

AMENDMENT NO. 1

TO THE

HAMMOND ROAD NORTH STRUCTURE PLAN

RECORD OF AMENDMENTS MADE TO THE
HAMMOND ROAD NORTH STRUCTURE PLAN

Amendment No.	Summary of the Amendment	Date approved by WAPC
1		

AMENDMENT NO.1 TO THE HAMMOND ROAD NORTH STRUCTURE PLAN

The City of Cockburn, pursuant to its Town Planning Scheme No. 3, hereby recommends to the Western Australian Planning Commission to approve the abovementioned amendment by:

1. Replacing 'Plan 1: Hammond Road North Structure Plan Map' in the Part 1 Implementation Section of the Structure Plan document.
2. Replacing the first paragraph under clause 4.1 Land Use in the Part 1 Implementation Section of the Structure Plan document with the following text:

Land use permissibility within the Structure Plan area shall be in accordance with that identified in the Scheme for the applicable zone. Pursuant to the principles identified by State Planning Policy 4.1 Industrial Interface, the following sensitive land uses would be considered on a case-by-case basis, and supported only if it can be demonstrated that the use is compatible, and the industrial impacts can be avoided, mitigated or managed:

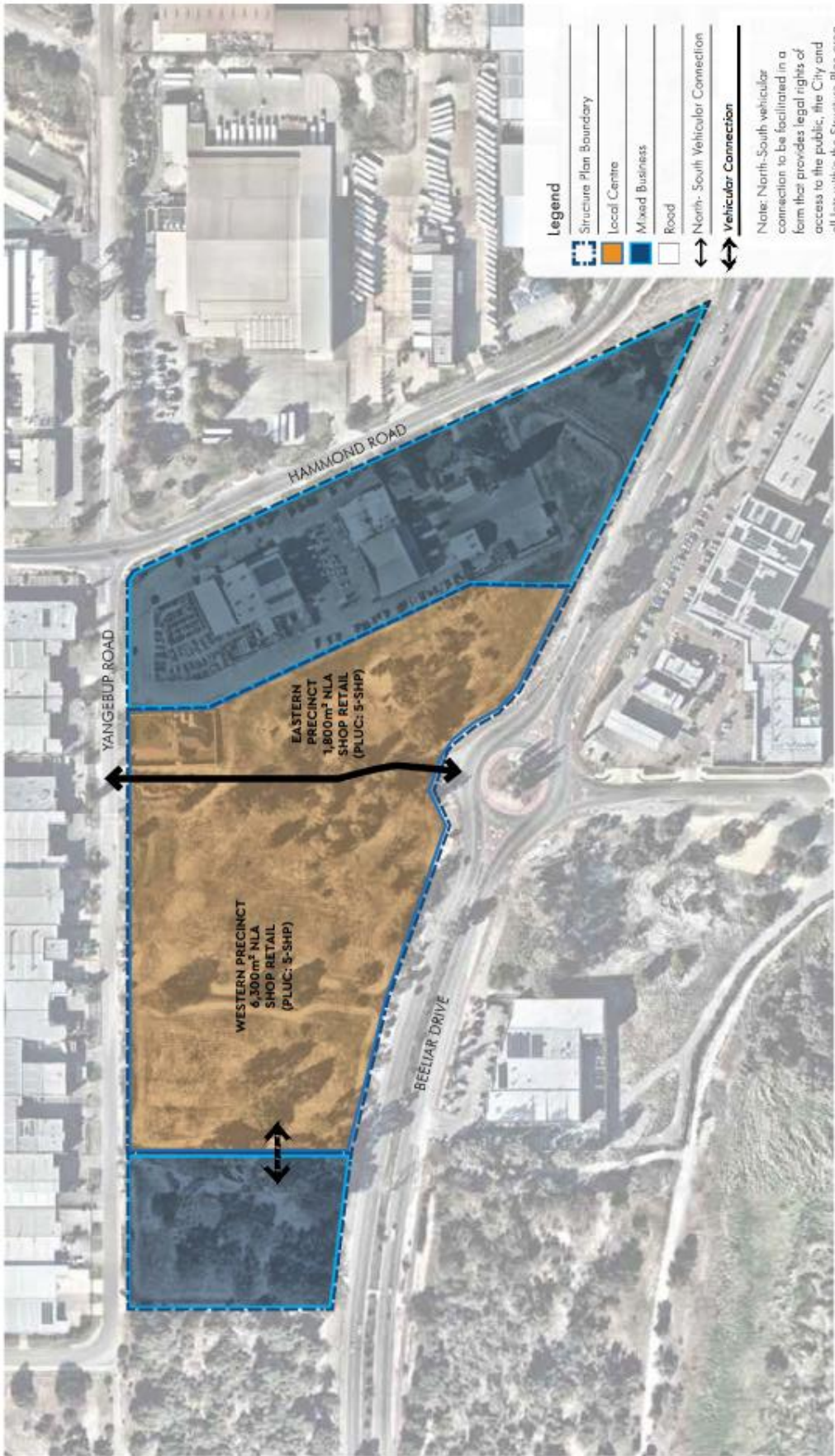
3. Adding the following text to the existing text under clause 4.2 Retail Floorspace in the Part 1 Implementation Section of the Structure Plan document:

with 6,300m² of retail floorspace being allocated to Lots 1 and 300 (i.e. west of the north-south vehicular connection) and 1,800m² of retail floorspace being allocated to Lots 7 and 99 (i.e. east of the north-south vehicular connection).

4. Replacing 'Figure 6: Concept Site Plan Hammond Road North' in the Part 2 Explanatory Section of the Structure Plan document.
5. Extending the validity period of the Structure Plan from 14 November 2028 to 14 November 2038.

Part 1

Plan 1 : Hammond Road North Structure Plan Map



Part 2

Figure 6 : Concept Site Plan Hammond Road North



This Structure Plan Amendment is prepared under the provisions of the
City of Cockburn Town Planning Scheme No.3

IT IS CERTIFIED THAT THIS STRUCTURE PLAN AMENDMENT NO.1 TO THE HAMMOND
ROAD NORTH STRUCTURE PLAN NO. COCK-2016-2

WAS APPROVED BY

RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION ON

.....

Signed for and on behalf of the Western Australian Planning Commission

.....

an officer of the Commission duly authorised by the Commission pursuant to section 24 of the
Planning and Development Act 2005 for that purpose, in the presence of:

..... Witness

..... Date

..... Date of Expiry

PART 2 - EXPLANATORY REPORT

AMENDMENT NO.1 TO THE

HAMMOND ROAD NORTH STRUCTURE PLAN NO. COCK-2016-2

The Hammond Road North Structure Plan was endorsed by the Western Australian Planning Commission on the 18 November 2018. The Structure Plan applies to Lots 1, 300 and 803 Yangebup Road, Lots 7, 99, 146 and 147 Hammond Road, and Lot 4308 Beeliar Drive, Cockburn Central and facilitates the creation of a framework for the development of a 'Neighbourhood Centre'. The Structure Plan designates a combination of 'Local Centre' zone and 'Mixed Business' zone over the land. The configuration of the zonings aligns with a preliminary development concept plan that was prepared at the time for the purposes of informing the Structure Plan.

Nature of Amendment – Minor Amendment

The proposed Structure Plan amendment is limited in scope with the predominant intent of the amendment being to ensure consistency between the Structure Plan and the detailed development of the affected area. An amendment can be considered minor if the proposed changes do not impact on the purpose, objectives, or the overall design response of the plan, and in addition the changes:

- are required to give effect to a State planning policy; or
- do not have a consequential impact on the land, landowners, or occupiers in and around the structure plan area; or
- are administrative in nature, for example, where required to remove redundant provisions or requirements; and
- the proposed changes do not impact on the infrastructure provision or the environment.

The general objectives of the Structure Plan are to:

- Provide for commercial, Shop/Retail (PLUC: 5-SHP), and mixed business development and compatible land uses incidental thereto;
- Promote a high quality urban form, centred around a main street; and,
- Create a retail environment that complements the Cockburn Central Activity Centre.

The above mentioned objectives are unchanged by the proposed amendment, noting however that in the revised concept plan the 'Main Street' has been reorientated from a north/south to an east/west orientation however this does not impact the overall intent of the development. The nature of the future development remains as commercial, Shop/Retail (PLUC: 5-SHP), and mixed business with no change to the development standards such as the Shop/Retail (PLUC: 5-SHP) floorspace allocation.

The requirement for a vehicular link between the Beeliar Drive round-a-bout and Yangebup Road also remains, albeit in the form of a legal access easement. The ability for the public, the City and all landowners within the Structure Plan area to use the link, is unchanged.

It is not possible to determine the detailed design of a future development at the time that a Structure Plan is prepared. There is a reasonable expectation that design refinement is to occur in each stage of the approvals process hence creating a need for design flexibility. The allocation

of zonings within the Structure Plan area therefore needs to adapt to follow, and be consistent with, the final design outcome. These adjustments do not alter the overall intent for the area and are largely internalised hence they do not impact the broader locality. Furthermore the adjustments to the allocations of the zonings are supported by the relevant owners of the land.

Having regard to the above, it is considered that the Structure Plan amendment proposal can be treated as a minor amendment.

Amendment to Structure Plan Map and Concept Plan

The preliminary development concept plan that is currently included in the Structure Plan document was, in effect, a placeholder given it was not the subject of specific commercial testing. Since the preparation of the Structure Plan document, a development approval has been issued for a substantial fitness centre/gym on Lot 803 Yangebup Road at the western extent of the Structure Plan area. The existing commercial activities fronting Hammond Road have also evolved with some of the Shop/Retail (PLUC: 5-SHP) areas being rationalised. More recent detailed commercial design has been undertaken which takes into account functional requirements for the development of the overall site. This includes the retention of the existing Tony Ale's market and fish shop with a reconfigured layout for the overall centre however it is acknowledged that the location of the existing Tony Ale's market and fish shop is not ideal given the projected future role of Hammond Road and the preference for future access into the Structure Plan area to be channelled through the existing round-a-bout constructed on Beeliar Drive. A more logical and functional arrangement will comprise access to the 'Local Centre' zoned area being focused on the round-a-bout with the 'Mixed Business' areas effectively 'framing' the core of the Activity Centre. A 'Retail Needs Assessment and Net Benefit Test' and a 'Transport Impact Assessment' have been prepared in support of the reconfigured layout. A copy of these documents is attached.

The purpose of this Structure Plan amendment is to recognise the reconfigured future site layout and to reallocate the 'Local Centre' and the 'Mixed Business' zonings on the Structure Plan map. Whilst the existing Tony Ale's market and fish shop land uses can continue to operate, upon normalisation of the Structure Plan area, should the existing Tony Ale's market and fish shop land uses be operating at the time, they will become a non-conforming uses hence facilitating the ability for these uses to continue to operate until such time as the landowners decide to transition the affected area to 'Mixed Business'.

Retail Floorspace Allocation

The 'Local Centre' zone can accommodate a wide range of land uses, and the spatial extent of the zoning is not intended to reflect the extent of 'Shop/Retail' land uses, rather this precinct can have a maximum of 8,100m² NLA of Shop/Retail (PLUC: 5-SHP) land uses, along with other complementary land uses.

The total Shop/Retail (PLUC: 5-SHP) floorspace across the Structure Plan area is to be allocated with 6,300m² of Shop/Retail (PLUC: 5-SHP) floorspace to Lots 1 and 300 (i.e. west of the north-south vehicular connection – the western precinct) and 1,800m² of Shop/Retail (PLUC: 5-SHP) floorspace to Lots 7 and 99 (i.e. east of the north-south vehicular connection – the eastern precinct).

The eastern precinct is predominately 'Mixed Business', serving primarily as the 'frame area' of the Activity Centre with a portion of 'Local Centre' zoning adjacent to the north-south vehicular connection that links Beeliar Drive with Yangebup Road. This is designed to complement the

larger core area of 'Local Centre' in the western precinct. The existing Tony Ale's market land use and the adjoining fish shop are currently utilising some of the allocated Shop/Retail (PLUC: 5-SHP) floorspace for Lots 7 and 99. The attached analysis by Pracsys indicates that these existing uses occupy approximately 1,350m² of Shop/Retail (PLUC: 5-SHP) floorspace meaning that there is a remaining capacity of 450m² of Shop/Retail (PLUC: 5-SHP) floorspace for Lots 7 and 99. As such any new Shop/Retail (PLUC: 5-SHP) development on these lots (and within the Local Centre zone) that exceeds 450m² of Shop/Retail (PLUC: 5-SHP) floorspace, cannot operate until such time as the existing Tony Ale's market and fish shop land uses cease operating.

The existing and proposed Shop/Retail (PLUC: 5-SHP) floorspace is summarised in the table below:

Western Precinct (Maximum Shop/Retail (PLUC: 5-SHP) floorspace is 6,300m²)

Landuse	Gross Area	Shop/Retail (PLUC: 5-SHP)
Supermarket	3,860	2,760
Liquor Store	160	160
Supermarket/ Retail	1,500	1,050
Pharmacy	600	450
Hair Salon/ Barber	100	100
Dry Cleaners/ Laudromat	100	100
Butcher Shop/Bakery	100	100
Optometrist	100	N/A
Nail Shop	100	100
Café	75	75
Take Away/Dine-in	100	100
Restaurant	100	100
Restaurant	100	100
Fast Food Outlet	380	380
Fast Food Outlet	260	260
Service Station	240	240
TOTAL AREA	7,875	6,075
UNUSED SHOP/RETAIL (PLUC: 5-SHP) NLA		225

Eastern Precinct (Maximum Shop/Retail (PLUC: 5-SHP) floorspace is 1,800m²)

Landuse	Gross Area	Shop/Retail (PLUC: 5-SHP)
Fish Shop		50
Tony Ale's Market		1,300
TOTAL AREA		1,350
UNUSED SHOP/RETAIL (PLUC: 5-SHP) NLA		450

(All areas are in m²)

As noted in the table above, the existing development and the current proposal, result in surplus or unused Shop/Retail (PLUC: 5-SHP) floorspace in both the western and the eastern precincts. This allows for future re-development in the eastern precinct and for some evolution of land uses in the western precinct.

It should be noted that the land uses and areas depicted in the above tables are indicative and are subject to change over time however the amount of Shop/Retail (PLUC: 5-SHP) floorspace in each precinct is not to exceed the maximum allowance. An assessment of Shop/Retail (PLUC: 5-SHP) floorspace will be undertaken through the development application and assessment process.

North-South Vehicular Connection

Given the intent to facilitate the creation of an integrated commercial offering across the Structure Plan area, there is a desire to mitigate the impact of the barrier created by a gazetted road through the centre of the Structure Plan - noting however that full public access must be retained. There remains a need to ensure that there is a link between the Beeliar Drive round-a-bout and Yangebup Road. A more efficient and flexible use of land is possible if the connection between the round-a-bout and Yangebup Road is facilitated through the use of a public access easement. The access link would be constructed to appear as part of the centre rather than as a roadway, hence promoting a lower speed environment. Landscaping integration will be improved and maintenance responsibility for the accessway and the landscaping will be the responsibility of the landowner. A right of carriageway easement will be in place for the benefit of the public at large, the City and the balance of the Structure Plan area. The access connection between Beeliar Drive and Yangebup Road has been specifically identified on the Structure Plan map and has a notation specifying that the connection is to be provided in the form of a legal right of access to the public, the City and all lots within the Structure Plan area.

Amendment to Land Use Provisions Relative to SPP4.1

The Structure Plan area is in proximity to existing 'Mixed Business' and 'Light Industrial' development. As such the Structure Plan includes provisions that reference State Planning Policy 4.1 (SPP4.1) State Industrial Buffer however SPP4.1 was updated in July 2022 and is now referred to as SPP4.1 Industrial Interface. The current arrangement in the Structure Plan seeks to prohibit the establishment of certain uses within the Structure Plan area. The references in the current SPP4.1 stipulate that the approval of 'sensitive uses' is to be considered on a case-by-case basis and supported only if it can be demonstrated that the use is compatible, and the industrial impacts can be avoided, mitigated or managed. An amendment to Part 1 of the Structure Plan document is proposed to align it with the provisions of SPP4.1 whilst still nominating the same uses as 'sensitive uses'.

Amendment to Validity Period of Structure Plan

The Structure Plan was endorsed by the Western Australian Planning Commission on the 15 November 2018 and therefore it will expire on the 14 November 2028. The current proposal seeks to implement development of the majority of the Neighbourhood Centre site however there are portions of the Structure Plan area that will not be developed under the current development application that is the subject of separate consideration by the City. It is important to maintain a development framework to ensure that future applications are consistent with the development intent for the Structure Plan as a whole. As such, it is proposed that the validity of the Structure Plan is extended to 14 November 2038.

Conclusion

The proposed amendments to the Hammond Road North Structure Plan do not alter the intent of the Structure Plan. The proposed changes to the Structure Plan map and the development concept plan seek to align the Structure Plan with the preferred development configuration. The development configuration has been the subject of consultation with technical staff from the City and has been considered by the City's Design Review Panel. There is no change to the amount of Shop/Retail (PLUC: 5-SHP) floorspace that has been allocated to the Structure Plan area however this amendment introduces a mechanism to distribute the floorspace within the Structure Plan.

The proposed amendment to the manner in which 'sensitive uses' are referenced seeks to align with the provisions of SPP4.1 while the extension to the validity of the Structure Plan addresses the practical implications of the expiry of the Structure Plan and the need to maintain a planning framework to guide future development within the Structure Plan area.