



City of Bayswater
Town Planning Scheme No. 24

Amendment No. 89

**Rezone Lot 11, (No.215 to 217) Grand Promenade, Bedford from 'Business' and
'Public Purposes - Car Park' to 'Mixed Use' zone.**

Prepared by:
CF Town Planning & Development
3/1 Mulgul Road, Malaga WA 6090
Phone: (08) 9249 21 58 (or 0407384140)
Email: carlof@people.net.au

PLANNING AND DEVELOPMENT ACT 2005

FORM 2A

Planning and Development Act 2005

**RESOLUTION TO ADOPT AMENDMENT
TO LOCAL PLANNING SCHEME**

CITY OF BAYSWATER LOCAL PLANNING SCHEME No.24

AMENDMENT No.89

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

1. Rezone Lot 11, (No.215 to 217) Grand Promenade, Bedford from 'Business' and 'Public Purposes - Car Park' to 'Mixed Use'.
2. Insert a new Special Control Area as follows:

	Area	Site Particulars	Provisions
SCA 17	Special Control Area 17 Corner Grand Promenade and Walter Road West, Bedford.	Lot 11 (No.215-217) Grand Promenade, Bedford	<p>Purpose:</p> <p>To enable the development of the site for mixed use purposes and accommodate a residential component at an appropriate medium to high density.</p> <p>Development Requirements:</p> <ul style="list-style-type: none"> • Development shall be generally in accordance with a Local Development Plan endorsed by Council. • The Local Development Plan shall address the residential density coding, maximum commercial floor space permitted, the form of commercial development on the site, landscaping, streetscape activation, building location, interface, provision of a buffer with the adjoining low density development, building height and setbacks. • Building height is restricted to a maximum of two storeys within 15m of neighbouring lots zoned 'Residential'. • Notwithstanding uses listed in Table 1 - Zoning Table of the Scheme, the following uses are: 'D' uses: <ul style="list-style-type: none"> ○ Convenience Store ○ Liquor Store – Small

			<ul style="list-style-type: none"> ○ Shop 'A' uses: ○ Fast Food Outlet
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3. Amend the Scheme Map accordingly.

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

- It will not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

Dated this _____ day of _____ 20____

(Chief Executive Officer)

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PROPOSAL TO AMEND A SCHEME

Local Authority:	City of Bayswater
Description of Scheme:	Town Planning Scheme No. 24
Type of Scheme:	District Town Planning Scheme
Serial No of Amendment:	Amendment No. 89
Proposal:	Rezone Lot 11, (No.215 to 217) Grand Promenade, Bedford from 'Business' and 'Public Purposes - Car Park' to 'Mixed Use'.

SCHEME AMENDMENT REPORT

1. INTRODUCTION

The purpose of this Scheme Amendment is to amend the City of Bayswater's Town Planning Scheme No.24 (TPS No.24) to include the following:

1. Change the current zoning classification for Lot 11 (No.215-217) Grand Promenade, Bedford from 'Business' and 'Public Purposes Reserve – Car Parking' to 'Mixed Use' zone;
2. Modify the use class permissibility of the 'Mixed Use' zone in Table 1 of TPS 24; and
3. Insert a new Special Control Area (SCA) overlay over the subject site.

2. BACKGROUND

Parent Lot 11 has historically been developed and used for commercial purposes (i.e. shopping centre - retail, private recreation, office, medical centre etc) on an uninterrupted basis for a number of years. The complex is known as 'Bedford Fair Shopping Centre'.

The existing building associated with the development is located on the front north-western portion of the land with an open car parking area occupying the rear balance portion of the property. It should be noted that the car parking area is underutilized and represents the inefficient use of land located within an activity corridor.

At its Ordinary Council Meeting held on 25 February 2020, Council resolved to initiate Amendment No.89 to the City of Bayswater's Town Planning Scheme No.24 (TPS No.24) to rezone the amendment area from 'Business' and 'Public Purposes Reserve – Car Parking' to 'Mixed Use' zone, modify the use class permissibility of the 'Mixed Use' zone in Table 1 of TPS 24 and insert a new Special Control Area (SCA) in Appendix No.10 of TPS No.24.

The purpose of this scheme amendment is to:

- i) Provide a consistent zoning classification over the entire property (i.e. 'Mixed Use' zoning);
- ii) Facilitate the future coordinated re-development of the land to allow for the efficient use of the land and to provide a new/modern development that will provide an active frontage to both Grand Promenade and Water Road West;
- iii) Facilitate the future re-development of the land to accommodate a mixed use type development that will incorporate a residential component (i.e. multiple and grouped dwellings) to bolster the population within the existing 'Activity Centre' and 'Activity Corridor'; and
- iv) Provide the appropriate statutory framework to accommodate the future re-development and management of the land.

2.1 Location

The subject land is located on the south-eastern corner of the intersection of Grand Promenade and Walter Road West, within the 'Bedford Activity Centre' and approximately 1.2km south-west of the Morley Strategic Regional Centers (see Figure 1 – Location Plan). The land has direct road frontage and access to Walter Road West along its north-western boundary and Grand Promenade along its north-eastern boundary.

The subject land is also located within close proximity and comprises convenient access to the following key nodes:

- A high frequency train station (i.e. Meltham Train Station);
- High frequency bus routes along Walter Road West and Grand Promenade;
- A regional road network (easy access to Guildford Road, Alexander Drive, Garratt Road & Beaufort Street);
- A comprehensive pedestrian footpath network;
- Various public open space reserves and the Mount Lawley Golf Course;

- Convenient access to the Inglewood, Morley and Mount Lawley Activity Centres;
- Convenient access to the Dianella Shopping Centre along Grand Promenade;
- Various community facilities including Inglewood library and Dianella library; and
- Various schools (including Chisholm Catholic College, Inglewood Primary School, Mount Lawley High School and Edith Cowan University).

Given the above, the subject land is well serviced by various amenities and infrastructure. As such, the proposed rezoning and future development of the land to include multiple dwellings will foster the future growth of the area and provide much needed housing in close proximity to a key public transport node and other infrastructure. The future development of the land will also assist with rejuvenating the existing commercial strip along Walter Road West and provide for housing diversity within the Bedford and Dianella localities.

It is significant to note that the subject land is located adjacent the 'Dianella Industrial Area', which is currently undergoing a change to transform the area into an expansion of the existing 'Activity Centre' and allow for high density residential development and remove the industrial zoning/use of the area. It is significant to note that the City of Stirling initiated the relevant scheme amendment (i.e. Amendment No.80) to its Local Planning Scheme No.3 (LPS No.3) to rezone the 'Dianella Industrial Area' from 'Industrial' to 'Residential R-AC0' and 'Local Centre' zones. The amendment is now held pending further investigation and consultation with the City of Bayswater to allow for future planning of the Dianella Industrial Area to be integrated with the Walter Road West commercial strip.



Figure 1 - Location Plan

2.2 Site Area & Surrounding Land uses

The subject land is rectangular in shape, covers a total area of 5,210m², has been cleared of any significant vegetation and can generally be described as being relatively flat throughout.

The subject land has been extensively developed over a number of years and is currently used for commercial purposes (i.e. shopping centre & commercial centre etc). Physical improvements include a two (2) storey building on the front portion of the land, substantial sealed and drained car parking area to the rear of the site, three (3) separately located

crossovers along the land's frontage to Grand Promenade and access along the Walter Road West frontage see Plan 3 – Aerial Site Plan).

Existing adjoining and nearby land uses are broadly described as follows:

- North-east: Grand Promenade road reserve with a veterinary hospital and medium to low density residential development (i.e. grouped dwellings) beyond;
- North-west: Walter Road West road reserve with a service station and development beyond;
- South-west: Commercial development associated with the 'Bedford Activity Centre'; and
- South-east: Medium density grouped housing (i.e. strata development) (see Plan 2, Aerial Site Plan).



Figure 2 - Aerial Site Plan

2.3 Ownership/Land Description

Lot 11 has been strata titled into fourteen (14) lots on Strata Plan No. 25178 and is currently owned by various entities.

It is significant to note that a Caveat was placed on the title of the subject land in 1985. The 'Deed' was entered into between the landowners and the City of Bayswater to restrict the following in regard to the initial development of the land in 1985:

- i) Maximum Floor Area 905m²; and
- ii) Offices, restaurants, showrooms, warehouses and medical suites comprising a maximum Floor Area of 715m².

The aforementioned restrictions are listed in Schedule No.2 of the 'Deed'. It is significant to note that the City of Bayswater is currently processing an application to remove the 'Caveat' from the property.

2.4 Physical Characteristics

The subject land has been cleared of any vegetation and is relatively flat with no significant topographical features.

2.5 Infrastructure

By virtue of its location in a well-established part of the Perth Metropolitan Area, Lot 11 is served by or located in close proximity to a wide range of essential service infrastructure including power, water, gas, reticulated sewerage, storm water drainage and telecommunications.

Lot 11 is also served by an efficient local and district road network with convenient access to the public transport (high frequency bus routes) along the adjoining road network.

3. PLANNING CONTEXT

3.1 State & Regional Planning Context

3.1.1 Metropolitan Region Scheme

Lot 11 is currently classified 'Urban' zone under the provisions of the Metropolitan Region Scheme (MRS). It should be noted that the zones and reservations prescribed by the MRS are broad categories only that are intentionally not precisely defined or limited in order to enable a flexible approach to strategic planning in the Perth Metropolitan Region.

The following definition is provided as a guide to the stated purpose/s of the land's current 'Urban' zoning classification under the MRS:

"Urban Zone - Areas in which a range of activities are undertaken, including residential, commercial recreational and light industry."

It is contended that the proposed scheme amendment to rezone the subject land to a 'Mixed Use' zoning' classification over the entire site is consistent with the defined intent of the land's current 'Urban' zoning classification under the MRS and may therefore be approved.

3.1.2 Perth & Peel @ 3.5 Million

The *Perth and Peel @3.5million* suite of documents includes sub-region planning frameworks for the Central, North-West, North-East and South Metropolitan Peel sub-regions. The sub-regional frameworks are mechanisms for managing urban growth and achieving increased urban consolidation to accommodate the anticipated population growth.

The City of Bayswater is within the Central sub-regional framework area. The framework supports increased development along key urban corridors to create high-amenity urban environments. The Walter Road West Corridor is designated an 'Urban Corridor' under the framework, as shown in Figure 4. Urban corridors provide connections between activity centres and maximise the use of high frequency and priority public transport. Urban corridors shown in the framework represent significant opportunities to accommodate increased medium-rise higher density residential development by good quality, high frequency public transport.

In light of the above, the proposed scheme amendment will assist with facilitating the future development of the land to accommodate a new mixed use development (including multiple dwellings) accords with the aims of '*Perth & Peel @ 3.5 Million*'.

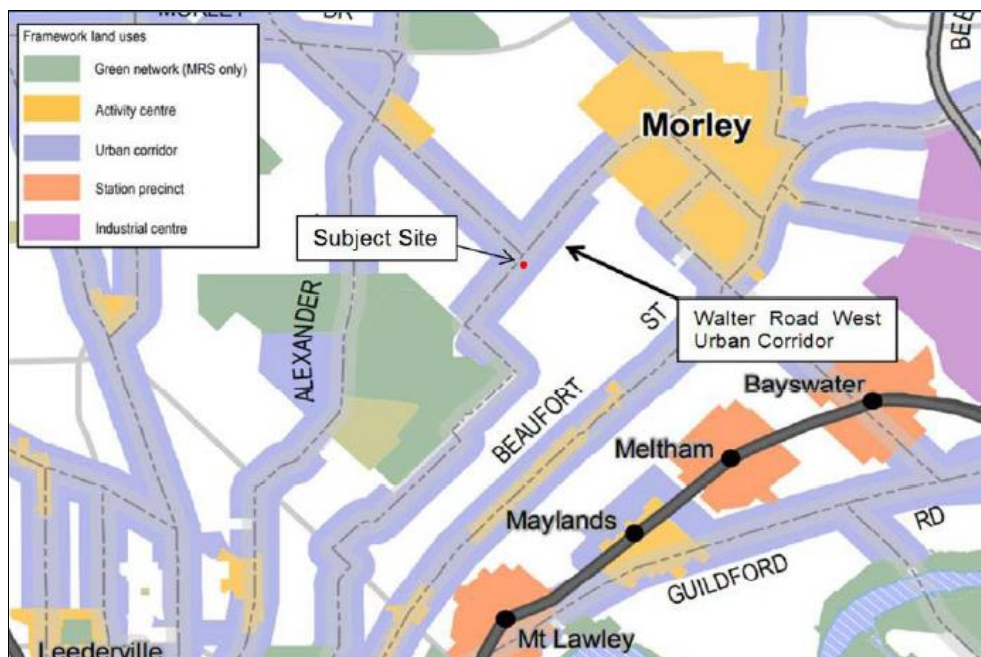


Figure 4 – Extract from *Perth & Peel @ 3.5 Million*.

3.2 Local Planning Context

3.2.1 City of Bayswater Town Planning Scheme No.24

The front portion (north-western segment) of Lot 11 is currently classified 'Business' zone under the City of Bayswater Town Planning Scheme No.24 (TPS No.24), while the rear portion (south-eastern segment) is classified 'Public Purpose Reserve – Car Parking' (see Figure 6 – Zoning Map).

Under the terms of LPS No.24, the use of land classified 'Business' zone for the 'multiple dwelling' and/or 'grouped dwelling' purposes are identified as an "X" use, meaning the use is not permitted within the zone. This is contrary to the outcomes of the City's draft 'Local Planning Strategy' which envisages residential growth along the 'Activity Corridor'.

Rezoning of the subject land to a 'Mixed Use' zoning will enable the City to facilitate the future re-development of the land to incorporate a residential use within the existing 'Neighbourhood Centre', whilst having due regard to the existing built form and density of the adjoining residential properties to the south-east and south-west of the land.

3.2.2 City of Bayswater Local Housing Strategy

The purpose of the 'Local Housing Strategy' is to provide the framework and guide for residential development within the City of Bayswater to accommodate the future housing/population needs of the City, provide a diversity of housing types and provide for affordable housing.

The Strategy identifies that Walter Road West (fronting the subject land) forms part of an 'Urban Corridor' which contains elements of existing commercial activity, comprises bus routes and connects the 'Morley City Centre' with the 'Perth Central Business District' and other 'Activity Centres'.

The Strategy provides direction for the City to prepare Detailed Area Plans (DAP's) for the 'Urban Corridor' to address land uses, access, built form and implement relevant zonings to encourage a mix of land uses. In addition, the Strategy includes the need to provide an improved built form along the Corridor through quality design. This includes improved passive surveillance, articulation of buildings and pedestrian friendly environments.

It is contended the proposed amendment and subsequent preparation of a Local Development Plan will facilitate both multiple and grouped dwelling uses to be accommodated on the land and enable the future redevelopment of the land for 'mixed use' purposes is consistent with the stated objectives of the City's 'Local Housing Strategy' for the following reasons:

- It accords with the objectives of the Strategy and will assist with accommodating future housing and population needs of the City of Bayswater and the Perth Metropolitan Area in general;
- It will foster the re-development of the land to provide for significant improvements to the current levels of passive surveillance of the local streetscapes, will add to the diversity of housing stock within the immediate locality, will provide a variety of housing choice for future potential residents in both Bedford and Dianella localities and will help to accommodate the increased demand for affordable housing within the Perth Metropolitan Region;
- It will enable the future redevelopment of the land that will provide an attractive and safe residential environment comprising affordable, modern and high quality housing within a well-established urban area; and
- It will enable the future redevelopment of the land and encourage pedestrian interest and activity at ground floor level, contributing to the vibrancy of the pedestrian environment and the activation of both the Walter Road West and Grand Promenade Street streetscapes;

3.2.3 City of Bayswater Draft Local Planning Strategy

In April 2019, the City finalised the draft 'Local Planning Strategy' to set out the strategic vision for the future planning and development within the City. The City's vision is:

"A vibrant city with growth focused around revitalizing centres and corridors. A city which encourages high quality built form, respects our heritage, protects our green spaces and provides good connectivity throughout the City and to the wider region."

The draft 'Local Planning Strategy' ('Strategy') identifies the subject land as being located along a major transport link and in an area recommended for increase in residential densities (i.e. generally R80)(see Figure 7). The Strategy recognizes that these key areas are vital to accommodate future commercial development and to assist with providing a diversity of housing within the City.

The proposed rezoning of the subject land to a 'Mixed Use' zoning classification and the subsequent future development of the land to incorporate a residential component is consistent with the 'Vision' of the City's draft 'Local Planning Strategy' and will assist with revitalizing the current commercial centre, whilst achieving greater housing diversity and affordability within the City of Bayswater.

In light of the above and given Council's resolution from its June 2018 meeting, it can be concluded that the proposed scheme amendment has now addressed the concerns raised by Council in terms of the City's strategic planning framework and may now proceed with initiating the required Scheme Amendment for Lot 11.

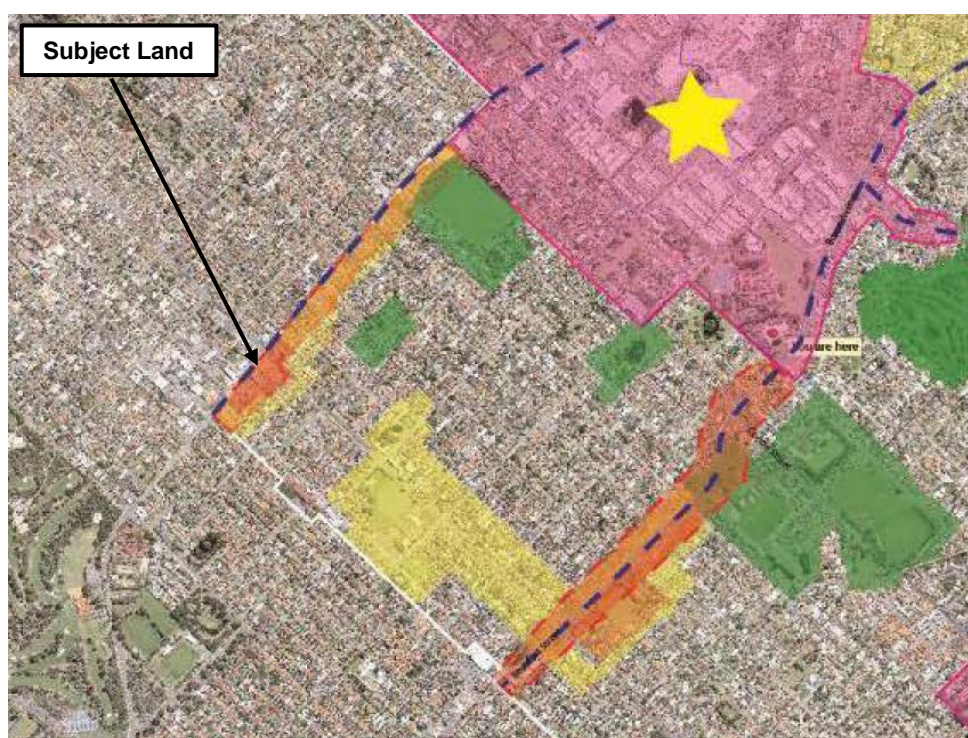


Figure 3 – Local Planning Strategy (Plan)

4.0 PROPOSAL

The scheme amendment proposes to:

1. Change the zoning of the subject site under TPS 24 from 'Business' and 'Public Purposes - Car Park' to 'Mixed Use'.
2. Modify the use class permissibility of the 'Mixed Use' zone in Table 1 of TPS 24, as follows:

Use Class	Current Permissibility	Proposed Permissibility
Convenience Store	X	D
Fast Food Outlet	X	A
Liquor Store – Small	X	D
Shop	X	D

'D' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

'A' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 3.3 clause 64 of the deemed provisions.

'X' means the use is not permitted by the Scheme.

3. Insert a new Special Control Area (SCA) overlay over the subject site, including the

	Area	Site Particulars	Provisions
SCA 17	Special Control Area 17 Corner Grand Promenade and Walter Road West, Bedford.	Lot 11 (No.215-217) Grand Promenade, Bedford	Purpose: To enable the development of the site for mixed use purposes and accommodate a residential component at a medium to high density.

			<p>Development Requirements:</p> <ul style="list-style-type: none"> • Development shall be generally in accordance with a Local Development Plan endorsed by Council. • The Local Development Plan shall address the residential density coding, maximum commercial floor space permitted, the form of commercial development on the site, landscaping, streetscape activation, building location, interface, provision of a buffer with the adjoining low density development, building height and setbacks. • Building height is restricted to a maximum of two storeys within 15m of neighbouring lots zoned 'Residential'. • Notwithstanding uses listed in Table 1 - Zoning Table of the Scheme, the following uses are: 'D' uses: <ul style="list-style-type: none"> - Convenience Store - Liquor Store – Small - Shop <p>'A' uses:</p> <ul style="list-style-type: none"> - Fast Food Outlet
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The proposed aforementioned scheme amendment proposal will:

- Provide a consistent zoning classification over the entire parcel of land (i.e. 'Mixed Use' zoning);
- Facilitate the redevelopment of the site to provide improved commercial floor space to accommodate the modern needs of the current tenants/businesses operating on the land (as the existing commercial development on the land no longer meets the modern needs of those business operating from the site);
- Facilitate the inclusion of a residential component to the development (i.e. mixed use) that will assist with providing increased population within the Bedford/Dianella commercial centre (i.e. 'Activity Centre'/'Activity Corridor') that enjoys good access to a local and regional road network and is served by a comprehensive range of essential service infrastructure;
- Be consistent with the objectives of the City's draft 'Local Planning Strategy'; and
- Coincide with the future redevelopment of the nearby 'Dianella Industrial Area' that is currently being undertaken by the City of Stirling.

4.1 Summary of Justifications

The following justifications are submitted in support of the proposed Amendment to the City of Bayswater's Local Planning Scheme No.24 for Lot 11 (No.215-217) Grand Promenade, Bedford:

- The Amendment will facilitate a consistent zoning classification over the land to provide greater flexibility for any future redevelopment of the land.

- The proposed 'Mixed Use' zoning classification of the land is consistent with the City's draft 'Local Planning Strategy' and is consistent with the City's 'vision' stated within the Strategy.
- The subject land is ideally located in terms of its proximity to the Morley City Centre and has convenient access to a wide range of services and facilities, including shops, public open space, public transport and access to a regional road network.
- The location, size and physical characteristics of the property are well suited to accommodate a mixed use development.
- The future redevelopment of the land to accommodate a mixed use development is consistent with the objectives of the City of Bayswater 'Local Housing Strategy', whilst providing an active frontage along the street frontages of the land.
- Any future development will allow for a design that will incorporate various features, an active frontage and improved passive surveillance of the adjoining streets (it will oversee the public realm).
- The rezoning of the land and future development will assist with revitalising the existing Activity Centre/Corridor and will provide opportunity for the development of an attractive and safe residential environment comprising affordable, modern and high quality housing within a well-established urban area. Furthermore, it will add to the diversity of housing stock and provide a variety of choice for future potential residents in the Bedford and Dianella localities and will help to accommodate the increased demand for affordable housing in the Perth Metropolitan Region.
- The proposed zoning classification and future redevelopment of the land for 'mixed use' purposes is consistent with the aims and objectives of 'Directions 2031' and will make a beneficial contribution to the future development and sustainable growth of the Perth Metropolitan Region generally.
- The future redevelopment of the land will assist with providing improved commercial development that will benefit the current businesses operating on the land and improve the operational efficiency of those businesses.
- The future redevelopment on the subject land to accommodate a mixed use development (including multiple & grouped dwellings) will be consistent with the future redevelopment of the nearby 'Dianella Industrial Area' and the City of Stirling's vision to bolster the existing 'Activity Centre' along Walter Road West.

5.0 CONCLUSION

Following discussions with the City's planning staff, the proposed scheme amendment has been altered to reflect the City's vision for the area and the desired outcomes of the City's draft 'Local Planning Strategy'. Given the outcomes of the Strategy, this amendment now addresses those concerns raised by the Bayswater City Council at its meeting held on 12 June 2018. As such, it is contended that the proposal can now proceed.

The proposed Scheme Amendment and future re-development of the subject land will assist with revitalising this part of Walter Road West to create an active and vibrant centre that will benefit the City of Bayswater and the surrounding locality.

In light of the above information and justifications, we respectfully request the necessary approvals from the City of Bayswater, the Environmental Protection Authority, the Western Australian Planning Commission and the Minister for Transport, Planning & Lands to amend the City of Bayswater Local Planning Scheme No.24 in accordance with the proposals contained in the scheme amendment documentation.

Planning and Development Act 2005

RESOLUTION TO AMEND LOCAL PLANNING SCHEME

CITY OF BAYSWATER LOCAL PLANNING SCHEME No.24

AMENDMENT No.89

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

1. Rezone Lot 11, (No.215 to 217) Grand Promenade, Bedford from 'Business' and 'Public Purposes - Car Park' to 'Mixed Use' and apply a density coding of R-AC0.
2. Insert a new Special Control Area as follows:

	Area	Site Particulars	Provisions
SCA 17	Special Control Area 17 Corner Grand Promenade and Walter Road West, Bedford.	Lot 11 (No.215-217) Grand Promenade, Bedford	<p>Purpose:</p> <p>To enable the development of the site for mixed use purposes and accommodate a residential component at an appropriate medium to high density.</p> <p>Development Requirements:</p> <ul style="list-style-type: none"> • Development shall be generally in accordance with a Local Development Plan endorsed by Council. • The Local Development Plan shall address landscaping, streetscape activation, building location, interface, provision of a buffer with the adjoining low density development, building height and setbacks. • Notwithstanding uses listed in Table 1 - Zoning Table of the Scheme, the following uses are: 'D' uses: <ul style="list-style-type: none"> ○ Convenience Store ○ Liquor Store – Small ○ Shop <p>'A' uses:</p> <ul style="list-style-type: none"> ○ Fast Food Outlet

3. Amend the Scheme Map accordingly.

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

- It will not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

AMENDMENT MAP



LEGEND

LOCAL SCHEME RESERVES

- LOCAL DISTRIBUTOR ROADS
- PUBLIC PURPOSES: CAR PARK

LOCAL SCHEME ZONES

- BUSINESS
- MEDIUM AND HIGH DENSITY RESIDENTIAL
- MIXED USE

OTHER CATEGORIES

- SCHEME AREA BOUNDARY
- R25 R CODES
- LOCAL GOVERNMENT BOUNDARY
- CORE AREA BOUNDARY
- SCA1 SPECIAL CONTROL AREA



SCALE: 1:2500
DATE: 23.07.2020

Amendment No. 89

COUNCIL ADOPTION

This Standard Amendment was adopted by resolution of the Council of the City of Bayswater at the Ordinary Council Meeting held on the 25 day of February 2020.

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Bayswater at the Ordinary Council Meeting held on the 25 day of February 2020, proceed to advertise this Amendment.

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

COUNCIL RECOMMENDATION

This Amendment is recommended for approval by resolution of the City of Bayswater at the Ordinary Council Meeting held on the _____ day of _____, 20____ and the Common Seal of the City of Bayswater was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....
MAYOR

.....
CHIEF EXECUTIVE OFFICER

WAPC RECOMMENDATION FOR APPROVAL

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

DATE.....

APPROVAL GRANTED

.....
MINISTER FOR PLANNING

DATE.....