken Ingram Park from the structure plan area. The park is currently reserved for 'Local Open Space' in Community Planning Scheme No. 5 (CPS 5) and was proposed to be also reserved for 'Local Open Space' in the draft structure plan. Inclusion of the park within the structure plan boundary however, may have caused confusion for the community and therefore it is recommended that the boundary of the structure plan be amended to remove Ken Ingram Park.

(Note: Reserve 33422 next to Wireless Hill is proposed to remain in the structure plan area, but would remain reserved for Local Open Space).

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)**

2. Extending the structure plan area to include an additional four lots at No.s 115-121 Riseley Street, Ardross as requested in a number of submissions received. This is considered to be a minor boundary change and appropriate from a planning perspective as:
 - a. The lots are currently zoned R40 and have potential for more development including multiple dwellings as per the Residential Design Codes
 - b. The lots are within walking distance of the centre and bus station
 - c. The lots front on to a busy major road with frequent bus services

BACKGROUND**2007 Centre Plan**

In early 2006, AMP advised the City that it intended to expand and redevelop its existing Garden City Shopping Centre from 65,500m² net leasable area (NLA) to 74,100m² NLA incorporating a mix of retail and non-retail uses. The Melville City Centre Vision Plan / Centre Plan 2007 was prepared by AMP, adopted by Council in February 2007 and submitted to the Department of Planning (DoP). The 2007 Centre Plan was prepared under the former Statement of Planning Policy No. 9 – *Metropolitan Centres Policy for the Perth Metropolitan Region*, which contained caps on the size of shopping centres.

2013 Structure PlanRequirement to Prepare a New Structure Plan for the City Centre

A new structure plan for the area is required for the following reasons:

- Activity centre structure plans are required to be prepared for major centres, such as Booragoon, as per *State Planning Policy 4.2: Activity Centres for Perth and Peel* (SPP 4.2);
- AMP is proposing to expand the shopping centre. Activity centre structure plans are to be endorsed prior to a major development (such as the proposed shopping centre expansion) being approved as per SPP 4.2; and
- The previously prepared 2007 Centre Plan has not been significantly progressed and requires updating.

Structure plans inform the future planning framework for an area and provide direction on matters such as: zoning, building form and height; land use, access and transport. A structure plan is an important document that will guide the future redevelopment of the area.

Detailed matters such as: the design of individual buildings, the exact location of things such as the proposed high street, detailed sustainability measures and the design of car parking areas would be addressed at the development application stage.

Project Roles

The City is coordinating the preparation and implementation of the structure plan and is endeavoring to ensure that the wider community interest and all relevant interests are appropriately addressed. AMP has presented to the City the outcomes of technical investigations and the draft structure plan documentation. The plan will be submitted to and determined by the Western Australian Planning Commission (WAPC) following the Council's decision.

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)****DETAIL****Structure Plan Summary**

The structure plan has been prepared with reference to SPP 4.2 and the Structure Plan Preparation Guidelines.

Part 1 of the structure plan provides the statutory provisions, including the proposed precincts and future land use and development requirements. Part 2 of the draft structure plan provides the aspirations and ideas behind the draft plan and the explanatory text. The draft plan is also supported by technical reports on transport (including a detailed traffic report) and economics.

[3449 Attachment 1](#)

[3449 Attachment 2](#)

[3449 Attachment 3](#)

[3449 Attachment 4](#)

Community and Stakeholder Engagement

The City of Melville has engaged the community on planning for the Melville City Centre over three broad stages, which are briefly summarised as follows:

Stage 1 – Strategic Community Planning

Stage 1 occurred over a number of years and included:

- Consultation on the 2007 Centre Plan
- Engagement on the City's *'People, Places, Participation 2012-2022: A Strategic Community Plan for the City of Melville'*
- Engagement on the North-East Melville Neighbourhood Plan.

Some of the major points raised by the community and responded to in the draft plan are outlined in the following table. Where the responses in the draft plan impact positively on the City's Strategic Community Plan this is noted in the final column.

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)**

Previous Community Feedback	Proposed Responses in Draft Structure Plan	Links to Strategic Community Plan Aspirations
<p>The shopping centre is too focused inwards and has a poor external appearance</p>	<ul style="list-style-type: none"> • AMP is proposing to improve the external appearances of the shopping centre via new façade treatments. • A new 'high street' is proposed with a focus on cafes, restaurants, shops, entertainment and a new piazza. This will help focus part of the shopping centre outwards. 	<p>Liveable Built Environment <i>Objectives include:</i></p> <ul style="list-style-type: none"> • A connected and liveable urban environment • A built environment that reflects and enhances our sense of identity. <p>Sense of Community <i>Objectives include:</i></p> <ul style="list-style-type: none"> • Our places and spaces are vibrant and lively. <p>Growth and Prosperity <i>Objectives include:</i></p> <ul style="list-style-type: none"> • A prosperous city with access to a range of businesses and services
<p>The city centre lacks atmosphere and vibrancy</p>	<ul style="list-style-type: none"> • The city centre is proposed to have a wider range of uses including more residential dwellings. This would encourage more after-hours activity. • The new 'high street' would focus on providing cafes, restaurants, shops, entertainment and a new piazza, which would create more vibrancy. • A new City of Melville community hub is to provided in the city centre 	<p>Liveable Built Environment <i>Objectives include:</i></p> <ul style="list-style-type: none"> • A connected and liveable urban environment • A diverse range of quality housing to meet the needs of current and future communities <p>Sense of Community <i>Objectives include:</i></p> <p>Our places and spaces are vibrant and lively.</p> <p>Accessible and Inclusive <i>Objectives include:</i></p> <ul style="list-style-type: none"> • An inclusive and accessible community

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)**

Previous Community Feedback	Proposed Responses in Draft Structure Plan	Links to Strategic Community Plan Aspirations
The civic square / public spaces need improving	<ul style="list-style-type: none"> The proposed community hub, piazza and high street would provide a much better place for people and would be required to be provided as part of Stage 1 of the development. A focus on improving public spaces and streetscapes 	<p>Sense of Community <i>Objectives include:</i></p> <ul style="list-style-type: none"> <i>Our places and spaces are vibrant and lively.</i> <p>Accessible and Inclusive <i>Objectives include:</i></p> <ul style="list-style-type: none"> <i>An inclusive and accessible community</i> <p>Safe and Secure <i>Objectives include:</i></p> <ul style="list-style-type: none"> <i>Safe attractive places where people want to live, work and participate</i>
Traffic congestion on external roads is a problem	<ul style="list-style-type: none"> AMP is proposing to upgrade external roads and intersections to improve traffic circulation Improve walking, cycling and public transport access 	<p>Sustainable and Connected Transport <i>Objectives include:</i></p> <ul style="list-style-type: none"> <i>A transport system that supports strong economic activity</i>
Community facilities need upgrading	<ul style="list-style-type: none"> The draft plan recommends creating a new community hub located on the piazza / high street including a library, community centre and flexible spaces 	<p>Sense of Community <i>Objectives include:</i></p> <ul style="list-style-type: none"> <i>Our places and spaces are vibrant and lively.</i> <p>Accessible and Inclusive <i>Objectives include:</i></p> <ul style="list-style-type: none"> <i>An inclusive and accessible community</i> <p>Safe and Secure <i>Objectives include:</i></p> <ul style="list-style-type: none"> <i>Safe attractive places where people want to live, work and participate</i> <p>Healthy Lifestyles <i>Objectives include:</i></p> <ul style="list-style-type: none"> <i>Our communities have active and healthy lifestyles with good physical and mental wellbeing</i> <p>Growth and Prosperity <i>Objectives include:</i></p> <ul style="list-style-type: none"> <i>A prosperous city with access to a range of businesses and services</i>

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The draft plan is also considered to impact positively on the City's informing plans such as Age-Friendly Melville – Directions from Seniors; Directions from Young People; Community Safety and Crime Prevention Plan.

Stage 2 - Engagement Prior to the Preparation of the Draft Plan

The City prepared a Community and Stakeholder Engagement Plan early in the project to guide future engagement activities. All community engagement has been managed by the City's staff. Engagement prior to preparing the draft structure plan for the City Centre included:

- Information available on the City's website since early 2013;
- Frequently asked questions, an online discussion forum and question and answer service available on 'We're Listening Melville' since early 2013;
- A project update database set up to gather the contact details of people who would like to be kept up to date on the project;
- Letters sent to landowners within the structure plan area in February, May and June 2013;
- A project information session (12 February 2013) and visioning session (14 March 2013) held for landowners within the area bordered by Almondbury, Riseley, Marmion and Davy Streets. These landowners were provided the opportunity to complete a survey on their thoughts and aspirations for their land and the City Centre in general;
- A project information session (26 June 2013) was held for landowners and residents in the rest of the structure plan area (all landowners and residents on the opposite side of Almondbury, Riseley, Marmion and Davy Streets);
- An article in the City's Mosaic magazine in March 2013; and
- Media articles in the Melville Times on 19 February 2013 and 23 July 2013.

Stage 3 – Statutory Public Advertising of the Draft Structure Plan

The draft structure plan was advertised for a period of 31 days between 1 October 2013 to 31 October 2013. The 31 day advertising period exceeded the standard statutory public advertising period of 21 days.

Engagement on the draft structure plan included:

- Meetings and discussions with local community interest groups;
- Two public information sessions held on 10 and 14 October 2013;
- A display in the Garden City Shopping Centre from 7 to 13 October 2013;
- Information and a copy of the draft structure plan and all the technical documents available from the City's website, 'We're Listening Melville', Civic Centre, Volunteer Resource Centre and Civic Square Library;
- Emails sent to the project update database;
- Letters sent to landowners and residents within the structure plan area;
- 2,218 letters sent to landowners and residents within within 800 metres of the Garden City shopping centre;
- Letters to relevant government agencies and adjoining local governments;
- Press releases and an article in the 'About Melville' section of the local newspaper;
- An article in the City's Mosaic magazine in October 2013; and

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- Media articles in the Melville Herald on 27 September 2013, Melville Times on 1 October 2013 and Sunday Times on 20 October 2013.

All of the community engagement work across the three stages has been completed by the City's officers. Since the completion of the public advertising period, the City has held a number of meetings with a group of residents known as the Southern Frame Committee to further discuss issues raised with the draft plan.

[3449 Attachment 5](#)

Community and Stakeholder Feedback

A total of 107 submissions were received on the draft structure plan, which can be briefly summarised as follows:

Response	Number	Percentage
Support structure plan	22	21%
Comments/suggestions	37	34%
Object to structure plan	10	9%
Object to Marmion Street Frame provisions	38	36%
TOTAL	107	100%

A petition signed by 403 residents was received by the City on Friday 1 November 2013. The petition reads as follows –

“We, the undersigned, all being Electors of the City of Melville, do humbly pray that the Melville Structure Plan be revised to exclude Marmion Street properties from the activity boundary, to ensure the zoning on those properties remains low density (reducing traffic and preserving resident’s amenity).”

Feedback from the Community and Recommended Responses

Four major items were raised by the community on the draft plan. The items and recommended responses are summarised below.

Item 1 - Proposed City Centre Frame Zoning and Building Heights along Marmion Street

The lots proposed to be part of the Marmion Street Frame are currently zoned R20 with a building height of 10.5 metres (approximately 3 storeys depending on topography and design) permitted under Community Planning Scheme No. 5 (CPS 5).

The submission from group of residents known as the Southern Frame Committee and other submissions expressing concerns with the Marmion Street Frame are generally supportive of the rest of the structure plan and the revitalisation of the City Centre. The submission expresses concern however about the proposed City Centre Frame along Marmion Street. The key points raised in the submission include:

- Being strongly opposed to the advertised R100 zoning for Marmion Street;
- The proposed building heights (four storeys at the front reducing to two storeys at the rear of lots facing Marmion Street) would not fit on the lots as proposed;
- The proposed building heights would cause overshadowing of lots on Colleran Way and Sprigg Place
- The proposed transition zone is not big enough

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- The proposed transition in building heights is not appropriate
- Letters as part of the public advertising process should have been personally addressed to residents [note – the City has landowners names, but not residents names on its databases]
- The proposed Local Planning Scheme 6 is not available and residents cannot see other zonings changes that may be proposed outside the structure plan area
- Why is a Frame required along the south side of Marmion Street?
- The potential effects of the proposed building heights in the Frame on adjoining residential lots along Colleran Way and Sprigg Place
- The proposed interface of R100 with R20 may affect surrounding residential properties and is not acceptable

- Future development causing:
 - Loss of privacy
 - Loss of amenity
 - More noise
 - More traffic
 - More crime
 - Loss of property value
- The Marmion Street Frame should instead be rezoned to R35
- Adjoining lots along Colleran Way and Sprigg Place should be rezoned to R25

This was certainly the biggest issue raised by the community with the draft structure plan.

The City is seeking to concentrate development and population growth in “activity centres”, such as Canning Bridge, Murdoch and the Melville City Centre and along public transport routes. This style of development can:

- Protect quiet residential areas from significant change
- Promote vibrancy, life and activity in certain locations
- Provide more convenience by allowing people access a range of businesses or services in one location
- Reduce vehicle congestion and parking demand. Clustering businesses and services together allows local residents and visitors to access a range of businesses or services in one trip, including employment opportunities
- Make public transport services more viable as there are more people in the catchment area
- Encourage more pedestrians, cyclists and street activity
- Provide a greater range of lifestyle and housing choices in our community.

The intent of the City Centre Frame is to provide a transition area from the city centre itself to surrounding residential areas. CPS 5 already has an existing City Centre Frame R50 zoning along Almondbury Road and Riseley Street, but the Frame does not currently extend to Marmion Street. It is not clear why this is the case.

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The City Centre Frame along Marmion Street has been proposed to:

- Help create a higher quality and more consistent urban streetscape along Marmion Street. It is difficult to improve the quality of streetscapes and the amenity of the area when two different kinds of development are on either side of the street – i.e. a high intensity city centre on one side and lower density residential development on the other side of the street
- Help the City Centre meet the WAPC residential dwelling targets specified in SPP 4.2.

The building heights in the structure plan would supersede any building heights limits currently in CPS 5 or the Residential Design Codes (as per Clause 3.4 of the structure plan on page 1).

The building heights advertised in the draft plan for the Marmion Street Frame were to be staggered to increase potential height at the front of the lots (four storeys or 16m) and reduce potential height at the rear of lots (two storeys or 8m).

It was envisaged that the staggered building heights would help produce a better transition of building height to the adjoining residential properties. However, the advertised building heights were not supported by the Southern Frame Committee and adjoining residents.

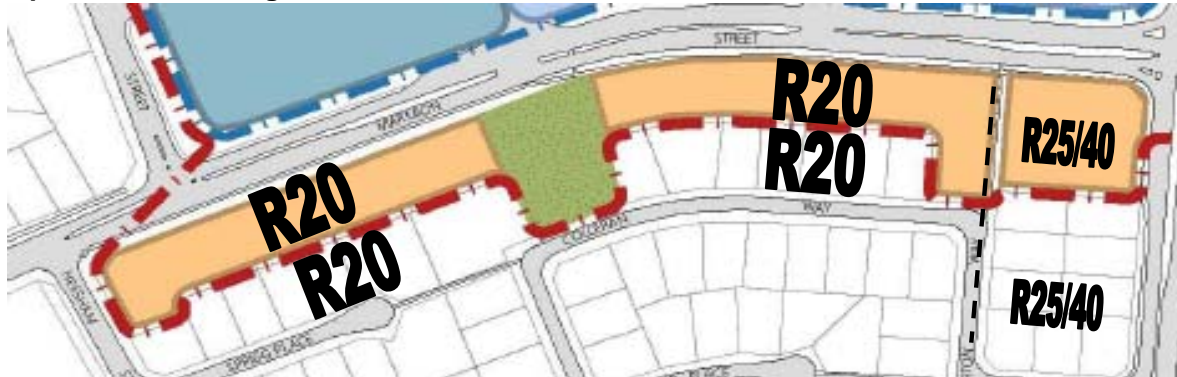
There are two major issues to reconsider for the Marmion Street Frame: the proposed residential density and the proposed building heights.

Options to Address Item 1 - Proposed City Centre Frame Zoning and Building Heights along Marmion Street

One potential option is to exclude the Marmion Street Frame from the structure plan area. This could either mean that the area remains as is (R20 zoning) indefinitely or reconsidered in the future either through the LPS 6 process or future amendments to the structure plan.

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(REC) (ATTACHMENT)**

Option 1 – No Change to Marmion Street Frame



Option 1 Assessment

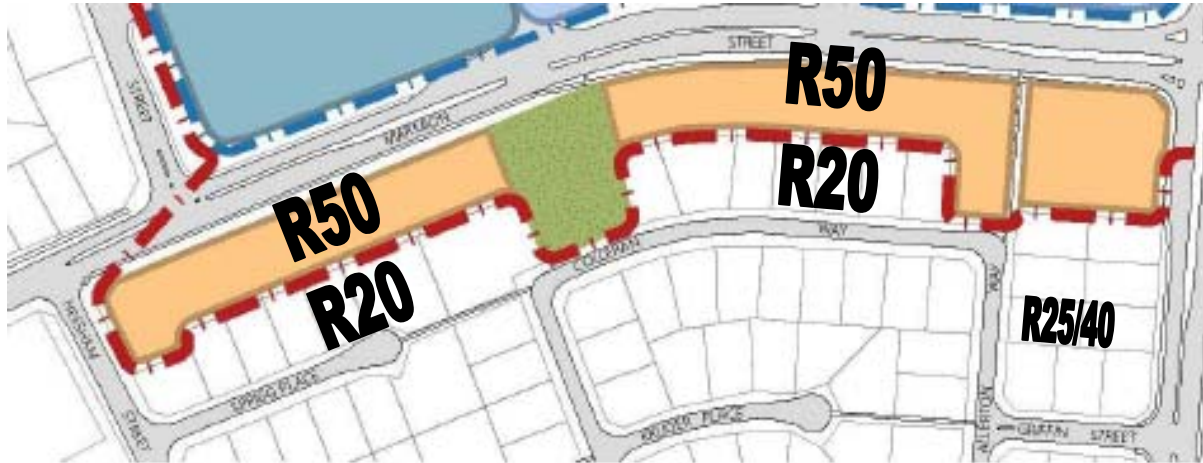
Height and Zoning	Pros	Cons
<u>Marmion St Frame</u> <ul style="list-style-type: none"> Maintain R20 density Maintain 10.5m height 	<ul style="list-style-type: none"> Could be reassessed through the Local Planning Scheme 6 (LPS 6) process 	<ul style="list-style-type: none"> Unlikely to be accepted by the WAPC as it would be contrary to the objectives of Directions 2031 and SPP 4.2 WAPC may amend heights and zonings SPP 4.2 housing targets for city centre would not be met Would be difficult to create a better streetscape on Marmion Street if there are different development forms on either side of Marmion Street

It is considered that the Marmion Street Frame is more properly assessed as part of the City Centre rather than a suburban residential area given its location. This suggests that it is better to address the Frame as part of the City Centre structure planning rather than LPS 6. It is considered unlikely that the WAPC would support a no change approach as this would retain low density residential immediately adjacent to a major activity centre which would be contrary to the objectives of Directions 2031 and SPP 4.2.

If this were the case, the WAPC may then decide to rezone the Marmion Street Frame as it sees fit. It is therefore not recommended to pursue Option 1 – No Change to Marmion Street Frame.

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(REC) (ATTACHMENT)**

Option 2 – Adopt Current City Centre Frame Provisions for Riseley Street from CPS 5



Option 2 Assessment

Height and Zoning	Pros	Cons
<u>Marmion St Frame</u> <ul style="list-style-type: none"> • Change to R50 density • Maintain 10.5m height 	<ul style="list-style-type: none"> • Adopts provisions from existing Riseley Street Frame, which have been in place for 14 years • Existing heights limits are maintained (as requested by adjacent residents) • Allows for some increase in residential density • Provides more housing choices for city centre • Structure plan would meet WAPC housing targets for city centre • A minimum rear setback of 3.0 metres which is in excess of the Residential Design Codes. Upper floors can also be further setback from the rear boundary 	<ul style="list-style-type: none"> • May be subject to review by WAPC to see whether it meets the objectives of Directions 2031 and Activity Centres Policy (WAPC may possibly consider R50 is too low adjacent to a major activity centre)
<u>Colleran Way & Sprigg Place</u> <ul style="list-style-type: none"> • Maintain R20 density • Maintain 10.5m height • Consider future zonings as part of wider engagement on LPS 6 		

It is suggested that Option 2 is a better approach to pursue and responds to concerns expressed by local residents whilst also delivering appropriate planning outcomes next to a major activity centre.

Alternative Approach to Building Height for the Marmion Street Frame

An alternative approach to addressing building heights for the Marmion Street Frame is to reduce the potential height at the rear of lots fronting Marmion Street and slightly increase the potential building height at the front of the lots as follows:

- A maximum of three storeys to an overall height of 12 metres above natural ground level is permitted provided that it is contained within 20 metres of the Marmion Street lot boundary

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- A maximum of two storeys to an overall height of eight metres above natural ground level is permitted for all other development

This would allow an extra 1.5m height at the front of the lot offset by a 2.5m reduction in building height at the rear of the lot. This has been informally discussed with some residents who provided some support for the alternative approach. This alternative approach is not currently reflected in the structure plan document as it would mean a slight increase to building height at the front of the lot.

Recommended Responses to Address Item 1 – Marmion Street Frame

It is recommended that the draft plan be updated to respond to the issues raised by the community as follows:

1. Split the proposed Frame into three sections with different height and density requirements.
2. As no major issues raised were raised with the proposed Frame A and Frame B along Almondbury Road and Riseley Street, it is proposed to progress the ideas from the advertised draft plan, with the exception of reducing the maximum height of the Frame A from four storeys to three storeys to respond to lot configurations.
3. The proposed Frame C along Marmion Street is proposed to be significantly amended to:
 - a. Maintain the existing building height of 10.5 metres (which is also the building height permitted along Colleran Way and Sprigg Place)
 - b. Reduce the density coding from R100 to R50. This would introduce the same zoning of R50 that has been in place since 1999 along Almondbury Road and Riseley Street to the Marmion Street Frame. It is noted that the existing Frame along Riseley Street has a zoning of R50 and the lots at the rear have a zoning of R20, which is the same situation as is proposed in the updated structure plan. R50 would still allow for multiple dwellings (apartments) to be built in accordance with Part 6 of the R-Codes (which applies to R30 and above)
 - c. Maintain the publicly advertised minimum rear setback for new developments of 3m from the rear boundary. This would be in excess of the requirements of the R-Codes. Any second or third level built within the current building height of 10.5 metres would need to be further setback from the boundary. The larger

Item 2 - Request to Rezone Lots Along Colleran Way and Sprigg Place in the Structure Plan

Residents along Colleran Way and Sprigg Place have requested that their properties also be rezoned through the structure plan process. For example, the Southern Frame Committee suggested in its submission that lots along Marmion Street be rezoned to R35 and lots along Colleran Way and Sprigg Place to R25.

The City sincerely appreciates the constructive ideas and discussions held with the Southern Frame Committee on this matter. The City considers however, that it would be appropriate to investigate the proposal to rezone lots along Colleran Way and Sprigg Place as part of the wider community engagement on the new Local Planning Scheme No. 6 (LPS 6), which is scheduled for public advertising in 2014 (subject to approval from the Minister for Planning).

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The City considers it necessary for the rezoning proposals included in the submission from the Southern Frame Committee to follow due process, including providing the opportunity for all landowners and residents in the immediate affected area, the owners of adjoining or nearby properties and the wider community to make submissions. This process may be able to consider a range of alternatives or options. The opportunity to undertake this proper due process will soon present itself during advertising of the new LPS 6.

There may also be opportunities to amend the Melville City Centre Structure Plan in conjunction with consideration of changes to the local planning scheme if deemed appropriate by the Council. The City considers that it would be inappropriate to rush a formal planning process to consider rezoning lots outside the structure plan area without due process being followed.

Item 3 - Transport and Access

A summary of the concerns raised by the community regarding transport and access is as follows:

- Traffic congestion
- The detailed design of specific intersections
- The need to improve walking and cycling to/from/around the City Centre
- The need to improve public transport provision
- The need to improve safety for all users
- The need to improve/provide more car parking
- Concerns about rat running, particularly on Links Road and MacCallum Crescent
- Suggestion to install a "Keep Clear" box at the intersection of Griffin Street and Riseley Street to stop cars queuing through the intersection in peak periods

A detailed Movement (or Transport) Strategy has been submitted to support the draft structure plan. In summary, the main points of the strategy are:

- Most people currently access the centre via motor vehicle (90%), with other modes (public transport, walking, cycling etc) providing 10% of trips. This is major factor and is not expected to change significantly in the future. The expected future mode share split is anticipated to be 85% private motor vehicle and 15% other modes;
- *"Many residential areas in the vicinity of the Melville City Centre do not have access to public transport services that travel to the Booragoon bus station (Bicton, Attadale, Applecross and Alfred Cove are examples)... Overall public transport is aimed at commuters travelling to and from the Perth CBD, with access to the Melville City Centre not being a key focus of the services."*
- AMP *"will investigate the viability and benefits"* of providing shuttle buses to and from residential areas not well serviced by public transport currently;
- *"The City and the major landowner intend to continue discussions with Transperth with a view to improving the bus routes in the area and the frequency of services";*
- Pedestrian and cycling connections need to be improved;
- The number of car parking bays for the shopping centre is proposed to be increased from 4,250 bays to approximately 6,000 bays in the future. A range of technologies and design measures would be utilised to improve car parking provision; and

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- The draft structure plan recommends road and intersection upgrades which would include the following:
 - Improving access to and around the shopping centre from surrounding streets;
 - Upgrading the Marmion Street / Riseley Street intersection;
 - Upgrading the Canning Highway / Riseley Street intersection;
 - Upgrading the Canning Highway, Dunkley Avenue and Norma Road intersection;
 - Upgrading the Leach Highway / Riseley Street intersection.

Broader concerns about traffic congestion issues generally were raised by the community. Car use in Perth ranks amongst the highest in the world, with around 80% of all our personal trips made by car according to the Department of Transport (or approximately 90% of trips to Garden City).

Interestingly, according to public feedback in Department of Transport surveys, 75% of the population says we need to reduce car dependency and increase the use of public transport. And 87% of people support more funding for public transport, cycling and walking instead of building new roads.

It is difficult to solve traffic problems by building more roads as this may only “induce” or attract more demand (i.e. more cars), which quickly leads to roads that are just as congested as before. It is also very expensive to extend roads in urban areas and the return (as measured by improvements to travel times) can be minimal in the medium term.

Changes to land use patterns can help reduce the need to travel long distances in the first place and allow people to drive less. This could be progressed by allowing a greater mix of land uses in appropriate locations and concentrating development around activity centres. Both of these ideas are underlying drivers of the draft plan.

The Movement Strategy has been assessed by the City’s Technical Services and relevant agencies including Main Roads Western Australia (MRWA), Department of Transport (DoT) and Public Transport Authority (PTA).

MRWA is generally supportive of the structure plan but states that issues associated with the Canning Highway and Riseley Street and the Leach Highway and Riseley Street intersections need to be resolved before the structure plan is approved. Further meetings have been arranged and it is expected that further detailed investigations will be pursued prior to determination of the structure plan by WAPC, which is an approach supported by MRWA.

While more work is required to be undertaken through the detailed design stages of future redevelopments, it is considered that the broad transport issues have been appropriately addressed at this point. Further liaison will be required in future with MRWA, DoT and PTA through detailed planning and implementation stages.

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(REC) (ATTACHMENT)**Recommended Responses to Address Item 3 - Transport and Access

- Technical Services will further investigate installing a “Keep Clear” box at the intersection of Griffin Street and Riseley Street to stop cars queuing through the intersection in peak periods
- Possible “rat running”, particularly on Links Road, Searle Road and MacCallum Crescent will be monitored and if required, Local Area Traffic Management options further investigated
- The structure plan has been amended to specifically require major development applications to prepare a Transport Plan, including a Pedestrian Plan, Cycling Plan, Parking Management Plan, Freight Movement/Delivery Plan and Public Transport Plan
- Future developments will need to significantly improve pedestrian and cycling access

It is noted that Part 9 of the structure plan requires financial or in-kind contributions to road and intersection upgrades to be provided as part of Stage 1 of the implementation.

Item 4 – More Vibrancy, Amenity and Greenery

A number of submissions raised the need to improve the following in the City Centre:

- Need to create more vibrancy and atmosphere
- Need to improve amenity of streetscapes
- Need to provide greenery and trees throughout the city centre and in Garden City Shopping Centre in particular
- Need for better public spaces

The draft plan includes a range of measures to improve vibrancy, amenity and greenery: including, but not limited to:

- AMP is proposing to improve the external appearances of the shopping centre via new façade treatments
- The new ‘high street’ would provide a leisure, recreation and cultural focus for the city centre including cafes, restaurants, shops, entertainment and the new piazza. This will also help focus part of the shopping centre outwards
- The proposed community hub, piazza and high street would provide a much better place for people and would be provided as part of Stage 1 of the development

It is considered that the structure plan will help deliver on these community aspirations, with further detail to be provided through future development applications.

Recommended Responses to Address Item 4 – More Vibrancy, Amenity and Greenery

No further responses are considered to be required.

Summary of Community Feedback

It is considered that the recommended updates to the draft plan can appropriately respond to the community’s feedback and will help improve the structure plan.

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)****Other Major Items to Consider**

In addition to the four items above raised by the community, it is considered that there are a further five items warranting close consideration by Council. Some of these issues have also been raised in submissions objecting to the draft plan made by the City of Fremantle and Stockland (owner of the Bull Creek Shopping Centre) and include:

5. The proposed expansion of retail floorspace from approximately 63,000m² to 120,000m²
6. The proposed diversity of land uses and the amount of non-retail floorspace
7. Possible effect on the metropolitan activity centre hierarchy
8. Possible effects on other activity centres
9. Outcomes and community benefits

Item 5 – Expansion of Retail Floorspace

The structure plan proposes a significant increase in retail floorspace for the City Centre, most likely in a number of stages, with a total of 120,000m² of shop-retail floorspace proposed by 2026. The retail floorspace would be concentrated in an expanded Garden City Shopping Centre. The exact timing of retail floorspace expansions would depend on economic conditions, funding and market demand as well as feasibility, detailed design, approvals and construction timeframes.

AMP has advised that two major goals of the expansion are to:

1. Bring major international retailers to Perth, which may not be represented currently in Perth or may only have one or two stores (for example – central Perth)
2. Reduce the “leakage” (or loss) of sales to internet retailers both in Australia and overseas

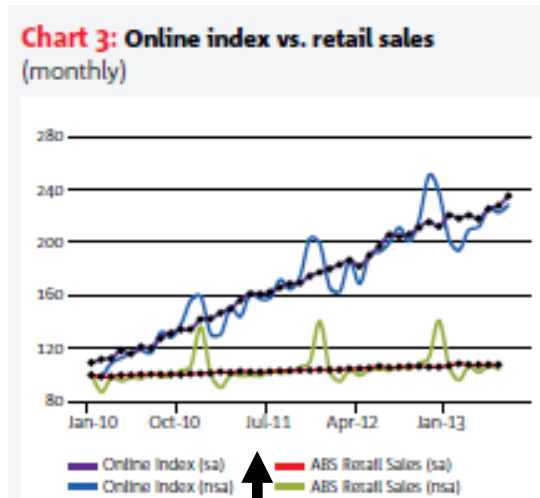
Attracting major international retailers to Perth is considered to be a positive move and would be unlikely to directly compete with local centres in the City of Melville or the wider southern region as these other centres are unlikely to attract these kinds of tenants.

The internet is changing the way that people shop. Currently Western Australia has the third highest per capita spend on online shopping (following the Australian Capital Territory and Northern Territory). It is notable that a key demographic of 25-54 years olds spend 20% of their retail spending online (National Australia Bank Online Retail Sales Report July 2013), which demonstrates that the market is rapidly changing and that shopping centres need to improve their retail offer in order to compete in future.

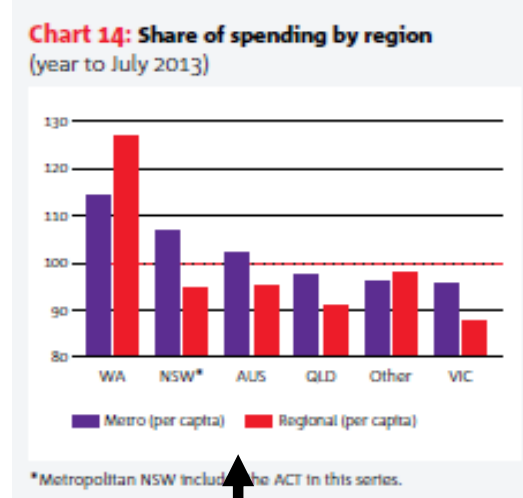
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Figures 1 and 2 Showing the Migration of Retail Sales to the Internet

Source: National Australia Bank Online Retail Sales Index Indepth Report July 2013



Online retail sales are growing much faster than overall retail sales



Western Australians spend a lot more on online retail sales than other states

A key issue for consideration by Council and the WAPC is whether the proposed amount of retail floorspace is appropriate for the Melville City Centre.

Shopping centres sizes were effectively capped for many years in Western Australia by the WAPC's former Statement of Planning Policy No. 9 – *Metropolitan Centres Policy for the Perth Metropolitan Region*. The caps were effectively removed by the gazettal of SPP 4.2., which does not contain explicit nor implicit retail floorspace caps. However there are other policy requirements to meet, which are further discussed below.

The previous planning framework has meant that shopping centres in Western Australia are significantly smaller than equivalent centres in other States. The current and proposed Garden City Shopping Centre is not large in an Australian context (according to a table published in Shopping Centre News in 2013):

- Garden City is currently the 46th biggest shopping centre in Australia
- There are currently four shopping centres in Canberra that are larger than Garden City
- If the shopping centre were to be expanded to 120,000m², Garden City would then be the 14th biggest shopping centre in Australia assuming that no other shopping centres expand during this time. However it is highly likely that other shopping centres will be expanded in the next 15 years

Whilst it is considered reasonable to state that the proposed 120,000m² of retail floorspace may not accord with past planning practice in Perth it is considered that the plan should be assessed on what should be appropriate in the future and based on the aspirations of Directions 2031 and Beyond and SPP 4.2.

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Other major centres including: Cannington, Fremantle, Joondalup, Morley and Whitfords are in the process of preparing structure plans for the future. It is highly likely that structure plans for other activity centres will include major increases in retail floorspaces. For example, the Canning City Centre Structure Plan, which has been adopted as a planning policy by the City of Canning and is to be considered by the WAPC proposes the following retail floorspace expansion.

Table 1: Canning City Centre Structure Plan Floorspace Summary

Land Use	2007/2008 (m²)	2031 (m²)	Increase (m²)
Shop/Retail	116,736	176,736	60,000
Other Retail	48,449	68,081	19,632
Other Commercial/Community	166,145	575,308	164,346
Total	331,330	575,308	243,978

Whilst it is noted that the proposed Canning City Centre Structure Plan has a significantly larger area than the Melville City Centre, the Canning City Centre Structure Plan proposes to add 56,000m² of shop-retail floorspace above that proposed by the Melville City Centre Structure Plan.

Conclusions on Item 5 – Expansion of Retail Floorspace

- The internet is changing the way that people shop and shopping centres need to improve what they offer in order to compete in future
- Shopping centres in Western Australia are significantly smaller than equivalent shopping centres in other states due to the previous system of retail floorspace caps
- The current and proposed Garden City Shopping Centre is not large in an Australian context
 - Garden City is currently the 46th biggest shopping centre in Australia
 - If the shopping centre were to be expanded to 120,000m², Garden City would then be the 14th biggest shopping centre in Australia (assuming that no other shopping centres expand during this time. However it is highly likely that other shopping centres will be expanded in the next 15 years)
- Other major activity centres in Perth are likely to seek significant increases in shop-retail floorspaces. If the Canning City Centre was to expand by 60,000m² by 2026 it would then have 47% more shop-retail floorspace compared to an enlarged Garden City Shopping Centre

Item 6 – Diversity of Land Uses and SPP 4.2 Aspirational Targets

One of the major goals of SPP 4.2 is to create mixed use activity centres as opposed to single use centres (i.e. shopping centres). This objective is strongly supported by the City.

Table 3 of SPP 4.2 provides aspirational land use diversity targets which are stated as a “guide” to assist assessment rather than a mandatory target. Table 3 states that centres with more than 100,000m² of shop-retail floorspace should aspire to 50% mix of land use target (in this case the result would be 120,000m² shop/retail plus 120,000m² of non-retail commercial and community floorspace = 240,000m²).

The current land use diversity is 69% shop-retail and 31% other as measured according to Table 3 of SPP 4.2.

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It is noted however, that the definition of "mix of land uses" in SPP 4.2 does not include residential dwellings. It is considered that this does not accord with the objectives of SPP 4.2 to create mixed use activity centres with higher density residential within the walkable catchment of activity centres. It also does not accurately measure the actual mix of land uses for activity centres. What it would measure is the mix of commercial land uses, which is considered to be less important than the overall mix of all land uses including residential. This is summarised in Table 2.

Table 2: Melville City Centre Structure Plan Land Use Diversity

Land Use	Current (m²)	By 2031 (m²) Not incl. private residential	By 2031 (m²) Including private residential
Shop/Retail	62,622	120,000	120,000
Other Commercial/Community	28,271	65,234	65,234
Residential (Private) <i>estimates</i>	8,800	0	76,500
Total	99,693	185,234	261,734
% of Shop-Retail Floorspace	63%	65%	46%
% of Other Land Uses	37%	35%	54%

The City Centre would exceed the aspirational land use diversity targets stated in SPP 4.2 if residential dwellings were included (46% shop-retail and 54% other). This is considered to be a more appropriate way of measuring proposed land use diversity and is consistent with the City's intention to create a true City Centre, not just a big shopping centre.

This alternative approach is also considered appropriate based on the unique circumstances of the Melville City Centre. The City of Melville is currently preparing five structure plans to respond to and promote the objectives of Directions 2031 and SPP 4.2. Each structure plan is trying to promote a different mix of land uses based on local circumstances.

Table 3: Structure Plans Currently Being Prepared by the City of Melville

Activity Centre or Area	Major Land Use Focus
Melville City Centre, Booragoon	Comparison Retail, Residential, Civic, Local Offices
Murdoch – 3.5km away	Health, Education, Commercial, Residential
Canning Bridge – 2.7km away	Residential and Strategic Employment (Offices)
Riseley Centre – 1.4km away	Residential, Convenience Retail, Commercial
Willagee – 2.8km away	Residential, Community Regeneration

An existing major mixed business precinct is situated just over 1km away from the Melville City Centre at Myaree.

The implication of the above is that the City is not seeking to develop the Melville City Centre as a major strategic employment, office, commercial, education, health or mixed business precinct as these land uses are provided or will be provided in future at other nearby centres.

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This then limits the ability for the Melville City Centre to meet the diversity performance targets listed in SPP 4.2. If the structure plan was pushed to meet the targets, this may have other significant effects on the future development of non-retail commercial uses at Canning Bridge, Murdoch and the Riseley Centre in particular. It may also potentially displace residential uses from the City Centre as more land would be taken for commercial rather than residential uses.

A further important point is that it would be difficult to attract high quality, higher density residential housing if the amenity of the City Centre is not improved. This is because density usually requires amenity, services and transport. The proposed High Street, piazza, upgraded bus station, public space improvements and improved walking and cycling access are all necessary drivers to attracting more residents to the centres.

It is considered that the key for creating mixed use centres should not be simply to identify potential numbers for mixed use development, but in fact the actual delivery of mixed use development on the ground. The delivery of 120 dwellings as part of Stage 1 is a statutory requirement of the plan and would set a new standard for the actual delivery of mixed use development in suburban activity centres.

It is considered that there is a strong case for activity centre planning to measure true land use diversity for major activity centres by the inclusion of residential dwellings in the diversity performance target. The City Centre would then exceed the aspirational land use diversity targets stated in SPP 4.2 with 46% shop-retail and 54% other land uses by 2031.

Conclusions on Item 6 – Diversity of Land Uses and SPP 4.2 Aspirational Targets

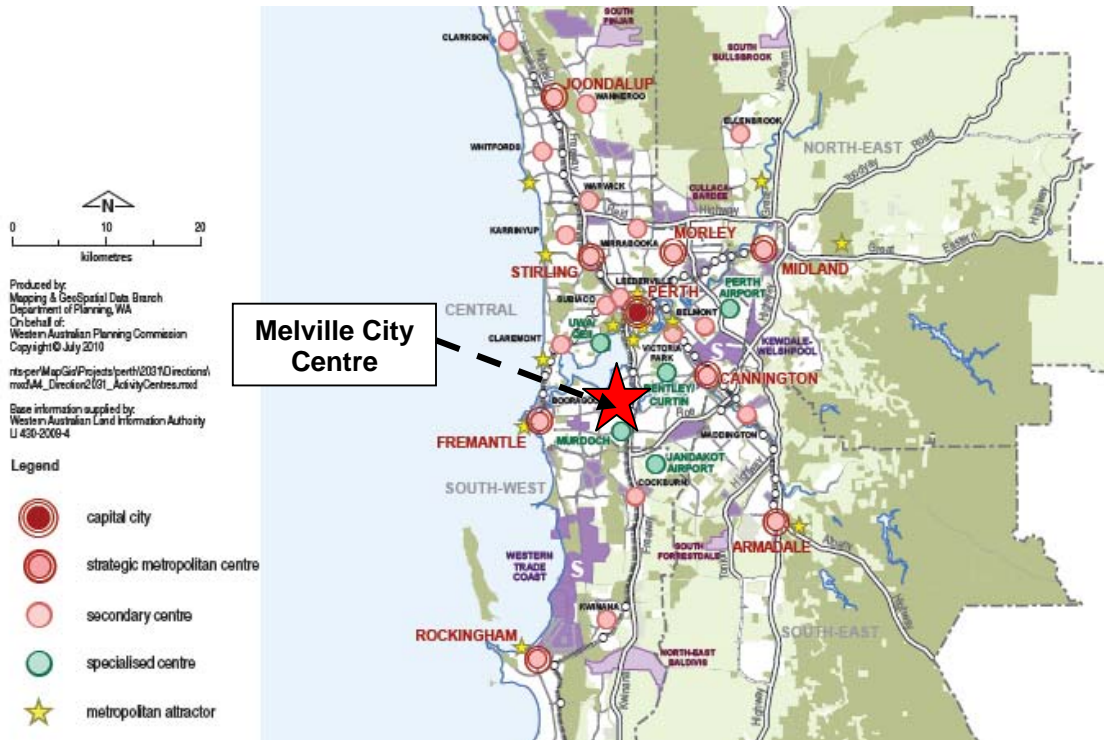
- One of the major goals of SPP 4.2 is to create mixed use activity centres as opposed to single use centres
- Table 3 of SPP 4.2 provides aspirational targets which are stated as a “guide” to assist assessment rather than a mandatory target
- The definition of “mix of land uses” in SPP 4.2 currently does not include residential dwellings, which does not accord with the intent of the policy to create mixed use activity centres with high density residential
- The City is not seeking to make the Melville City Centre a major strategic employment, office, commercial, education, health or mixed business precinct as these land uses are provided or will be provided in future at other nearby centres (Canning Bridge, Murdoch, Riseley Centre, Myaree)
- The City Centre would exceed the aspirational land use diversity targets stated in SPP 4.2 if residential was included (46% shop-retail and 54% other land uses by 2031)

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Item 7 - Possible Effect on the Metropolitan Activity Centre Hierarchy

Directions 2031 and Beyond provides the activity centre hierarchy for metropolitan Perth and Peel. The Melville City Centre is at the third level on the hierarchy, below central Perth and Strategic Metropolitan Centres such as: Fremantle, Cannington, Rockingham and Armadale.

Figure 3 – Activity Centres shown in Directions 2031 and Beyond



Source: Figure 7: Activity Centres. Directions 2031 and Beyond, WAPC

There is already a significant variation amongst activity centres in the same category. For example, Cannington has approximately 50% more shop-retail floorspace than Fremantle and more than double the shop-retail floorspace of Armadale. The hierarchy is a useful planning guide, but each centre has its own unique circumstances.

As previously mentioned in Item 5, other major centres including Cannington, Fremantle, Joondalup, Morley and Whitford are in the process of preparing structure plans for the future. It is highly likely that structure plans for other activity centres will include major increases in retail floorspaces. It is notable that the Canning City Centre Structure Plan proposes to increase shop-retail floorspace by 60,000m² from 116,736 to 176,736m². If approved by the WAPC this would be 56,000m² or 47% above the floorspace proposed in the Melville City Centre Structure Plan.

Different centres will also serve different functions and different markets. For example, the City of Fremantle notes in Item C1310-11 considered by Council at the Ordinary Meeting held on 30 October 2013 that:

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“It is recognised that the proposed Garden City development reiterates the need to continue to attract unique and niche retailers to Fremantle (as opposed to chain stores or department stores). This is the direction intended for Fremantle’s retail sector and one that is being worked towards with the co-operation of major stakeholders (e.g. Fremantle BID) and major projects (e.g. MYRE).”

For a range of reasons including geography, accessibility, demographics, catchment population and urban form, different centres will provide different “offers” to their communities. Quantity of shop-retail floorspace is one way to assess proposed structure plans, but other aspects also need to be considered.

It is acknowledged that this is primarily a matter for the WAPC to determine. However it is the opinion of the City that high quality, mixed use development needs to be encouraged in major activity centres and that a range of community benefits should be provided as part of major redevelopments. It is also noted that the Melville City Centre is proposing a significantly less retail floorspace than that proposed by the Canning City Centre. Other major activity centres will likely grow in the future and “first movers” should not be disadvantaged or penalised.

Conclusions on Item 7 - Possible Affect on the Metropolitan Activity Centre Hierarchy

- High quality, mixed use development needs to be encouraged in major activity centres and a range of community benefits should be provided as part of major redevelopments
- Other major centres including Cannington, Fremantle, Joondalup, Morley and Whitfords are in the process of preparing structure plans for the future. It is highly likely that structure plans for other activity centres will include increases in retail floorspaces
- It is notable that the Canning City Centre Structure Plan proposes to increase shop-retail floorspace by 60,000m² from 116,736 to 176,736m². If approved by the WAPC this would be 56,000m² or 47% above that proposed in the Melville City Centre Structure Plan
- It is the opinion of the City that the draft structure plan would not have an undue impact on the Perth metropolitan activity centre hierarchy

Item 8 – Possible Effects on Local Activity Centres

The draft structure plan explains that the proposed retail floorspace expansion is generally intended to accommodate:

- *“Modifications and expansions to the Department Store(s);*
- *Introduction of an additional Discount Department Store(s);*
- *Improvements to the supermarkets;*
- *Introduction of approximately 8 - 15 large format specialty retailers;*
- *Introduction of a number of additional ‘mini-major’ tenancies;*
- *Introduction of additional specialty retailers, particularly focused on higher end comparison goods; and*
- *Introduction of a High Street and associated retailing.”*

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)**

The retail market analysis shows that under current conditions, there is latent demand for convenience goods and services across the City of Melville in almost all activity centres. This indicates that new floorspace supply has not kept pace with increases in demand. It may also be a reflection of the changing nature of retail and the high affluence of the catchment.

Modeling of the additional retail floorspace suggests that even with some competition from planned expansions at nearby Murdoch and Cockburn Gateway, when the expansion at Booragoon is completed it is expected to increase demand for goods and services at the centre. The catchment size of the centre is likely to increase as the greater range makes the centre more attractive, and people are more likely to travel from further away to visit the centre. Demand for goods and services at the centre is expected to continue increasing as the local and regional population grows.

The Economic, Employment and Retail Report provided by Pracsys in support of the draft plan notes that there would be impacts on local activity centres, but that these potential impacts would “*appear to be within the acceptable ranges*” with reference to the ‘Performance Benchmarking of Australian Business Regulation’ report by the Productivity Commission (and often considered to be around 10%).

It is also evident that there is a difference in the “retail offer” being provided by local activity centres and the Garden City Shopping Centre. Local centres such as the Kardinya, Bull Creek, Melville Plaza and Riseley Centre predominately focus on local everyday, “convenience shopping needs”. Convenience shopping includes items such as groceries and fuel.

The Garden City Shopping Centre is more oriented to “Comparison Retail” which is typically less frequent purchases, higher cost goods. Examples of “Comparison Retail” include electronics, furniture or higher end fashion.

The City understands that AMP would also be looking to attract major international retailers to the centre, which may not be represented currently in Perth or may only have one or two stores. Clearly other local centres are unlikely to be able to attract this kind of retailer to their centres, which would provide another level of difference. The bulk of the proposed shop-retail floorspace increase (45,000m²) is proposed to be comparison retail which would likely have a lesser affect on local centres.

It is considered appropriate for the City to facilitate a network of activity centres in the area, with each providing different goods, services, benefits and “offers” to the community. The network approach would ensure that the widest possible benefits are provided to the community rather than trying to force each centre to be the same or to fit a “one-size fits all” model.

Conclusions on Item 8 – Possible Effects on Local Activity Centres

- The Garden City Shopping Centre is proposed to be more oriented to “Comparison Retail” such as high end fashion and consumer goods rather than everyday, “convenience shopping needs” which is the core focus of local activity centres
- It is the opinion of the City that the draft structure plan would not have an undue impact on local activity centres
- A network approach is favoured, where different centres provide different goods, services, benefits and “offers” to the community.

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)**Item 9 - Community Benefits

The main objective of the City is to create a true city centre, not just a shopping centre.

The future expansion of the shopping centre is likely to be completed in a number of stages, which would be further detailed through the development application process. It is considered to be important to link future major development proposals with the concurrent provision of community benefits – in effect a quid pro quo.

Part 1 Section 9 of the Melville City Centre Structure Plan, a section which contains statutory requirements, details what community benefits would be provided and at what stage. Under the provisions of the structure plan, if the shopping centre were expanded by more than 5,000m², the City and community would receive the following benefits:

1. A new high street lifestyle precinct, where the focus would be on cafes, restaurants, boutique shopping and entertainment. This could be a place for future events or street festivals;
2. A new town square/piazza;
3. A new mixed use community facility / library; and
4. Financial or in-kind contributions to road and intersection upgrades.

It is considered critically important that the community receive direct benefits from the potential expansion of the shopping centre. The City therefore considers this section of the plan to be very significant.

High Quality Building Design

Part 1 Section 10 (a statutory requirement) specifies mandatory development standards which apply to all development across the structure plan area. The intent of these mandatory standards is to ensure that all new development enhances streetscapes, public spaces and the amenity of the area. The minimum development standards are intended to 'lift the bar' and clearly articulate the expectations of the City for future development.

Ecologically Sustainable Development

The draft plans strongly encourages the application of green building principles and resource conservation. These principles would mainly be applied through the development application and building licence process.

Conclusions on Item 9 – Community Benefits

- It is considered to be important to link future major development proposals with the concurrent provision of community benefits
- Encouraging large-scale, high quality development can provide sufficient economic returns to deliver large-scale, high quality community benefits
- Reducing development potential (for example by limiting floorspace increases) could either reduce the deliver of community benefits or even mean that there is not sufficient economic returns to provide any community benefits
- It will be difficult to attract high quality, higher density residential housing if the amenity of the City Centre is not improved. Density usually requires amenity, services and transport. The proposed High Street, piazza, upgraded bus station, public space improvements and improved walking and cycling access are all necessary drivers to attracting more residents to the centre

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)**

Next Steps

The next steps for the project are:

- Report to the Council on the draft structure plan (current step)
- The Council to consider whether or not to adopt the structure plan
- The City to refer the structure plan to the WAPC for final determination
- The structure plan would come into operation on the day on which it is endorsed by the WAPC (if endorsed by the WAPC)
- If the structure plan is adopted, a town planning scheme amendment would be required to rezone properties as per the adopted plan. The structure plan provides guidance on all other matters, but cannot change the underlying zoning of the land

STATUTORY AND LEGAL IMPLICATIONS

The provisions, standards and requirements specified under Part One of the draft structure plan if and when adopted would have the same force and effect as if they were a provision, standard or requirement of the Scheme.

In the event of inconsistencies between the Scheme or the Residential Design Codes and the draft structure plan, the Scheme or the Residential Design Codes prevail unless the draft structure plan specifically varies the relevant requirements.

FINANCIAL IMPLICATIONS

There are no financial implications at this stage of the project.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
Community and stakeholder opposition to the draft structure plan	Moderate consequences which are likely, resulting in an High level of risk	<ul style="list-style-type: none"> • Acknowledge and understand that there will be different opinions • Be open and transparent • Ensure correct process is followed • The City has established an independent Probity Group to oversee the process followed by the project

The independent Probity Advisory Group met on 21 November 2013 to review the project and was satisfied the correct processes and procedures have been followed throughout the project.

POLICY IMPLICATIONS

There are no policy implications at this stage of the project.

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)****ALTERNATE OPTIONS & THEIR IMPLICATIONS**

As per CPS 5 Amendment 67, which proposes to introduce a new Part 10 in to the Scheme and provide structure plan scheme provisions (endorsed at Council's Ordinary Meeting held on 20 August 2013 and currently being assessed by the WAPC), the Council may:

1. Adopt the proposed structure plan, with or without modifications; or
2. Refuse to adopt the proposed structure plan and give reasons for the decision to affected landowner(s).

The Council has 60 days to make a decision on the structure plan from the end of advertising period as per CPS 5 Amendment 67.

It is recommended in this instance that the Council adopt the structure plan with the updates as shown in Attachment 2. [3449 Attachment 2](#)

The major issue raised by the community is the height and density that was publicly advertised for the southern part of the Frame along Marmion Street. The group submission prepared by the "Southern Frame Committee" and supported by a large number of submissions from community members seeks to:

- Reduce the proposed zoning of the Marmion Street Frame to R35
- Increase the zoning of lots along Colleran Way and Sprigg Place from R20 to R25

The community has also raised concerns with the uncertainties with the new Local Planning Scheme 6 (LPS 6) and what might be proposed for lots south of Marmion Street.

The City's officers are of the opinion that R50 is a more appropriate zoning for the Marmion Street Frame than R35. However, density would be controlled through built form controls rather than R-Codes densities.

There may also be some merit in rezoning lots along Colleran Way and Sprigg Place to R25 as proposed by residents, particularly given the proximity to a major activity centre and the bus station. However, the City's officers consider that proper and due process would be to investigate and seek wider community comment on these ideas as part of the LPS 6 engagement. It is noted that such investigations could be commenced during the process of initiation of a scheme amendment to CPS 5 associated with the Melville City Centre Structure Plan.

The zoning proposed in the structure plan as shown in Attachments 1 and 2 is to:

- Introduce the same zoning of R50 that has successfully been in place since 1999 along Almondbury Road and Riseley Street for this part of the Frame
- It is noted that the existing Frame along Riseley Street has a zoning of R50 and the lots at the rear have a zoning of R20, the same situation as is proposed in the updated structure plan

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)**

Council may decide to accept the proposal from the local community and reduce the zoning along the Marmion Street Frame to R35 or R40 and to increase the zoning of lots along Colleran Way and Sprigg Place from R20 to R25. If this were the case, the structure plan would be updated accordingly following Council's resolution. Rezoning of land would require a future town planning scheme amendment process.

Council could also refuse to adopt the structure plan and would need to provide reasons for the refusal, which would be referred to the applicant.

It is noted that applicants have appeal rights under Part 14 of the *Planning and Development Act 2005* in relation to decisions made concerning structure plans.

CONCLUSION

A draft structure plan has been prepared to guide the future redevelopment of the Melville City Centre, Booragoon. This is a major project for the City, the region and Western Australia and would help drive the transformation of the centre from a suburban shopping centre to a true City Centre with a vibrant mix of uses.

On balance and after carefully considering all the feedback received from stakeholders and the community, it is recommended that the updated structure plan be adopted as shown in Attachment 2. Some of the justifications for adopting the updated plan are as follows:

- The internet is changing the way that people shop and shopping centres need to improve what they offer if they want to compete in future
- Shopping centres in Western Australia are significantly smaller than equivalent shopping centres in other states due to the previous system of retail floorspace caps
- The proposed Garden City Shopping Centre is not large in an Australian context:
 - Garden City is currently the 46th biggest shopping centre in Australia
 - If the shopping centre were to be expanded to 120,000m², Garden City would then be the 14th biggest shopping centre in Australia (assuming that no other shopping centres expand during this time. However it is highly likely that other shopping centres will be expanded in the next 15 years)
- Other major centres including Cannington, Fremantle, Joondalup, Morley and Whitfords are in the process of preparing structure plans for the future. It is highly likely that structure plans for other activity centres will include increases in retail floorspaces
- The Canning City Centre Structure Plan proposes to increase shop-retail floorspace by 60,000m² from 116,736 to 176,736m². This would be (if approved by the WAPC) 56,000m² or 47% above that proposed the Melville City Centre Structure Plan
- One of the major goals of SPP 4.2 is to create mixed use activity centres as opposed to single use centres. The City Centre would exceed the aspirational land use diversity targets stated in SPP 4.2 if residential was included (46% shop-retail and 54% other land uses by 2031)
- Encouraging large-scale, high quality development can provide sufficient economic returns to deliver large-scale, high quality community benefits
- Reducing development potential (for example by limiting retail floorspace increases) could either reduce the delivery of community benefits or even mean that there is not sufficient economic returns to provide any community benefits

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)**

- It will be difficult to attract high quality, higher density residential housing if the amenity of the City Centre is not improved. Density usually requires amenity, services and transport. The proposed high street, piazza, upgraded bus station, public space improvements and improved walking and cycling access are all necessary drivers to attracting more residents to the centre

The major issue raised by the community is the height and density proposed for the southern part of the Frame along Marmion Street. A number of submissions propose to:

- Reduce the proposed zoning of the Marmion Street Frame to R35
- Increase the zoning of lots along Colleran Way and Sprigg Place from R20 to R25

The City sincerely appreciates the constructive ideas and discussions held with the Southern Frame Committee on this matter. The City's officers are of the opinion that R50 is a more appropriate zoning for the Marmion Street Frame than R35.

The City considers that the proper and due process would be to investigate the proposal to rezone lots along Colleran Way and Sprigg Place as part of the wider community engagement on the new Local Planning Scheme No. 6, which is scheduled for advertising in 2014 (subject to approval from the Minister for Planning). Rezoning of suburban streets should follow the appropriate due process, including providing the opportunity for all landowners, residents and adjoining properties to make submissions.

The City's recommendation has been reached following discussions with the Southern Frame Committee on behalf of residents and taking into account the available information including the WAPC's requirements specified in SPP 4.2. In relation to the latter requirements and as noted in this report, the City's understanding from communication with officers at the Department of Planning is that the Department would not view positively any proposal to retain an R20 density coding for the Marmion Street Frame and/or exclude the Marmion Street Frame from the structure plan area.

If however the WAPC was prepared to consider what has been suggested by some residents that the Marmion Street Frame could remain at R20 at this time subject to more detailed investigations into future zonings and development controls, then the City would in the circumstances accept that determination from the WAPC and initiate appropriate investigations.

The future redevelopment of a true, mixed use, vibrant City Centre is a unique opportunity for the City to deliver tangible community benefits, high quality, sustainable development that aligns with the City's Strategic Community Plan, State Government objectives and proactive, visionary planning for our community.

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)****OFFICER RECOMMENDATION & COUNCIL RESOLUTION (3449)****APPROVAL**

At 6.46pm Cr Macphail moved, seconded Cr Aubrey –

That the Council:

1. Note the submissions received from stakeholders and the community during the public advertising of the draft Melville City Centre Structure Plan.
2. Note the petition signed by 403 people on the draft Melville City Centre Structure Plan received by the City on 1 November 2013.
3. Resolve, pursuant to Section 9.6 of Community Planning Scheme No. 5, to adopt the updated Melville City Centre Structure Plan as shown in Attachment 2.
4. Request that the Chief Executive Officer prepare an amendment to Community Planning Scheme No. 5 , and an associated report to Council to initiate rezoning of relevant properties in accordance with the structure plan if and when the structure plan is adopted by the Western Australian Planning Commission.
5. Request that landowners and residents along Colleran Way, Sprigg Place and adjoining streets be specifically engaged by the City as in the context of the community engagement on the draft Local Planning Scheme 6 in order to appropriately investigate options for future zonings in the area. This proposed community engagement be initiated as part of the process of preparation of a scheme amendment associated with the structure plan.
6. Advocate to the Department of Planning, Department of Transport and Public Transport Authority as a matter of priority, that public transport services be improved to, from and between major activity centres including the Melville City Centre, Murdoch, the Riseley Centre and Canning Bridge.
7. Advise all submitters in writing of the Council's resolution.

Amendment

At 6.50pm Cr Pazolli moved, seconded Cr Taylor-Rees

That in point 3 of the Officer Recommendation the words "Except for the properties on the southern portion of Marmion Street within the frame boundary" be added after the words" Attachment 2.

At 7.13pm the Presiding Member submitted the amendment, which was declared lost.

LOST (2/8)

For: Cr Pazolli, Cr Taylor-Rees.

Against: Cr Aubrey, Cr Foxtan, Cr Hill, Cr Macphail, Cr Phelan, Cr Robartson,
Cr Schuster, Cr Willis.

**P13/3449 - FINAL ADOPTION OF THE MELVILLE CITY CENTRE STRUCTURE PLAN
(REC) (ATTACHMENT)**

At 7.25pm the Presiding Member submitted the Officer Recommendation -

That the Council:

1. Note the submissions received from stakeholders and the community during the public advertising of the draft Melville City Centre Structure Plan.
2. Note the petition signed by 403 people on the draft Melville City Centre Structure Plan received by the City on 1 November 2013.
3. Resolve, pursuant to Section 9.6 of Community Planning Scheme No. 5, to adopt the updated Melville City Centre Structure Plan as shown in Attachment 2.
4. Request that the Chief Executive Officer prepare an amendment to Community Planning Scheme No. 5 , and an associated report to Council to initiate rezoning of relevant properties in accordance with the structure plan if and when the structure plan is adopted by the Western Australian Planning Commission.
5. Request that landowners and residents along Colleran Way, Sprigg Place and adjoining streets be specifically engaged by the City as in the context of the community engagement on the draft Local Planning Scheme 6 in order to appropriately investigate options for future zonings in the area. This proposed community engagement be initiated as part of the process of preparation of a scheme amendment associated with the structure plan.
6. Advocate to the Department of Planning, Department of Transport and Public Transport Authority as a matter of priority, that public transport services be improved to, from and between major activity centres including the Melville City Centre, Murdoch, the Riseley Centre and Canning Bridge.
7. Advise all submitters in writing of the Council's resolution.

At 7.25pm the Presiding Member declared the motion

CARRIED (8/2)

For: Cr Aubrey, Cr Foxton, Cr Hill, Cr Macphail, Cr Phelan, Cr Robartson, Cr Schuster, Cr Willis
Against: Cr Pazolli, Cr Taylor-Rees

At 7.25pm His Worship the Mayor returned to the meeting and Cr Robartson vacated the chair as Presiding Member.

At 7.26pm Cr Pazolli having declared an interest in item P13/3450 left the meeting while the Council decided on his request to stay, discuss and vote.

At 7.27pm Cr Schuster moved, seconded Cr Taylor-Rees

That in accordance with Section 5.68 (1) of the Local Government Act 1995 Cr Pazolli be allowed to stay, discuss and vote.

At 7.27pm the Presiding Member submitted the motion, which was declared

CARRIED (10/0)

At 7.29pm Cr Pazolli returned to the meeting.

**P13/3450 - PUBLIC ADVERTISING OF THE RISELEY CENTRE STRUCTURE PLAN
(REC) (CONFIDENTIAL ATTACHMENT)**

Disclosure of Interest

Item No.	P13/3450
Member	Cr N Pazolli
Type of Interest	Proximity Interest in accordance with the Act
Nature of Interest	On the Board of Alchera which owns land adjacent to Riseley Centre
Request	Stay, Discuss and Vote
Decision of Council	Stay, Discuss and Vote

Disclosure of Interest

Item No.	P13/3450
Member	Cr C Schuster
Type of Interest	Interest under the Code of Conduct
Nature of Interest	Cr Schuster's consulting business works for a company with an office in Kearns Crescent, Ardross. The work itself does not relate to the Riseley Centre
Request	Stay, Discuss and Vote
Decision of Council	Not Required

Ward	: Applecross/Mt Pleasant
Category	: Strategic
Application Number	: Not applicable
Property	: All properties within the draft structure plan area
Proposal	: Initiation of public advertising of the Draft Riseley Centre Structure Plan
Applicant	: City of Melville
Owner	: Various public and private owners within study area
Disclosure of any Interest	: No Officer involved in the preparation of this report has a declarable interest in this matter.
Previous Items	: P13/3406 – Riseley Centre Structure Plan Initial Concept Design – Approval for Advertising – July 2013
Responsible Officer	: Gavin Ponton Manager Strategic Urban Planning

**P13/3450 - PUBLIC ADVERTISING OF THE RISELEY CENTRE STRUCTURE PLAN
(REC) (CONFIDENTIAL ATTACHMENT)**

AUTHORITY / DISCRETION

DEFINITION

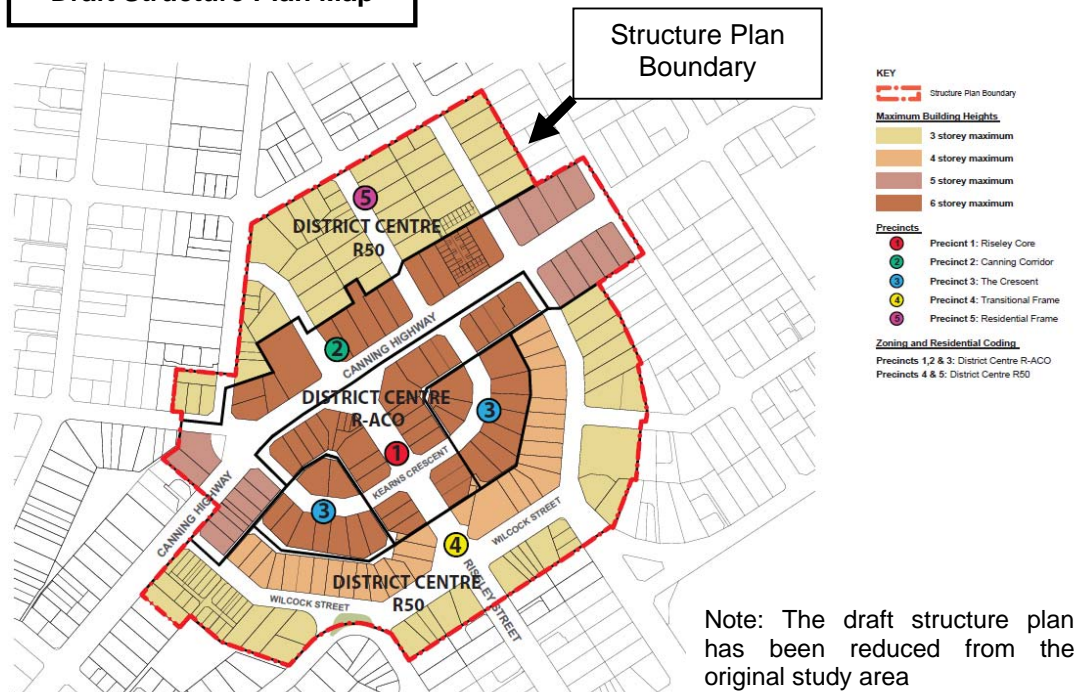
<input type="checkbox"/>	Advocacy	<i>When the Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</i>
<input checked="" type="checkbox"/>	Executive	<i>The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</i>
<input type="checkbox"/>	Legislative	<i>Includes adopting local laws, town planning schemes & policies.</i>
<input type="checkbox"/>	Review	<i>When the Council operates as a review authority on decisions made by Officers for appeal purposes.</i>
<input type="checkbox"/>	Quasi-Judicial	<i>When the Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (eg under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</i>
<input type="checkbox"/>	Information	<i>For the Council/Committee to note.</i>

**P13/3450 - PUBLIC ADVERTISING OF THE RISELEY CENTRE STRUCTURE PLAN
(REC) (CONFIDENTIAL ATTACHMENT)**

KEY ISSUES / SUMMARY

- The City is coordinating the preparation of a structure plan for the Riseley Activity Centre, which is located around the intersection of Riseley Street and Canning Highway in Ardross and Applecross.
- TPG Town Planning, Heritage and Urban Design were appointed to prepare the plan and associated studies.
- The goal of the project is to create a vibrant and sustainable centre that will be a great place to live, work, socialise and shop.
- The draft structure plan has been based on a reassessment of all previous work and in particular, by feedback received from the community as part of the advertising of four concept plans in August 2013.
- The draft plan provides recommendations on the future zoning, development and land use of lots within the study area. It will provide the framework for future redevelopment or land use changes.
- This report seeks Council authorisation to publicly advertise the draft structure plan and seek comments from landowners, residents and the wider community.
- A further report will be presented to Council to consider the potential adoption of the draft Riseley Centre Structure Plan following the completion of the statutory public advertising process.

Draft Structure Plan Map



**P13/3450 - PUBLIC ADVERTISING OF THE RISELEY CENTRE STRUCTURE PLAN
(REC) (CONFIDENTIAL ATTACHMENT)**

Precinct	Desired Land Uses
Precinct 1 Riseley Core	<ul style="list-style-type: none"> • Shops, cafes, restaurants, businesses on ground floor • Offices and/or residential on upper floors
Precinct 2 Canning Hwy Corridor	<ul style="list-style-type: none"> • Commercial, shops, showrooms on ground floor • Offices and/or residential on upper floors
Precinct 3 The Crescent	<ul style="list-style-type: none"> • Shops, cafes, restaurants, businesses on ground floor • Offices and/or residential on upper floors
Precinct 4 Transitional Frame	<ul style="list-style-type: none"> • Residential, commercial, offices, consulting rooms on ground floor • Residential on upper floors
Precinct 5 Residential Frame	<ul style="list-style-type: none"> • Predominately residential

[3450 Public Advertising of the Draft Riseley Centre Structure Plan](#)

BACKGROUND

The City began planning for the Riseley Centre in 2008. A significant amount of background work has already been completed for the activity centre, including community visioning, stakeholder surveys, forums and workshops, a planning analysis and an economic analysis.

The Council considered a report on the Draft Vision for the Riseley Centre at its Ordinary Meeting held on 19 June 2012. Whilst noting the community's generally supportive responses to the Draft Vision, the Council was concerned about the proposed ten storey height limits and resolved in part that:

2. *“Notes the community’s generally supportive responses to the Draft Vision for the Riseley Centre and that the further planning process should acknowledge and incorporate the feed back and comments contributed by the community in response to the Draft Vision for the Riseley Centre.*
3. *Notes the number of concerns raised from within the community related to built forms and building heights and accordingly supports a review of the heights, locations and distribution of built form illustrated in the Draft Vision for the Riseley Centre, as components of further detailed studies and the structure planning process.*
4. *Notes that the built form and building heights illustrated in the Draft Vision for the Riseley Centre are indicative only and are to be reviewed as part of the preparation of an Activity Centre Structure Plan for the Riseley District Centre.*
9. *In considering any future development of the Riseley Street Centre that the Council does not support ten storey building heights in the Riseley Centre or along Canning Highway within the Riseley Precinct and the structure planning process should consider restricting building height to less than six storeys only for developments between the Kearns Crescent and Willcock Street areas provided the developments are on land larger than a minimum area and delivers public benefits on amenities.”*

The Draft Vision was not formally adopted by Council.

Elected Members were updated on the project at an EMIS held on 25 June 2013. The Council resolved to endorse the public advertising of four Concept Plans for the future of the centre at its meeting of 16 July 2013.

**P13/3450 - PUBLIC ADVERTISING OF THE RISELEY CENTRE STRUCTURE PLAN
(REC) (CONFIDENTIAL ATTACHMENT)****DETAIL**

In summary, the key issues to be addressed in the structure plan from the community's perspective are:

1. Building height;
2. Traffic and parking;
3. 'Look and feel' of the area (building appearance and streetscapes);
4. Personal and pedestrian safety; and
5. Land use.

The major outputs of the project will be an endorsed structure plan and the rezoning of the centre in accordance with the structure plan (the City will be responsible for preparing and managing the future town planning scheme amendment).

Public Advertising of Four Concept Plans – August 2013

One of the comments made during the Draft Vision process was the perceived lack of community engagement. The City therefore proposed additional community engagement and an innovative approach to seek feedback on four potential concept plans for the centre.

The concept plans were not intended to be definitive and detailed "options" that could be adopted in full as a draft structure plan. Rather, the concepts were a way to present the community with a range of possible ideas, promote open discussion and better inform the preparation of the draft structure plan. The four concept plans are briefly summarised as follows:

Concept 1 – Local Living, Local Life

- Mixed use town centre with a focus on a moderate increase in residential development in and around the centre

Concept 2 – Live, Work and Play

- Promote a place for people model with a more intensive mix of land uses and residential development
- Promote the night-time economy

Concept 3 – Transit, Walk and Ride

- Create a town centre well-supported by public transport and improving walking and cycling options

Concept 4 – Green and Smart

- Promote environmentally sustainable development, reduce the need for car use and promote social, economic and environmental innovation

**P13/3450 - PUBLIC ADVERTISING OF THE RISELEY CENTRE STRUCTURE PLAN
(REC) (CONFIDENTIAL ATTACHMENT)**Common Aspects in All Concept Plans

- Improve streetscapes and amenity in the centre
- Improve pedestrian and cycle accessibility
- Shift the focus wherever possible towards 'streets for people' and away from the 'roads for cars' approach
- Review speed limits on town centre streets (but not Canning Highway)
- Promote a mix of appropriate land uses
- Promote local businesses and employment
- Investigate alternatives to address perceived car parking issues
- Investigate innovative approaches to create a better place for people

PUBLIC CONSULTATION/COMMUNICATION

The City has undertaken a comprehensive approach to engaging landowners, residents, visitors, business operators and the community through this project.

Level of Community Influence

The community and to some extent, the City, have less influence over regional issues such as:

- Population growth and the need for the City to accommodate its share of the expected population growth
- Regional traffic along Canning Highway and Riseley Street
- Public transport services

The community and the City have more influence over local issues such as:

- Building height (subject to meeting the Western Australian Planning Commission's targets for activity centres and the City overall)
- Land use
- Car parking
- Streetscapes and public spaces
- Building appearance and character
- Quality of development
- Walking and cycling

Engagement Prior to the Preparation of the four Concept Plans

The project was promoted in a number of different ways:

- Information has been available on the City's website since early 2013;
- A Project Update database has been set up to gather the contact details of people who would like to be kept up to date on the project. There are 131 registrations to date;
- 2,453 letters were sent to all residents and absentee landowners within approximately 800 metres of the centre, people who signed the petition made to the City in May 2012, local politicians and community groups. The letter provided an overview of the project and invited them to a Community Information Session arranged for 15 May 2013;
- Information in the 'About Melville' section in the *Melville Times* on 7 May 2013; and
- A Community Information Session on 15 May 2013, which attracted 215 people.

**P13/3450 - PUBLIC ADVERTISING OF THE RISELEY CENTRE STRUCTURE PLAN
(REC) (CONFIDENTIAL ATTACHMENT)**

Engagement on the Four Concept Plans

The City advertised the four concept plans from Monday 29 July 2013 to Monday 24 August 2013 (28 days). The engagement methods used included:

- 2,453 letters were sent to all residents and absentee landowners within approximately 800 metres of the centre, people who signed the petition made to the City in May 2012, local politicians and community groups;
- Three community workshops held on 8 August, 12 August and 14 August 2013;
- Two pop up information booths at the Riseley Centre on 2 August and 15 August 2013;
- Information and copies of the concept plans on the City's website;
- An online forum and Question and Answer service on the City's community engagement platform - the We're Listening Melville website;
- Emails sent to 131 people on the Project Update database;
- Information in the 'About Melville' section in the *Melville Times* on 6 August 2013 and 13 August 2013; and
- Information in the City's *Mosaic* magazine.

Community Feedback

There was an excellent response to the community engagement program with a lot of feedback gathered though the three community workshops and two pop up information booths in particular.

A total of 70 submissions were received, which are summarised as follows.

Theme	1st Choice	2nd Choice	3rd Choice	4th Choice
Concept 1	27	0	0	0
Concept 2	2	1	0	0
Concept 3	7	3	0	0
Concept 4	8	5	1	0
Oppose all concepts	6			
Support all concepts	1			
Preference not stated, but concerned	10			
Preference not stated, but supportive	4			
No preference stated	3			

**P13/3450 - PUBLIC ADVERTISING OF THE RISELEY CENTRE STRUCTURE PLAN
(REC) (CONFIDENTIAL ATTACHMENT)**

A summary of the major themes from the community feedback is as follows:

- Support for improvements and further development within the centre, with only six submissions opposing all concepts (or 8.5% of written submission received);
- A clear preference among many people, particularly west of the corner of Canning Highway and Willcock Street for Concept Plan 1;
- Some support for more intensive development envisaged in Concepts 3 and 4;
- Little support for major changes north of Canning Highway;
- Support for improvements to streetscapes, pedestrian and cycling connections;
- Strong support for the emphasis on high quality development;
- Concerns about providing new development potential west of Willcock Street;
- Concerns about the future of Baden Powell Reserve;
- General concerns about traffic and parking.

A summary of the submissions received is provided in the Attachment [3450 Community Feedback from Advertising Four Concept Plans](#)

DRAFT STRUCTURE PLANRequirement to Prepare a New Structure Plan for the Activity Centre

A new structure plan for the centre is required for the following reasons:

- Activity centre structure plans are required to be prepared for activity centres as per the Western Australian Planning Commission's (WAPC) *State Planning Policy 4.2: Activity Centres for Perth and Peel* (SPP 4.2); and
- There has been a significant amount of planning and community engagement work undertaken for the centre. There is a need to finalise this work and adopt a plan for the future of the centre;
- There is a need to provide certainty for developers, landowners, businesses, residents and Council regarding the future plans for the centre.

Structure plans inform the future local planning framework for an area and provide direction on matters such as: zoning, building form and height; land use, access and transport. A structure plan is an important document that will guide the future redevelopment of the area.

Detailed matters such as: the design of individual buildings, the exact location of buildings, detailed sustainability measures and the design of car parking areas would be addressed at the detailed design/development application stage.

Draft Structure Plan

The draft structure plan has been prepared with reference to SPP 4.2 and the Structure Plan Preparation Guidelines. Part 1 of the draft structure plan provides the statutory provisions, including the proposed precincts and future land use and development requirements. Part 2 of the draft structure plan provides the aspirations and ideas behind the draft plan and the explanatory text.

**P13/3450 - PUBLIC ADVERTISING OF THE RISELEY CENTRE STRUCTURE PLAN
(REC) (CONFIDENTIAL ATTACHMENT)**

The draft plan has been informed by community feedback on the 4 Concept Plans that were publicly advertised in August 2013, including:

- Limiting building heights to six storeys as shown in all Concept Plans (a reduction from the possible 10 storey heights shown in the previous Vision document);
- Limiting the extent of taller building heights to the 'core' of the centre bounded by Canning Highway and Willcock Street as shown in Concept Plans 1 and 2;
- Not increasing building heights west of Willcock Street in consideration of community comments from residents and landowners in that area;
- Limiting commercial development and major changes north of Canning Highway as shown in Concept Plans 1, 2 and 3 in consideration of community comments from residents and landowners in that area;
- Reducing the target number of residential dwellings to 300 new dwellings in the structure plan area by 2031, which is more consistent with the residential dwelling target nominated in Concept Plan 1.

Broadly speaking, the draft plan has taken good ideas from all Concepts, but is more reflective of Concept Plans 1 and 2 rather than Concepts 3 and 4.

High Quality Building Design

Part 1 Sections 9 and 10 specify mandatory development standards which apply to all new development across the structure plan area. The intent of these mandatory standards is to ensure that all new development enhances streetscapes, public spaces and the amenity of the area. The minimum development standards are intended to 'lift the bar' and clearly articulate the expectations of the City for future development.

Building Heights

As shown in the building heights map at the start of this report, it is proposed that taller building heights of up to five or six storeys are appropriate for the core of the centre along Canning Highway, Kearns Crescent and Riseley Street, which reduces to four storeys on the north side of Willcock Street and three storeys on the south of Willcock Street and north of Canning Highway. Many lots in the centre can currently build to 13.5 metres or approximately four storeys under Community Planning Scheme No. 5.

The upper floors of some precincts are also proposed to be set back from the property line to reduce the perceived impact of height and bulk. It is notable that upper floor facades along Canning Highway are not required to be setback as the road reserve is much wider and it is considered that taller buildings may help reinforce the urban nature of the place and assist with slowing down vehicle speeds (sometimes referred to as "edge friction").

A key objective of the City is to concentrate population growth and development in activity centres and along major transport corridors, which limits the need to change suburban residential areas. The proposed building heights strike a balance between the aspirations of the WAPC noted in Directions 2031 and SPP 4.2, the aspirations of the City and community and stakeholder feedback.

**P13/3450 - PUBLIC ADVERTISING OF THE RISELEY CENTRE STRUCTURE PLAN
(REC) (CONFIDENTIAL ATTACHMENT)**Residential Densities

The draft plan proposes to have no specified maximum residential densities in Precincts 1, 2 and 3 as most of the future dwellings are expected to be multiple dwellings. There are no specified residential densities for multiple dwellings as per Part 6 of the *Residential Design Codes*. Precincts 4 and 5 are proposed to be coded R50.

Residential densities in the centre will be controlled through built form, height, setback and other such controls. There is also a transition of building heights and intensities from the core of the centre to the edge of the centre. The proposed zonings would provide incentives for developers to invest in the centre rather than in suburban areas and make it easier to include a variety of dwelling sizes and types.

Ecologically Sustainable Development

The draft plans strongly encourages the application of green building principles and resource conservation. These principles would mainly be applied through the development application and building licence process.

Proposed Public Advertising

It is expected that the draft structure plan will help deliver high quality residential and mixed use development in accordance with the objectives of the City. The draft structure plan may require minor updating prior to the public advertising process on matters such as terminology or typographical errors. It is proposed to publicly advertise the draft structure plan via the following methods:

- Information and a copy of the draft structure plan on the City's website and 'We're Listening Melville';
- Emails sent to the project update database;
- Letters sent to landowners and residents within approximately 800 metres of the activity centre;
- Letters sent to all previous submitters and workshop attendees;
- Letters to relevant government agencies;
- Press releases and an article in the 'About Melville' section of the local newspaper;
- Community information sessions

The City will manage the public advertising process, which is expected to be held in the early stages of 2014.

Next Steps

The next steps for the project are:

- Public advertising of the draft structure plan (for a period of 30 days in early 2014);
- Collate and analyse community feedback and submissions on the draft structure plan;
- Amend the draft structure plan as required;
- Report to the Council on the draft structure plan; and
- The Council to consider adoption of the structure plan.
(Note: the WAPC is not required to endorse this structure plan as per SPP 4.2).

**P13/3450 - PUBLIC ADVERTISING OF THE RISELEY CENTRE STRUCTURE PLAN
(REC) (CONFIDENTIAL ATTACHMENT)**

STATUTORY AND LEGAL IMPLICATIONS

There are no legal implications at this stage of the project.

The provisions, standards and requirements specified under Part One of the draft structure plan would have (if/when adopted) the same force and effect as if they were a provision, standard or requirement of the Scheme.

In the event of inconsistencies between the Scheme or the Residential Design Codes and the draft structure plan, the Scheme or the Residential Design Codes prevail unless the draft structure plan specifically varies the relevant requirements.

The draft structure would only come into operation on the day on which it is finally endorsed by the Council (following public advertising).

FINANCIAL IMPLICATIONS

There are no financial implications at this stage of the project.

STRATEGIC, RISK AND ENVIRONMENTAL MANAGEMENT IMPLICATIONS

Risk Statement	Level of Risk	Risk Mitigation Strategy
Community opposition to the draft structure plan	Moderate consequences which are likely, resulting in an High level of risk	<ul style="list-style-type: none"> • Acknowledge and understand that there will be different opinions • Be open and transparent • Ensure correct process is followed

POLICY IMPLICATIONS

There are no policy implications at this stage of the project.

ALTERNATE OPTIONS & THEIR IMPLICATIONS

Council may choose not to authorise public advertising of the draft structure plan. In such a situation, the consultants could be re-engaged to consider matters raised by the Council and the amended design plans could be re-presented for further consideration of the Council. This alternative would have potential time and cost implications for the project.

Alternatively, the Council may not wish to proceed with this project at all. In such a situation, all current land uses would continue as-is (subject only to any changes that might arise as result of development applications or review of the Local Planning Scheme).

**P13/3450 - PUBLIC ADVERTISING OF THE RISELEY CENTRE STRUCTURE PLAN
(REC) (CONFIDENTIAL ATTACHMENT)****CONCLUSION**

A draft structure plan has been prepared to guide the future of the Riseley Centre. The draft structure plan makes recommendations on matters such as the future zoning, development and land use of lots within the study area. It will provide the planning framework for future redevelopment or land use changes.

The draft structure plan has been based on a reassessment of all previous work and in particular, by feedback received from the community as part of the advertising of four concept plans in August 2013.

The draft plan recommends that taller building heights of up to five or six storeys are appropriate for the core of the centre along Canning Highway, Kearns Crescent and Riseley Street. These heights would reduce to four storeys on the north side of Willcock Street and three storeys on the south of Willcock Street and north of Canning Highway. Many lots in the centre can currently build to 13.5 metres or approximately four storeys under Community Planning Scheme No. 5. The upper floors of some precincts are also proposed to be set back from the property line to reduce the perceived impact of height and bulk.

A key objective of the City is to concentrate population growth and development in activity centres and along transport corridors, which limits the need to change suburban residential areas. The proposed building heights strike a balance between the aspirations of the WAPC noted in Directions 2031 and SPP 4.2, the aspirations of the City and community and stakeholder feedback.

It is recommended that the Council authorise public advertising of the draft structure plan and seek comments from landowners, residents and the wider community. A further report would be presented to the Council following the public advertising process. The Council would then be requested to consider the potential adoption of the draft plan.

At 7.28pm M Tieleman left the meeting and returned at 7.32 pm.

OFFICER RECOMMENDATION & COUNCIL RESOLUTION (3450)**APPROVAL**

At 7.30pm Cr Schuster moved, seconded Cr Pazolli –

That the Council:

- 1. Authorise statutory public advertising of the draft Riseley Centre Structure Plan.**
- 2. Note that a further report will be presented to the Council to consider the potential adoption of the draft Riseley Centre Structure Plan following the completion of the statutory public advertising process and the consideration of of any further community feedback or submissions received as a result of that process.**

At 7.34pm the Mayor submitted the motion, which was declared

CARRIED UNANIMOUSLY (11/0)

11. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

12. MOTIONS WITHOUT NOTICE BY ABSOLUTE MAJORITY OF THE COUNCIL

Nil.

13. CLOSURE

There being no further business to discuss the Mayor declared the meeting closed at 7.35pm.