

Mandurah City Centre Precinct Plan

Final
March 2013

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Mandurah City Centre Precinct Plan

1. Introduction

1.1 Application

This Precinct Plan, once endorsed, becomes the development control plan for the Mandurah City Centre, providing design guidelines and development standards for the Precinct Area as required by Town Planning Scheme No 3.

Applications for minor extensions of an existing development or applications for a change of use where there is no proposed increase in net leasable floor area may be exempt from the a number of elements outlined in the Precinct Plan, such as setbacks, access points and building scale.

1.2 Relationship to Town Planning Scheme No 3

The approval of Mandurah City Centre Precinct Plan is addressed through Clause 4.1.2 and 4.41.2 of Town Planning Scheme No 3 ('Scheme 3'), which states "*permissibility of land uses and relevant development and subdivision standards are specified in the applicable Precinct Plan.*"

The defined Precinct Area is shown in **Figure 1**.

The approval process for the Precinct Plan is addressed by Clause 7.11 of Scheme 3, whereby upon endorsement by Council and the Western Australian Planning Commission, this Precinct Plan forms part of the City of Mandurah's development approval process for new development within the Precinct Area. **Section 4.1** addresses the implementation procedure required for the Precinct Plan. Therefore a provision, standard or requirement of the Precinct Plan shall be given the same force and effect as if it were a provision, standard or requirement of Scheme 3.

The City of Mandurah may refuse an application for planning approval which is determined as not being consistent with the intent or content of this Precinct Plan.

The standards and guidelines provided in the Precinct Plan shall apply throughout the Precinct Area unless they are not applicable for that particular development. For any development within the Precinct Area, the priority shall be given to achieving quality built form outcomes as opposed to compliance with development standards.

1.3 Purpose

Precinct Planning provides for a flexible, yet comprehensive approach to the preparation of plans and policies that guide the development/redevelopment of strategic activity centres.

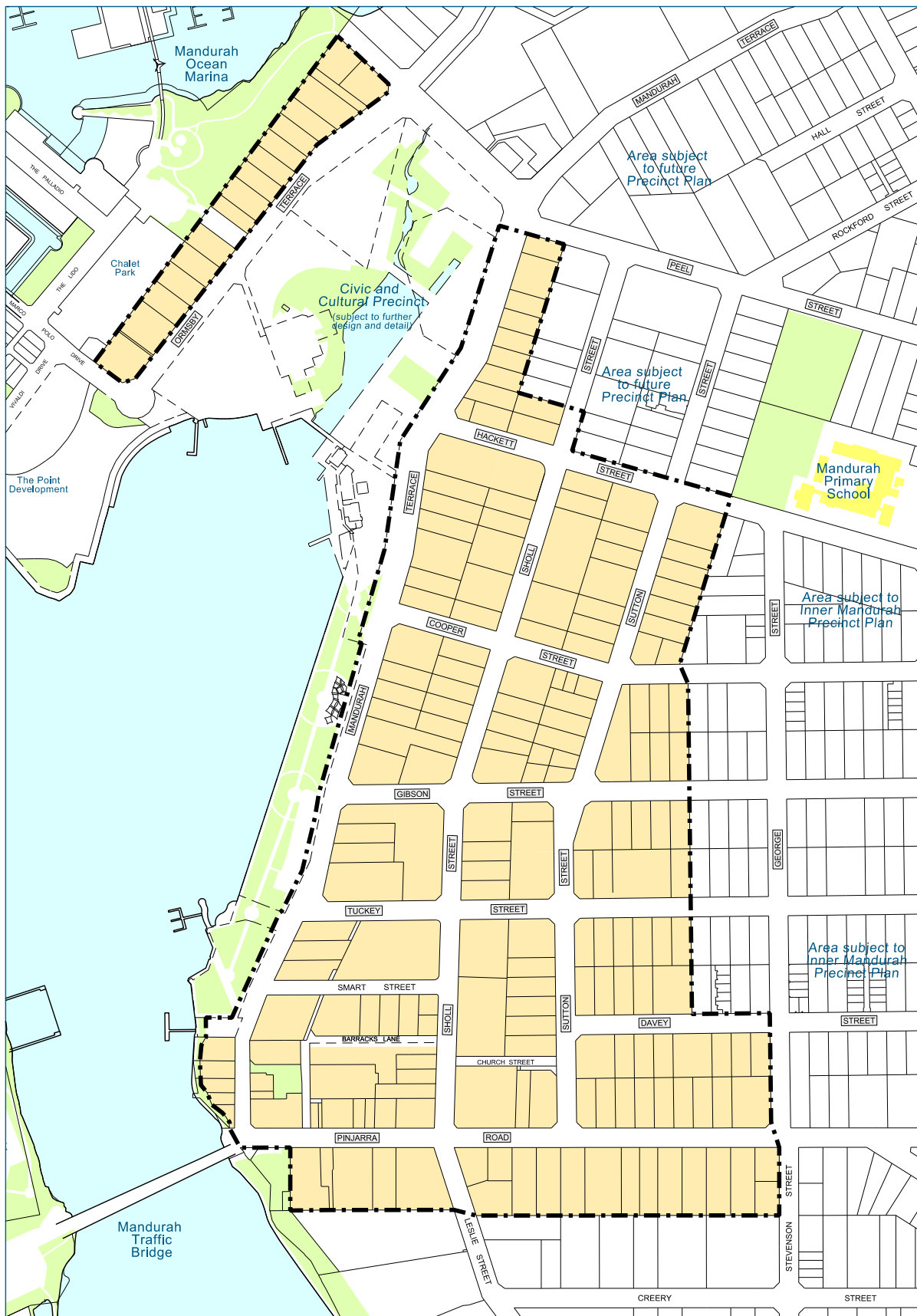
The City of Mandurah has introduced Precinct Plans to:

- (a) facilitate the coordinated development of numerous land uses into a single integrated precinct area;
- (b) guide subdivision, land use, development and infrastructure provision in accordance with an overall strategic vision

For the purposes of this Precinct Plan, it provides the development control mechanism for new development within the Precinct Area. There are aspects of the Precinct Plan which provide recommendations relating to the public domain, however the Mandurah Central Revitalisation Strategy, as referenced in **Section 1.4.3** will continue to provide direction with regarding to infrastructure and public improvements.

The City of Mandurah may prepare a **Public Realm Design Guide** to further refine elements of the public domain.

Outcomes prescribed within the Precinct Plan relating to development provides the maximum potential of each lot, however actual outcomes may differ due to the configuration, size and shape of individual landholdings. Amalgamation may be required to generate the maximum development potential.



 **Precinct Plan Boundary**

Figure 1 - Precinct Area



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1.4 Precinct Plan Context

1.4.1 Summary

A range of Precinct Plans have been prepared by the City of Mandurah to help coordinate further planning, land use, development and infrastructure.

The Mandurah City Centre Precinct Area was first identified in the Mandurah Inner Area Strategic Plan (June 2002), and then also recommended as part of the Mandurah Central Revitalisation Strategy. This Precinct Plan responds to both of these projects.

The City of Mandurah recognises the importance of economic growth and diversity and quality of employment as key requirements for a sustainable community. The Mandurah City Centre is the primary location for employment and economic activity within the City's long term strategy and this Precinct Plan establishes a series of important criteria to achieve this vision.

Mandurah is a prime example of a traditionally planned mixed-use town with strong physical, social and economic connections to its marine environment context. It's regional location, historic settlement pattern and origins as a tourist town have all contributed to Mandurah's successful urban structure and activity mix. The Mandurah foreshore and surrounding activity nodes are seen as playing a regional role for the Peel Region.

1.4.2 Role of the Precinct Plan

The success of the Precinct Area as a well functioning City Centre requires more planning than just the Precinct Plan.

The Precinct Plan provides the development control function of the Precinct Area, however it is required to function with other strategies and actions of the City of Mandurah, which include, but not extended to place making, public spaces and traffic management.

1.4.3 Mandurah Central Revitalisation Strategy

The Precinct Plan builds on the work undertaken as part of the Mandurah Central Revitalisation Strategy: 'Mandurah Waterfront' to ensure that the future development of the city centre is consistent and compatible with the established vision. The vision statement for the 'Mandurah Waterfront' is as follows:

"Mandurah: The Waterfront Capital of the Peel Region, offering vibrant and diverse commercial, retail, entertainment and lifestyle opportunities for residents and visitors."

The Revitalisation Strategy is a significant strategy for the City Centre, with the Strategy providing a framework for the redevelopment of City Centre, with a significant emphasis on urban design principles, and improvements to the public domain and in particular streetscapes.

In essence, the Strategy remains the strategic framework for the Precinct Area, with the Precinct Plan being one method of its implementation. The Precinct Plan provides the next level of detail with respect to land use planning and development control.

Key recommendations relevant to the Precinct Plan from the Strategy include the following:

- Sutton Street is proposed to be extended through to Mandurah Terrace as a main route for the through traffic, which has been reflected on the Precinct Plan;
- The re-alignment of Rockford Street to connect/link with the extended Sutton Street at a T-junction;
- Proposal for traffic signals to be provided at the Peel Street-Sutton Street intersection;
- Recommendations for land use sub-precincts and street cross sections;
- An indicative height plan and street block development plan.

The recommendations are based on a Strategic Vision and a fundamental Urban Design Framework. The Strategic Vision expands on the vision statement to outline the strategic objectives for land use, movement, built form, public realm and open spaces, and landscape.

The Urban Design Framework has three distinct levels:

- (a) Major Urban Design Themes (the rationale for the overall, long-term vision), which are as follows:

- Enhancing the Arrival to and Movement Through Mandurah Waterfront;
- Enriching the Public Realm;
- Creating a Landmark City; and
- Reinforcing Precinct Character.

- (b) Precinct Character Guidance (to guide development of precincts in the next 10-20 years).
- (c) A number of keynote projects (to guide development of key projects to be implemented in the next 5-10 years), which seek to improve the public domain, and include the extension of Sutton Street to Mandurah Terrace, and upgrading from Peel Street through to Pinjarra Road.

1.4.4 Local Planning Strategy (Activity Centres)

Arising from the State Planning Policy 4.2 (Activity Centres for Perth and Peel), the City of Mandurah has commenced preparation of a Local Planning Strategy (Activity Centres) as an update to the previously prepared 2002 Local Commercial Strategy.

Arising from this work, the draft Local Planning Strategy (Activity Centres) identifies the Mandurah City Centre with the following floorspace allocations:

Table 1 Activity Centres Planning Strategy Floorspace Allocations

	<i>Shop Retail (m²)</i>	<i>Other Retail (m²)</i>	<i>Office (m²)</i>
2011	30,365	2,836	18,917
2016	31,195	2,839	24,065
2021	55,218	3,594	28,734
2031	107,816	9,118	58,596

These figures, particularly with regard to shop retail and office floorspace, represent a significant increase over the current development patterns within the Precinct Area and the Precinct Plan responds to these requirements accordingly.

1.4.5 Town Planning Scheme No 3

The provisions of Town Planning Scheme No 3 for the Precinct Area are provided through the 'City Centre Development Zone'. Scheme 3 introduced the City Centre zoning provisions into the planning framework for the area, with the zoning extending beyond the Precinct Area towards Forrest Street to include a broad area within this zoning. Provisions such as nil setbacks to all boundaries and a generous plot ratio of 3.0 were also included in City Centre zone.

This zoning provides for a wide variety of land uses and outcomes, however, residential development, generally at an R60 density is a permitted use across the zone. The Precinct Plan seeks to rectify this by consolidating the areas of activity, and ensuring relatively low density / low impact land uses that are generally prevalent east of Sutton Street no longer continuing to be permitted from Sutton Street to Mandurah Terrace, and compromising the objectives of the planning for the area.

Subsequent amendments to the zoning provisions have cross referenced development standards with the Solar Skyline Policy and introduced the mechanism for an Outline Development Plan to be prepared for the City Centre zone, which was intended to be the subject Precinct Plan. Sub-precinct areas within the zone, such as the Brighton Hotel Precinct, which have been generally applicant driven, and has its own ODP approved subsequent to the introduction of the ODP provisions into the zone.

In order to give effect to the Precinct Plan some modifications to the City Centre zoning provisions are required, including the modification of the land use table (Table 1) for this zone so that it only applies where a Precinct Plan hasn't been approved. References to the contents of this Amendment are contained in **Section 4.3**.

Mandurah City Centre Precinct Plan

2. Desired Urban Form

2.1 Vision and Aims

The vision of the Mandurah City Centre Precinct Plan is as follows:

The Mandurah City Centre being a vibrant and efficiently designed City Centre with appropriate scale, a diverse range of land uses and facilities and attractive and safe streets and spaces.

The aim of the Precinct Plan is to provide for planning controls with regard to land uses, built form and road/landscape treatments that provide for cohesiveness and quality, worthy of the main centre of Mandurah and the Peel Region. The Precinct Plan will be used to guide land use development and the built form within the Precinct Area.

2.2 Development Objectives

Key objectives of the Precinct Plan are as follows:

1. ***Provide a broad range of land uses to reinforce the location's function as a city centre;***
2. ***Identify redevelopment opportunities and an indication of appropriate development;***
3. ***Ensure that quality retail and diverse employment opportunities are provided in new development.***
4. ***Ensure that public spaces are pedestrian friendly, safe and usable to ensure that it is a destination for residents, employees and visitors.***

The Precinct Plan will evolve over time, and be subject to constant review to ensure that development in the City Centre meets its objectives.

2.3 Key Principles and Priorities

The following priorities have been identified for the Mandurah City Centre:

1. ***Facilitating Employment Generating Land Uses***
2. ***Ensuring quality built form and architecture***
3. ***Providing activity throughout the day and night for tourists, workers and residents in a safe environment.***
4. ***Providing quality public spaces and streets with upgraded street furniture and activity***

2.4 Key Themes

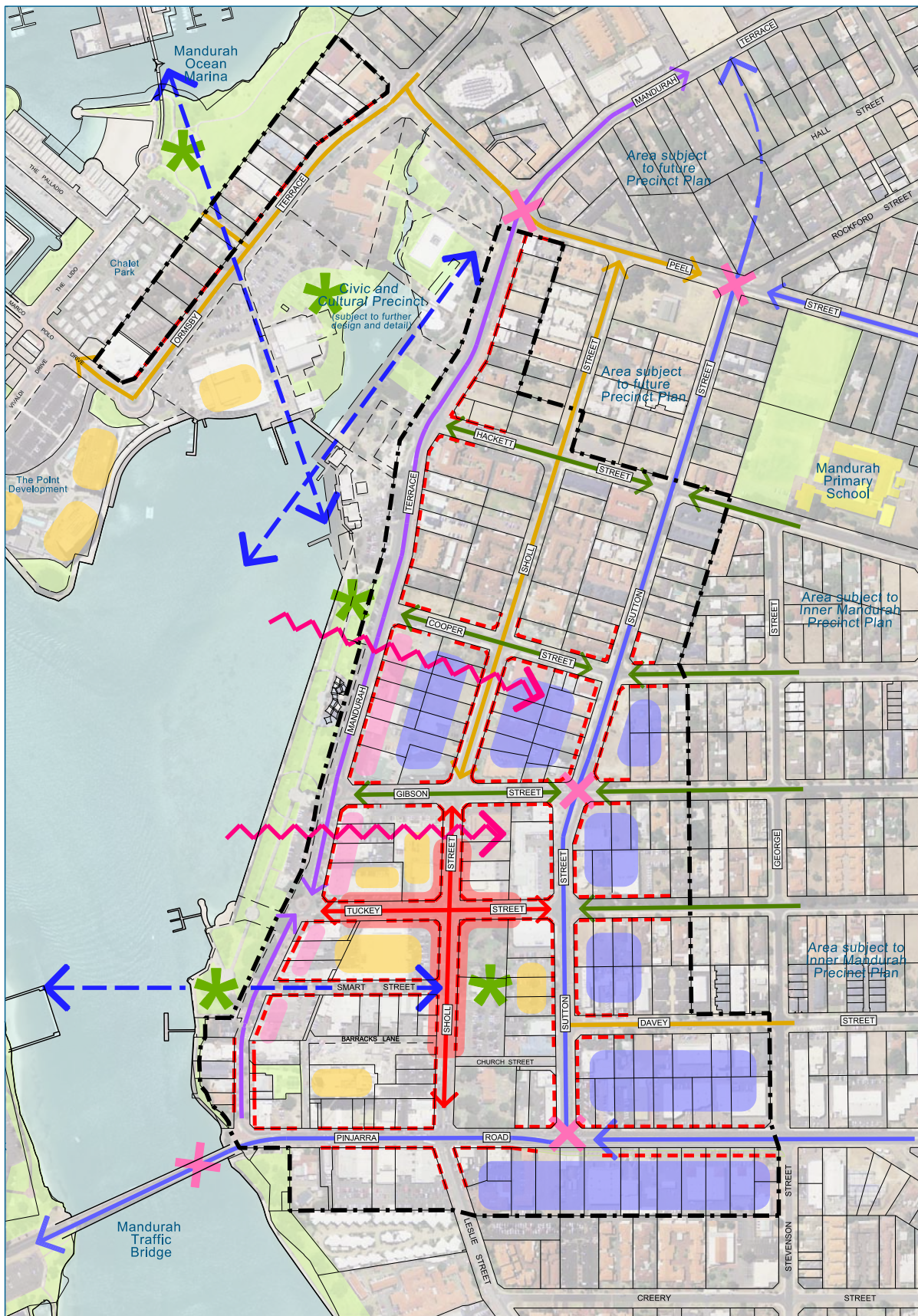
1. ***Introduce City Centre Scale (Identify Nodes)***

In order to ensure that the Precinct Area fulfils its function as a City Centre, potential development outcomes need to allow for an appropriate scale. Previous policies on scale and height have sought to have a general low rise development outcome extending to Forrest Street.

The Precinct Plan seeks to contain significant development outcomes to a smaller walkable catchment, and introduce a scale consistent with a City Centre. A number of nodes of building height have been identified in **Figure 2**, together with the identification of a retail node and Mandurah Terrace providing an active frontage for tourist and leisure activities.

2. ***Improve Visitor Experiences (Spaces and Edges)***

The waterfront (being primarily the Eastern Foreshore) and the linked series of access points around the water is currently a key attractor. The built form in the City Centre, via new urban and town spaces needs to provide for improved visitor experiences.



Design Elements

- Key Public Space Nodes
- Key Precinct Gateways
- Views and Vistas
- Water views into Precinct
- Ground level active frontages

Street Functions

- Key Through Route
- Waterfront Promenade
- City Centre Main Street
- Parkland/Green Streets
- Supporting Streets

Land Use Opportunities

- Retail Core
- Tourist / Leisure Activities
- 'Landmark' Building Sites
- Office/Commercial Areas
- Precinct Plan Boundary

Figure 2 - Key Principles and Outcomes



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This can be achieved through upgraded ground level frontages and pedestrian spaces, and creation of improved public nodes both within the Precinct Area and in key open space areas as noted on **Figure 2**.

Key gateways as entry points to and within the Precinct require special attention in the built form to provide key demarcation of place

3. Celebrate the Point of Difference (Embrace Waterfront Amenity)

Identification, protection and improvement to existing views and vistas is essential to ensure that the location's point of difference is celebrated and embraced.

Furthermore, the ability for views and vistas of the water from development back from those lots along Mandurah Terrace is required to ensure that the quality of the place is enjoyed. This is achieved via application of building height standards and through the treatment of streets, and specifying widths between buildings.

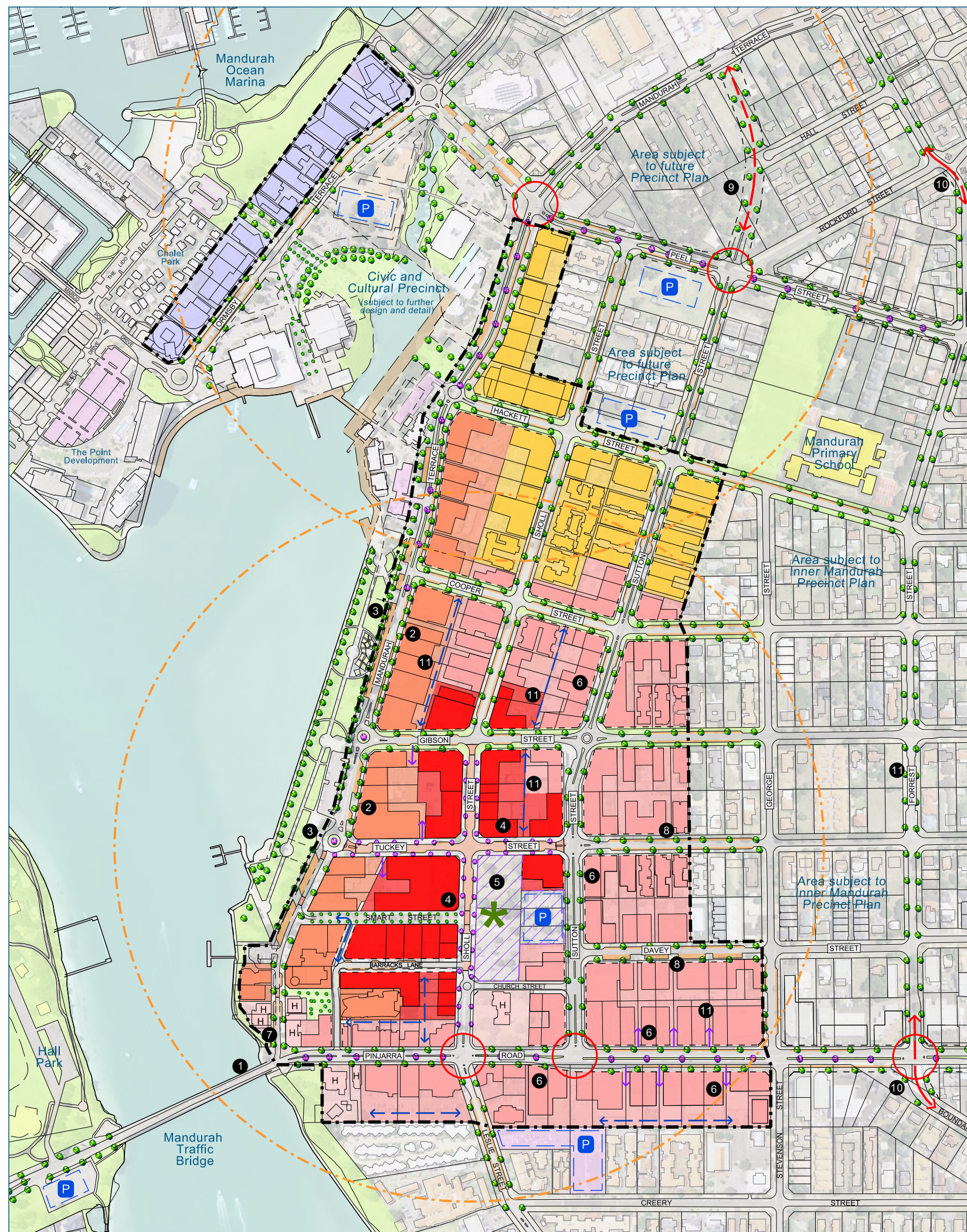
2.5 Indicative Development Plan

In order to provide an overview into the design outcomes of the Precinct Plan, an Indicative Development Plan has been prepared and provided as **Figure 3**.

The Indicative Development Plan outlines outcomes, such as building footprints, location for vehicular access and parking, and broad land use areas, in addition to key components of the public domain and street networks including street cross sections and intersection upgrades into one comprehensive plan. The Indicative Development Plan also outlines the priorities for future development, and brief notes to outline the intent and vision for the Precinct Area.

Outcomes prescribed within this Part of the Precinct Plan relate to the maximum potential of each lot, however actual outcomes may differ due to the configuration, size and shape of individual landholdings. Amalgamation may be required to generate the maximum development potential.

Where required, development criteria are specified by element, with criteria provided either via sub-precinct or land use category as described in within the Precinct Plan.



Sub-Precinct Zones

- Retail Main-Street Precinct
- Mandurah Waterfront Precinct
- Mewburn Site DGP Area
(Refer to Section 2.6.3 of Precinct Text)
- Central Employment Precinct
- Northern Mixed Use Precinct
- Heritage Precinct
- Ormsby Terrace Mixed Use Precinct

Open Space / Public Places

- Public Open Space
- Town Square / City Park
(Location, Size and Design to be determined as part of DGP required over the site)
- Mandurah Primary School
- Parking Node (at-grade)
- Parking Node (potential decked parking)
(as per City Centre Car Parking Strategy)

Streetscape and Movement

- Traffic Signals (existing and proposed)
- Proposed new road connections
- Indicative Shared Access Lanes
(to reduce crossovers to key streets)
- Identified Shared Crossovers
(Reciprocal Access Easements)
- Key Pedestrian Connections
(existing or to be provided)
- Proposed Road Widening and/or
'Street Wall' Setback
- Defined City Centre Main Streets; with
 - Slow Speed Traffic Environment
 - Pedestrian Priority
 - Alfresco and Outdoor Dining
 - Street Trees and Landscaping
 - On Street Parking
- Green / Parkland Streets; designed with
 - Extensive Landscaping in verge
 - Significant Street Trees
 - Wide Footpaths
 - On Street Parking
- 400m Walkable Catchment (5 min walk)

Precinct Plan Boundary

Key Priorities

1. Facilitating employment-generating land uses
2. Ensuring quality built form and architecture
3. Providing quality public spaces and streets with upgraded street furniture and activity
4. Providing activity throughout the day and night for tourists and residents in a safe environment

Precinct Plan Notes

- 1 Old Mandurah Traffic Bridge replacement subject to design concepts, review and community consultation
- 2 Mandurah Terrace being the primary tourist and visitor area, with increased pedestrian amenity, and restaurant activity.
- 3 The eastern foreshore area being the major public space in the City Centre, with improvements to ensure this focus point for activity continues.
- 4 Sholl and Tuckey Streets being the region's centre for retail activity, with the streets lined with shopfronts and pedestrian amenity.
- 5 'Mewburn Site' being subject to a separate Development Guide Plan, which includes an Enquiry by Design process to prepare the the plan to explore development opportunities being integrated with a town square/city park and car-parking as the central point of the City Centre.
- 6 Sutton Street and Pinjarra Road being the key employment and transport spines of the Precinct, with development built to newly defined street edges and podium setbacks.
- 7 Existing heritage buildings retained as a key entrance to Precinct from the west.
- 8 Davey and Tuckey Street complementing Sutton Street, with supporting office and commercial development, with upgraded streets, on-street parking & active frontages.
- 9 Sutton Street extended to Mandurah Terrace as identified in Mandurah Central Revitalisation Strategy as key entrance to City Centre from the north.
- 10 Forrest Street upgraded to provide support role for Sutton Street, including upgrades of intersections at northern and southern ends to improve legibility and permeability.
- 11 Opportunities for mid-block rights-of-way with all parking and services being provided from new access.
- 12 As further detailed and localised science becomes available on climate change, additional provisions may be added to the Precinct Plan requirements

Figure 3 - Indicative Development Plan

2.6 Sub-Precincts Zones

For the purposes of providing specific details relating to the urban form and land use within the Precinct Area, the area has been broken down into seven distinctive sub-precinct zones as shown in **Figure 4**.

2.6.1 Retail / Main Street Precinct

The Retail / Main Street Precinct will be the retail destination for the region, providing a large range of retail options, both in strip retailing along the ground floor of streets and along the Smart Street Mall. The built form will reflect the retail nature of the area, with glazed shopfronts along streets.

All streets will have a high quality streetscape character, defined by street trees and awnings, particularly Sholl Street and Tuckey Street, and will be focused to the pedestrian's experience and a slow speed traffic environment.

Retail, Leisure and Entertainment and Civic uses are recommended to be the core activities in this sub-precinct, supported by office and residential uses. Limited residential development is recommended in this sub-precinct zone.



2.6.2 Mandurah Waterfront Precinct

The Mandurah Waterfront Precinct is defined by the locations relationship to the foreshore and Mandurah Terrace drawing tourists and locals alike. The use of a street setback will assist in creating a pedestrian colonnade and providing space for outdoor dining.

The area will be comprised of a mix of tourist accommodation types, and residential and leisure-focused retail. Outdoor seating, entertainment venues, and festivals along the foreshore will aid in the development of Mandurah Terrace as a main destination for activity throughout the day in the city. The foreshore is the important feature of Mandurah Terrace that defines the character of the entire city.

Leisure Retail, Restaurants and Café's and Entertainment uses are recommended to be the core activities in this sub-precinct, supported by office, tourist accommodation and residential uses. Limited permanent residential development is recommended in this sub-precinct zone.



2.6.3 Mewburn Site Development Guide Plan Area

Due to the interests in this Precinct, and the various impacts that potential development will have on the City Centre, the Precinct Plan identifies this area as requiring its own planning process to be undertaken to identify development outcomes, land uses, height and scale and community outcomes.

Any redevelopment of the Mewburn site should aim to provide a similar amount of parking and open space to that which currently exists.

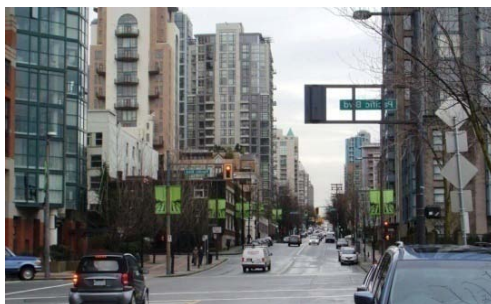
The process for the preparation and approval of the Development Guide Plan will be dealt with as a modification to the Precinct Plan as outlined in **Section 4.2** which will require a process of public consultation and approval by the Western Australian Planning Commission.

2.6.4 Central Employment Precinct

The Central Employment Precinct is defined by Sutton Street and Pinjarra Road, with this Precinct being the key employment and transport spine of the City Centre that expresses the urban character of Mandurah.

As an employment destination, there will be flow on effects to all surrounding areas and will trigger the achievement of Mandurah as an urban centre. Sutton Street and Pinjarra Road will feature a hard edge streetscape, with more subtle elements of open space also forming a small part the streetscape character.

Office uses are recommended to be the core activities in this sub-precinct, supported by retail, showroom, residential and tourist accommodation. Limited residential development is recommended for this sub-precinct zone.



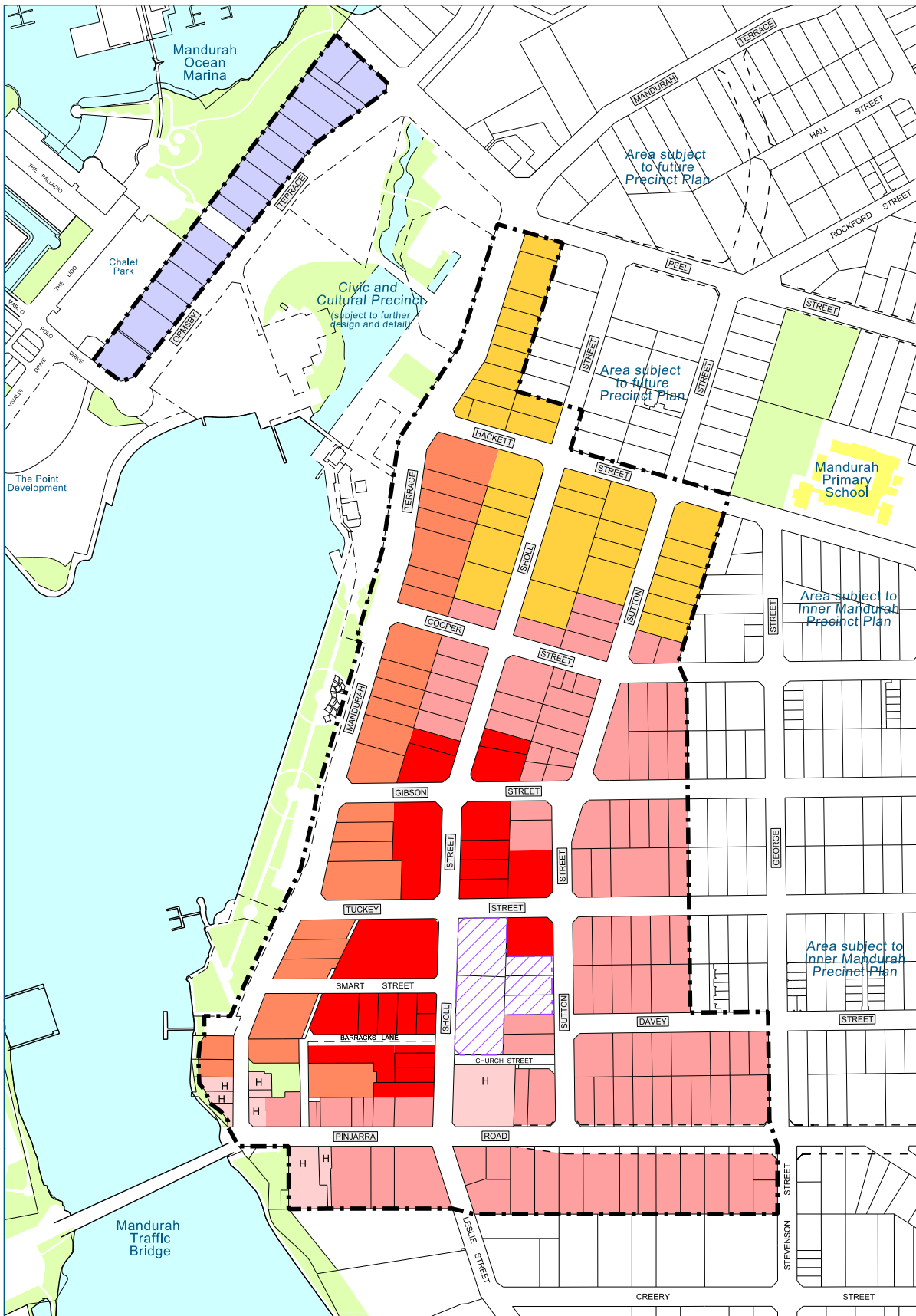
2.6.5 Northern Mixed Use Precinct

The Northern Mixed Use Precinct covers the northern extent of the Precinct Area, which will be, for the foreseeable future, a transition between the core employment activity nodes to the south and the north.

All new development will need to be a minimum of three storeys, with the ground level being mixed use commercial, with supporting high density residential uses above. The corners represent an opportunity for retail development given the high degree of exposure that these sites are provided.

Retail, commercial and office uses are identified as supporting activities in this sub-precinct, whereby residential development is likely to prevail.





Sub-Precinct Zones









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|---|--|---|-----------------------------------|
|  | Retail / Main Street Precinct |  | Northern Mixed Use Precinct |
|  | Mandurah Waterfront Precinct |  | Heritage Precinct |
|  | Central Employment Precinct |  | Ormsby Terrace Mixed Use Precinct |
|  | Mewburn Site DGP Area
(Refer to Section 2.6.3 of Precinct Text) |  | Precinct Plan Boundary |

Figure 4 - Simplified Sub-Precinct Zoning Plan



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2.6.6 Heritage Precinct

The Precinct Area is significant to Mandurah and the region.

It is indicative of the early settlement patterns of Mandurah where families congregated around the former ferry site adjacent to the current old traffic bridge. The area has aesthetic value in the stonework of the early random rubble wall construction of buildings. The area is one of social significance through its role in giving identity and social cohesion to the Mandurah community.

There are numerous sites throughout the Precinct Area that have been included in Council's Municipal Heritage Inventory. As provided within the relevant provisions of Scheme 3, Council will take account of the heritage significance of these places when assessing development.

Further to this, in recognition of consideration significance of several places, a portion of the Precinct Area has been designated as a 'Heritage Precinct' within the Precinct Plan.

The provisions relating to new development within this Precinct are set out in **Section 3.9**.

2.6.7 Ormsby Terrace Precinct

This sub-precinct was part of the original Civic and Cultural Precinct Plan and formed part of the Mandurah Central Revitalisation Strategy.

Key issues identified for this sub-precinct include the promotion of high quality medium-high density residential development. High quality streetscape will be provided along Ormsby Terrace with this street providing a link between the City Centre and the Mandurah Ocean Marina to capitalise on benefits derived from new development at the Ocean Marina and The Point development.

Mixed use commercial / residential development is envisaged for this sub-precinct, with residential apartment up to 5 levels. Active uses should be pursued for the Ormsby Terrace frontage. Some of the lots (particularly those north of the access from the Mandurah Ocean Marina) have a 'double frontage' to Ormsby Terrace and the adjacent public open space, allowing car parking to be contained within the middle of the sites.



Mandurah City Centre Precinct Plan

3. Design Criteria and Development Requirements

3.1 Buidling Form Edges (Site Layout)

The Precinct Plan requires perimeter block development, with buildings oriented towards the street and with enclosed semi private/public space within the interior of the block.

Buildings shall have a strong connection to the street and will contribute to public spaces by:

1. *Helping to define streets and public spaces; and*
2. *Scale, typology, pedestrian space, climatic influence, land use and transport integration; and*
3. *Creating environments that are appropriate to the human scale as well as being comfortable, interesting and safe.*

In this regard, the Precinct Plan requires the following outcomes:

- (a) Buildings heights and setbacks to ensure solar access for surrounding lots and streets.
- (b) Buildings being articulated with variation in the facade to avoid box-like structures and break up the building's mass and scale while creating a street rhythm.
- (c) Buildings along all streets having a maximum four storey podium that adjoins the footpath and establishes a coherent street wall. Above the street wall line, additional storeys will be set back to allow for solar access to the footpaths and to ensure the scale of buildings do not dominate public spaces through a podium setback.
- (d) Wide pedestrian spaces that create both a defined outdoor space and a transition area to the foreshore, allowing for outdoor activities that are appropriate for the relevant streets, including outdoor dining to contribute to the liveliness of the street.
- (e) No on-site car parking being permitted between the street and the front of the building. All private car parking will be sleeved behind buildings, with on-street parking maximised, and, over time, public decked parking stations for consolidated parking arrangements.
- (f) Crossovers shall be limited to along certain streets and where being allowed, one crossover per development site;
- (g) Areas of blank wall at ground floor level to adjacent streets shall be minimised. For ground floor tenancies commercial tenancies adjacent to the street shall maximise the provision of clear shopfront glazing to the adjacent street frontage with a maximum sill height of 450mm. The internal fit out of commercial tenancies shall reflect this requirement;
- (h) Building entrances at ground floor levels address street frontages and clearly identified;
- (i) A canopy or awning shall be provided to all ground floor tenancies adjacent to a street, to a minimum height of 3.0m above the pedestrian footpath, and a minimum width of 2.5m for the full length of the building unless this is physically impractical;
- (j) Deep and poorly illuminated recesses must be avoided at ground level adjacent to pedestrian paths
- (k) In all cases, development should address adjacent streets and satisfy the CPTED requirements in **Section 3.5.8**.
- (l) Where public access is anticipated, the pedestrian access shall be designed for universal access.
- (m) Where the ground floor level is required to be raised above the footpath level in order to meet minimum levels set out in the Building Code of Australia, any access requirements to the ground level such as steps and ramps shall be provided behind the designated setback. The footpath level cannot be raised or lowered in order to meet access requirements into buildings.
- (n) Service areas shall be discrete with rubbish bins, clothes drying areas, plant and equipment screened from public view;
- (o) No front fencing is permitted.



3.1.1 Indicative Street Cross Sections

In order to assist in describing the front setback requirements, the street cross sections have been prepared as shown in **Figure 5**.

The street cross sections recommended have been used to determine the subsequent setback distances that range from nil through to 2.5 metres, dependant on the form and type of street as identified in **Figure 2**.

For example:

- a boulevard of trees and car parking on both sides of the street is required for Sutton Street, therefore requiring a 24 metre building line to building line, which requires a 2.0 metre setback;
- to retain pedestrian spaces and car parking on Mandurah Terrace requires a 1.5m setback; and
- Tuckey Street and Sholl Street are being promoted as the centres 'main street' and therefore in order to promote a 'tighter' urban form, nil setbacks are recommended.
- Hackett, Cooper and Gibson Streets are being promoted as 'parkland streets' and it is recommended that a 3.0m landscaping corridor on both sides of the street, together with a 3.0m pedestrian footpath and on street parking is required, therefore requiring a 2.0m setback.

The landscaping fulfils a number of functions, particularly the ability to have larger trees, ground level landscaping to soften the street, assist in an urban drainage function, and providing viewing corridors back into the precinct to the water.

The street cross sections and subsequent application of setbacks have been prepared on the basis that powerlines have been, or are required to be provided through development, placed underground. Where this is not possible, the building design will need to factor the powerlines into final design.

3.1.2 Street Wall Setbacks

The street wall setbacks shall be 0m (nil), unless otherwise shown on **Figure 6**.

- Note:**
1. *For the purposes of determining the setbacks specified for lots fronting Pinjarra Road, the specified setback is from the proposed road reserve as proposed under Peel Region Scheme Amendment 011/33, which requires is a road widening of 8.2m on the southern side of Pinjarra Road and a 1.8m road widening on northern side.*
 2. *The height of the street wall is determined under Section 3.2, and the land use at ground level is determined under Section 3.3.*

3.1.3 Use of Front Setback

Where designated, the front setback shall be designed as if it is an extension of the road reserve and the building shall be designed as if the front setback is 'nil', as described:

- (a) Buildings shall address the street and locate their main entries so as to face the street.
- (b) Ground level frontages for commercial uses shall have large windows to enable a connection between the interior and the street; and
- (c) The front setback area shall be protected through a public access easement. The easement will be required as a condition of development approval.

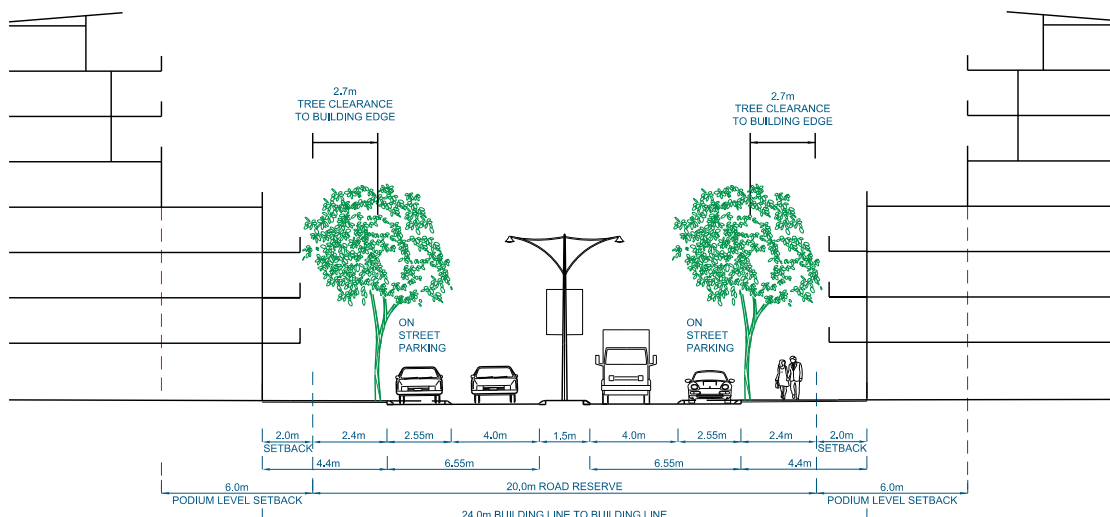
Other than a pedestrian footpath (3.0m minimum), the remaining front setback can be used as a formal landscaping area, alfresco dining and other 'active frontage' uses, unless a Public Realm Design Guide for the location has been prepared by Council.

This provision shall apply also where a development has a setback greater than those specified in **Section 3.1.2**.

3.1.4 Balconies and Upper Storey Development

- Balconies may extend into the setback area designated, up to the front property boundary.
- Enclosed upper storey development shall be subject to the street wall setback requirement.
- Notwithstanding the above, any development shall be 'cantilevered' over the street wall setback, so that the setback area is not obstructed by columns and the like.

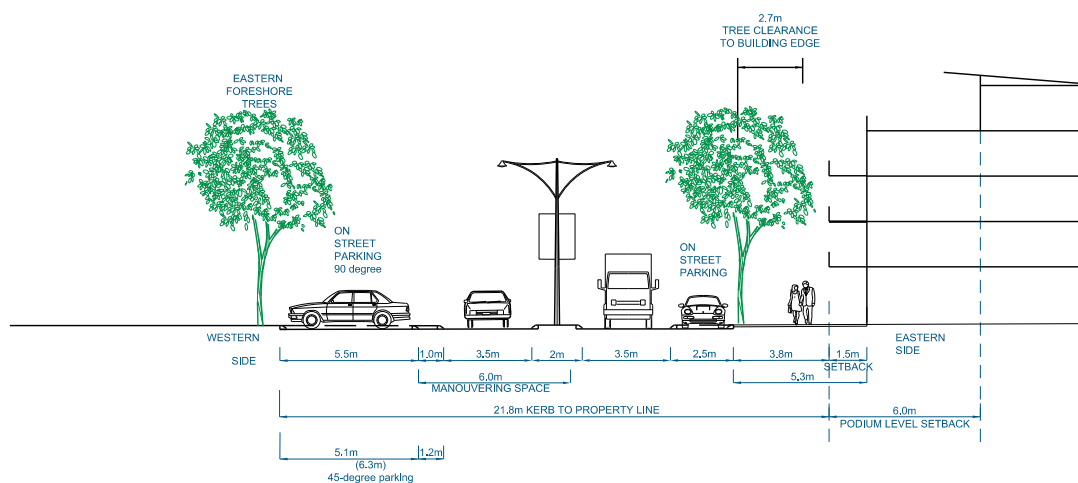
features:
parallel on-street parking
on both sides;
2.0m median;
2.0m ground level setback;



Section B

Mandurah Terrace

features:
90 degree parking on western side;
parallel parking on eastern side;
1.5m ground level setback;
5.3m footpath / outdoor dining colonade



Section C

Pinjarra Road

(East of Sutton Street)

- features:
- one dedicated lane;
- one shared lane (lane, cycles, parking) on both sides;
- 0m front setback from road widening;

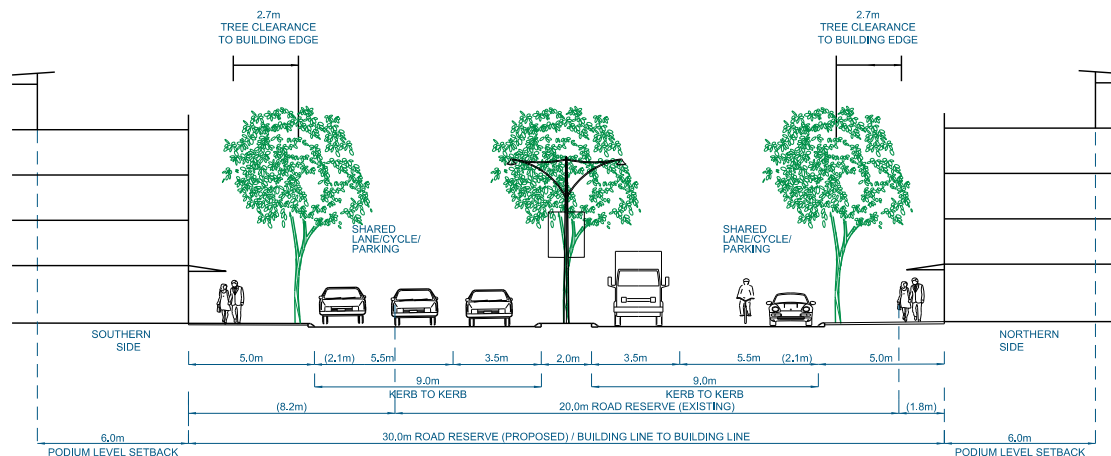
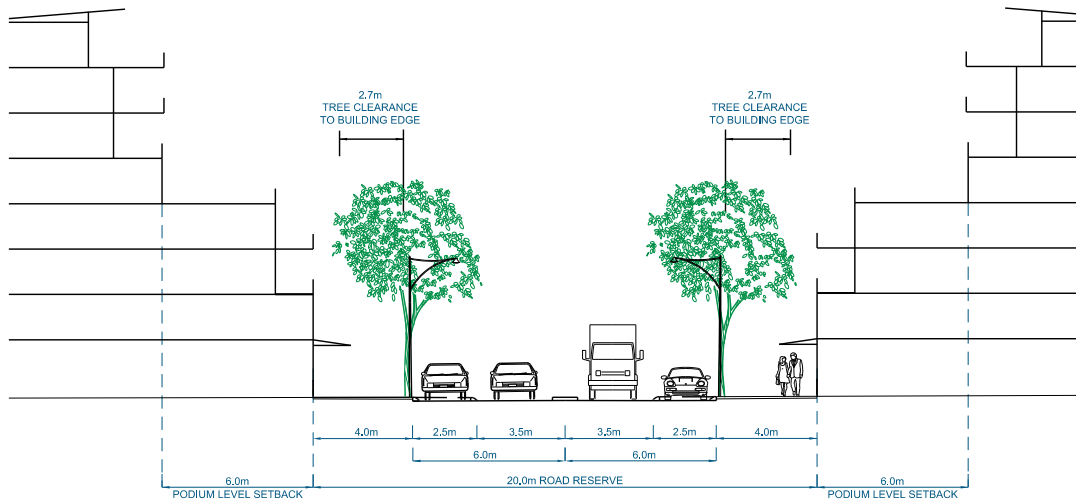


Figure 5 - Street Cross Sections

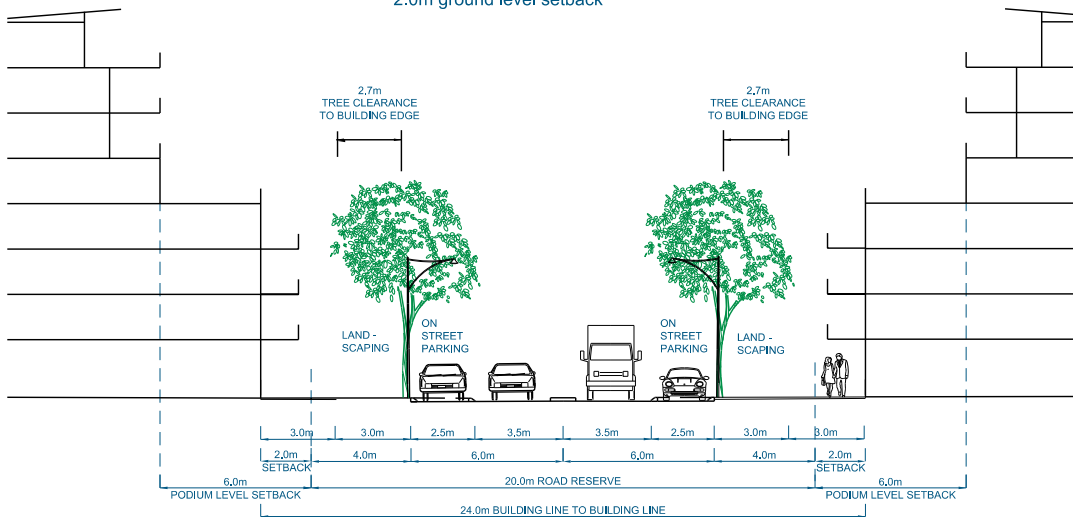
Section D Main Streets

features:
parallel on-street parking on both sides;
4.0m footpath;
0m ground level setback;



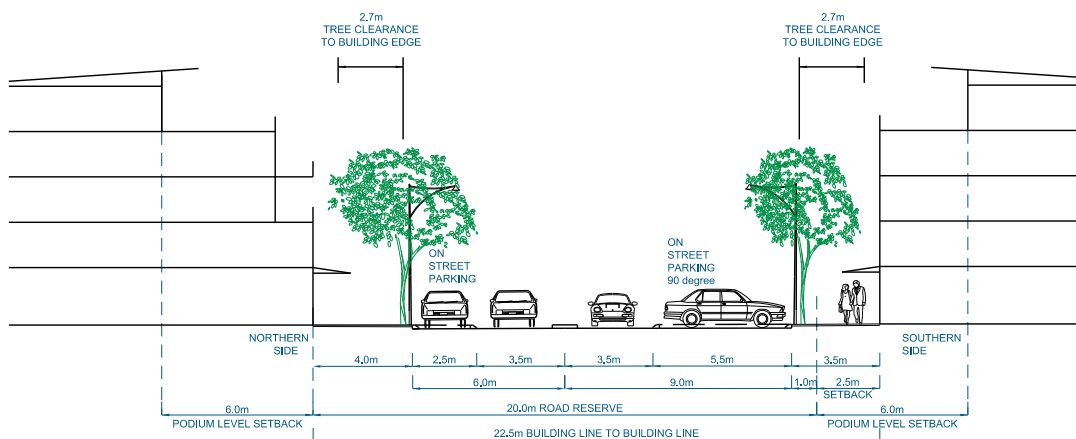
Section E Park Streets

features:
parallel on-street parking on both sides;
3.0m footpath;
3.0m landscaping strip;
2.0m ground level setback;

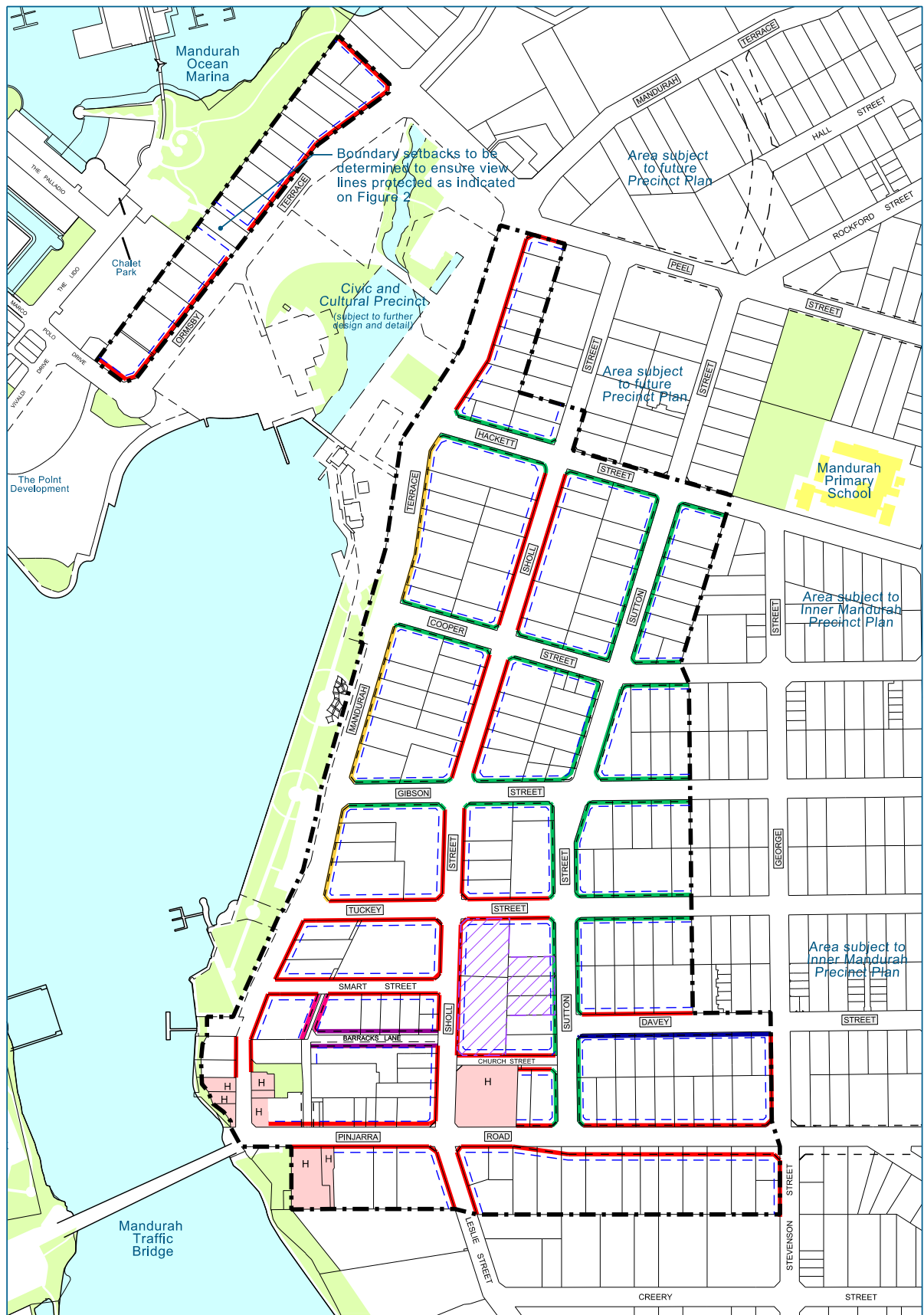


Section F Davey Street

features:
parallel on-street parking on northern side;
potential 90-degree parking on southern side
2.5m ground level setback



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Street Wall Requirements

- Street Wall (Setback)**
(road widening/front setback required refer Section 3.1 of Precinct Text)
- Podium Setback**
(setback above 16.0m measured 6.0m from property boundary)

Street Wall Setbacks

- 0m (nil) minimum
- 1.5m minimum
- 2.0m minimum
- 2.5m minimum
- 3.0m minimum
- 4.0m minimum

Specific Requirements

- Mewburn Site DGP Area**
(Refer to Section 2.6.3 of Precinct Text)
- Heritage Sub-Precinct**
(Refer to Section 2.6.6 of Precinct Text)
- Precinct Plan Boundary**

Figure 6 - Street Wall Setbacks



3.2 Building Height and Scale

The Precinct Plan requires development at the street edge should be no more than 4 storeys, with an allowance for elements at street corners to define the edge with an additional storey. 'Midblock' heights should reflect the intended land use outcomes for the sub-precinct zone with taller height provided where more intensive land uses are encouraged as described below:

- (a) view-lines and the aspect of the Mandurah Estuary and Mandjar Bay back into the Precinct Area to Sholl and Sutton Streets are required. Subsequently taller buildings are provided for away from the waterfront;
- (b) that the massing of buildings, view corridors and "human scale" are incorporated into the designs of buildings;
- (c) Building elements higher than 4 storeys above ground level to be setback a minimum of 6 metres from the property boundary;
- (d) the uppermost floor of any building shall be articulated as to create a visual interest and clearly distinguish the top of the building from the remaining built mass; and
- (e) A 15 metre minimum separation distance between building elements higher than 4-storeys above ground level is required.

Note: *Outcomes prescribed within the Precinct Plan relating to height provides the maximum potential for the entire Precinct, however actual outcomes for individual lots may differ due to the configuration, size and shape. Amalgamation may be required to generate the maximum development potential.*

3.2.1 Street Wall Height

3.2.1.1 Minimum Street Wall Height

A minimum street wall height of 6.0m is applicable.

(with the exception of development within the **Northern Mixed Use** and **Ormsby Terrace Mixed Use Sub-Precincts** where no specific minimum street wall height is specified)

3.2.1.2 Maximum Street Wall Height

A maximum street wall height of 16.0m is applicable.

3.2.1.3 Landmark Building Criteria

Figure 7 identifies a number of street corners that warrant a building of a landmark quality. These locations either stand at the 'gateway' to the Precinct Area or to terminate vistas.

Buildings in 'landmark' locations are expected to display a higher than average standard of building design and incorporate distinctive architectural features to all street-fronts which will contribute to the overall character and quality of the public realm.

For development in these locations, the street wall may be increased by an additional storey (up to a maximum of 21.0m within 20 metres of the identified street corners).

Note: *The horizontal street wall setback is specified in Section 3.1.2.*

For assessment purposes, heights are referenced in metres above natural ground level.

For reference purposes only, the following is a guide (total overall heights):

6.0m	1 storey	16.0m	4 storeys	32.0m	8 storeys
9.0m	2 storeys	21.0m	5 storeys	47.0m	12 storeys
12.0m	3 storeys	24.0m	6 storeys		

3.2.2 Development Above Street Wall (Overall Building Height)

Table 2 Development Height: Requirements

	Development Height
Minimum Height Requirement (except within the Heritage Sub-Precinct)	9.0m ('two storeys')
Maximum Height Requirement	As per Figure 7 subject to provisions of Table 3 and Table 4

Table 3 Development Height: Lot Size Criteria (Assessment 1)

	Maximum Height
Lot size less than 1050 square metres:	As per street wall height (16.0m)
Lot size between 1050 & 1500 square metres:	21.0m
Lot size between 1500 & 4000 square metres:	Up to a maximum of 32.0m but not exceeding the provisions of Figure 7
Lot size greater than 4000 square metres:	As per Figure 7

Table 4 Development Height: Setback Provisions (Assessment 2)

	Setback Requirements
Setback from Front Property Boundary ⁽¹⁾	6.0m (as generally shown in Figure 5)
Development Above 16.0m ⁽²⁾	15.0m separation distance between building elements on adjoining sites
Top of Building	3.0m setback from storey below (or alternative mechanism to distinguish the top of the building from the remaining building mass)

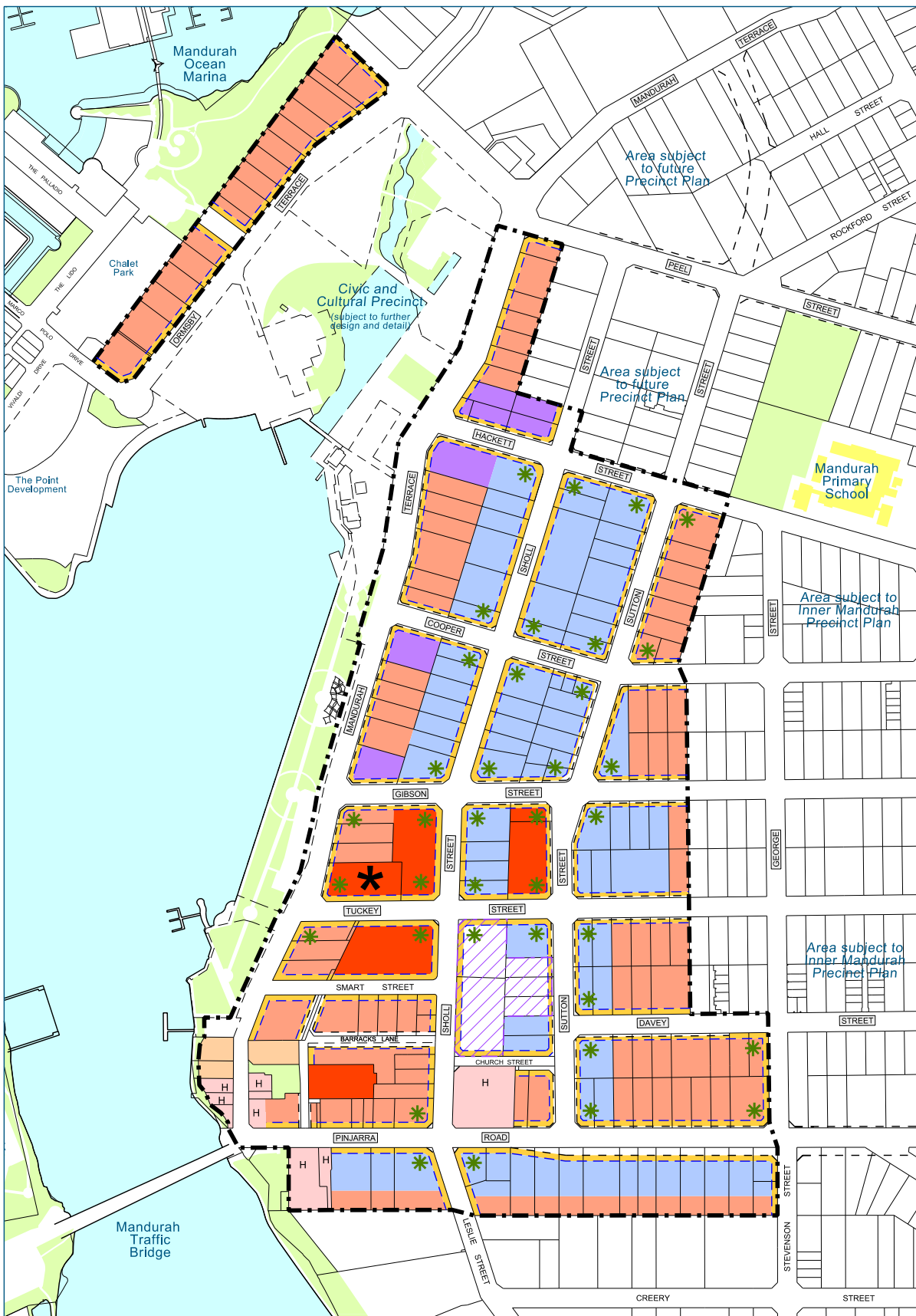
(1) For the purposes of determining the 'property boundary' for this clause, for lots fronting Pinjarra Road, the property boundary is determined from the proposed road reserve as proposed under Peel Region Scheme Amendment 013/33.

(2) For the purposes of applying this clause, it is not necessarily to be interpreted as a shared setback requirement (ie 7.5m from each boundary), which may result in one site having a higher height building than the adjoining site, dependant on the dimensions of the site and existing development. This criteria excludes any Building Code of Australia or other safety relating requirements that may be applicable.




(3) All other setbacks not specified elsewhere in the Precinct Plan will be determined in accordance with the requirements of the Residential Design Codes.

Table 5 Development Height: Specific Site Provisions

	Additional Criteria
Lot 400 Mandurah Terrace	<p>The overall building height as shown in Figure 7 may be considered subject to the following criteria above being adequately addressed:</p> <ul style="list-style-type: none"> Any building element above 4 levels has a maximum width of 30.0m when viewed in a direction perpendicular to Mandurah Terrace; Any building element above 4 levels has a maximum width of 60.0m when viewed in a direction parallel to Mandurah Terrace; The development incorporates substantial elements of sustainable building design; Provision of public art as part of any development; Contribution to street improvement works



Street Wall Requirements

-  Building Edge (Setback)
(road widening/front setback required refer Section 3.1 of Precinct Text)
-  Street Wall (16.0m maximum)
-  'Landmark Building Criteria'
(Refer to Section 3.2.1.3 of Precinct Text)

Overall Building Heights

-  12.0m maximum
-  21.0m maximum
-  24.0m maximum
-  32.0m maximum
(subject to lot sizes and setbacks)
-  47.0m maximum
(subject to lot size and setbacks)

Specific Requirements





-  Mewburn Site DGP Area
(Refer to Section 2.6.3 of Precinct Text)
-  Heritage Sub-Precinct
(Refer to Section 2.6.6 of Precinct Text)
-  Specific Site Provisions
(Refer to Table 5 of Precinct Text)
-  Precinct Plan Boundary

Figure 7 - Overall Building Heights



3.3 Land Uses

It is the aim of the Precinct Plan to be a location that is a vibrant centre, providing a diverse range of retail and commercial uses that are commensurate with a City Centre. As a result, land uses are generally controlled by the built form, urban design and vertical elements contained within the Precinct Plan, rather than through a conventional land use table.

However, there are specific considerations for certain land uses that are required in order to enable a compatible land use mix. As a key priority, the development of quality places to ensure an active public realm is required. Therefore, the land use system specifies land uses on a vertical level, including the specification of particular land uses at ground level in order to achieve activation of the public realm.

3.3.1 Change of Use Requiring Planning Approval

In addition to the provisions of Scheme 3 with development requiring planning approval, any change in nature of use within the **Dining and Entertainment** and **Amplified Music Venue** Land Use Category as provided in *Error! Reference source not found.*, is considered to be a material change of use requiring planning approval, where the use proposes to:

- (a) change from one type of Amplified Music Venue to another type of Amplified Music Venue;
- (b) increase or expand trading hours or a licensed area of an Amplified Music Venue; or
- (c) commence the playing of amplified music on a regular basis.

Reference shall be made to **Section 3.6** in dealing with applications for planning approval required under this Section.

3.3.2 Definition of Uses and Land Use Categories

For the purposes of Interpretation of those land uses listed in , but not defined in Appendix 1 of Scheme 3, the following shall apply:

“commercial car park” means land and buildings used primarily for parking cars, taxis or wheeled vehicles whether open to the public or not but does not include any part of a public road used for parking or for a taxi rank, or any land or buildings in which cars are displayed for sale or hire.

“public car park” means land and buildings used primarily for parking cars, taxis or wheeled vehicles open to the public and may include any part of a public road used for parking or for a taxi rank.

“small bar” means premises licensed as a Small Bar under the Liquor Control Act 1988 to sell liquor for consumption on the premises and includes a limit of not more than 120 patrons permitted on the premises at any one time. May or may not provide live entertainment and the supply of food for consumption on the premises.

“specific purpose housing” means a dwelling or collection of dwellings designed and/or set aside for a specific or special accommodation need usually of a permanent nature, including but not limited to aged persons, students, care takers dwelling, communal living, disability living and designated affordable housing.”

3.3.3 Unlisted Uses

Where a use is not listed in *Error! Reference source not found.*, there may be examples where a land use is:

- (a) Listed in another zone within Scheme 3; or
- (b) Is not listed in *Error! Reference source not found.* or Scheme 3;

In these circumstances, Council may, notwithstanding any other provision of Scheme 3:

- (a) determine that the use **is** consistent with the desired urban form set out and objectives of the Sub-Precinct Zone, as generally described in **Section 2.6** and is therefore permitted; or
- (b) determine that the proposed use **may be** consistent with the desired urban form set out and objectives of the Sub-Precinct Zone, as generally described in **Section 2.6** and thereafter follow the 'SA' procedures of Clause 7.3 of Scheme 3 in considering an application for planning approval; or

Table 6 Land Use Table

Land Use Category and Land Uses	Sub-Precincts											
	Retail / Main Street		Mandurah Waterfront		Central Employment		Northern Mixed Use		Heritage (2)		Ormsby Terrace Mixed Use	
	First Three Levels	Above Three Levels	Ground Level	Above Ground Level	First Three Level	Above Three Level	Ground Level	Above Ground Level	All Levels (where applicable)	Ground Level	Above Ground Level	
Category 1: Retail	P	P	P	P	P	P	P	P	P	P	P	
Shop Liquor Store												
Category 2: Commercial	P	P	X	AA	P	P	P	P	SA	P	X	
Office Consulting Rooms Medical Centre Commercial Car Park Showroom (subject to design requirements) Child Care Premises												
Category 3: Dining and Entertainment	P	AA	P	AA	P	AA	AA	X	P	AA	X	
Small Bar Reception Centre Restaurant / Café Amusement Parlour Betting Agency Take Away Food Outlet												
Category 4: Amplified Music Venue	SA	X	SA	SA	SA	X	X	X	X	X	X	
Hotel Nightclub Tavern												
Category 5: Residential (Note: refer to Section 3.3.4)	X	P	X	P	X	P	X	P	X	AA	P	
Multiple Dwelling Specific Purpose Housing Short Stay Accommodation Serviced Apartments Hotel (Accommodation only) Hostel / Lodging House Bed and Breakfast Tourist Development												
Category 6: Community and Cultural	P	P	P	P	P	P	P	P	P	P	P	
Community Facility Health Services Education Establishment Library Museum Public Car Park Government Administration												
(1)	A basement and/or sub-basement are not included as a level.											
(2)	Refer to Section 3.9: Heritage Impact Assessment requirements.											
(3)	Refer to Clause 3.2.1 of Scheme 3 for interpretation of ‘P’, ‘AA’, ‘SA’ and ‘X’.											

3.3.4 Residential Development

(a) *Maximum Residential Floorspace*

The maximum residential floorspace, as a percentage of the total floorspace, within each of the sub-precincts shall be as follows:

Table 7 Residential Development: Maximum Floorspace by Sub-Precinct

	Residential Floorspace %
Retail / Main Street	50 per cent
Mandurah Waterfront	75 per cent
Central Employment	25 per cent
Northern Mixed Use	75 per cent
Heritage	Refer to Section 3.9
Ormsby Tce Mixed Use	75 per cent

(b) *Application of the Residential Design Codes*

Within the Precinct Area, for the purposes of residential development, an R-Code of ***R-IC (Inner City Housing)*** shall apply.

In interpreting the ***R-IC coding***, the following should be noted:

- (a) For the purposes of determining dwelling yield and / or density for residential uses, no specific provisions apply, and shall be subject to the provisions of Part 7 of the Residential Design Codes shall apply.
- (b) Dwelling yield / density shall be derived from the application of design elements contained within the Precinct Plan, including Building Height and Scale, Setbacks and Car Parking Requirements.
- (c) For the purposes of development standards, all remaining provisions of Part 7 of the Residential Design Codes shall apply where not covered within the Precinct Plan

Note: *Under the provisions of the Residential Design Codes, Residential development in land zoned 'R-IC' is to be assessed against the R-AC3 provisions in Table 4 of the Codes.*

3.4 Vehicle Parking and Access

3.4.1 Overview

The existing car parking arrangements in the Precinct Area are complex, via reference to standards in Scheme 3 and in a Local Planning Policy, which includes complex cash in lieu provisions. There are numerous policy objectives and directions that make it desirable to promote alternative modes of travel to city centres and to regulate the amount and type of parking provided.

In the City Centre, it is desirable to require reduced parking rates based on:

- A proportion of parking being provided as public parking and therefore available for reciprocal use. Reciprocal parking allows for the most efficient use of available bays whereby uses that have different periods of peak demand can utilise the same parking facilities; and
- Promoting the use of public transport, particularly for the location where high density employment and housing is being promoted.

In addition to reduced parking rates, the Precinct Plan simplifies the cash in lieu payment provisions, which will be a contribution to public parking, and to provide a greater proportion of sites for development. Reduced parking rates are based on allowances for reciprocal use for parking in the Precinct Area for retail and commercial uses. Residential dwellings provide their entire parking requirement as private parking and therefore the potential for any reductions in this sector is limited.

The parking ratios to be provided have been prepared acknowledging current demands and car dependency within Mandurah, whilst attempting to provide development incentives by unlocking areas that would otherwise been allocated to parking within sites. Sometime in the future, maximum ratios may be introduced to ensure that car parking does not dominate development outcomes.

A Car Parking Strategy has been prepared with **Figure 3** outlining some key public parking locations arising from that strategy.

3.4.2 Private Parking Requirements

Parking requirements for developments shall be in accordance with the following:

Table 8 Parking Requirements: Land Use Categories

	Standard Provision <i>(Floorspace in Gross Leasable Area)</i>
Category 1: Retail	3 bays per 100 square metres
Category 2: Commercial	1 bay per 70 square metres
Category 3: Dining and Entertainment	3 bays per 100 square metres
Category 4: Amplified Noise Venue	3 bays per 100 square metres
Category 5: Residential	1 bay per residential unit
Category 6: Community and Cultural	1 bay per 100 square metres

(1) *Refer Section 4.7 for definition of Gross Leasable Area*

(2) *The provision or construction of on-street parking bays are not calculated in the above rates, as they have been factored into the rates applied.*

Table 9 Parking Requirements: Sub-Precinct Reduction Rates

	Reduction Rate ^{(1) (2)}
Retail / Main Street <i>Lots less than 1000 square metres</i>	Assessment 1 reduced by 25 per cent
Retail / Main Street <i>Lots greater than 1000 square metres</i>	Assessment 1 reduced by 50 per cent
Mandurah Waterfront <i>Lots less than 1000 square metres</i>	Assessment 1 reduced by 25 per cent
Mandurah Waterfront <i>Lots greater than 1000 square metres</i>	Assessment 1 reduced by 50 per cent
Central Employment ⁽³⁾ <i>Lots within 2.5m walk of public parking</i>	Assessment 1 reduced by 50 per cent
Heritage <i>All development</i>	Assessment 1 reduced by 25 per cent
(1) Where applicable, otherwise as per standard provision by land use category	
(2) Excludes Category 5: Residential Land Use Category	
(3) The Mandurah City Centre Car Parking Strategy and Figure 7 provide guidance to the location of public parking that maybe provided	

Table 10 Parking Requirements: Minimum to be Provided On Site

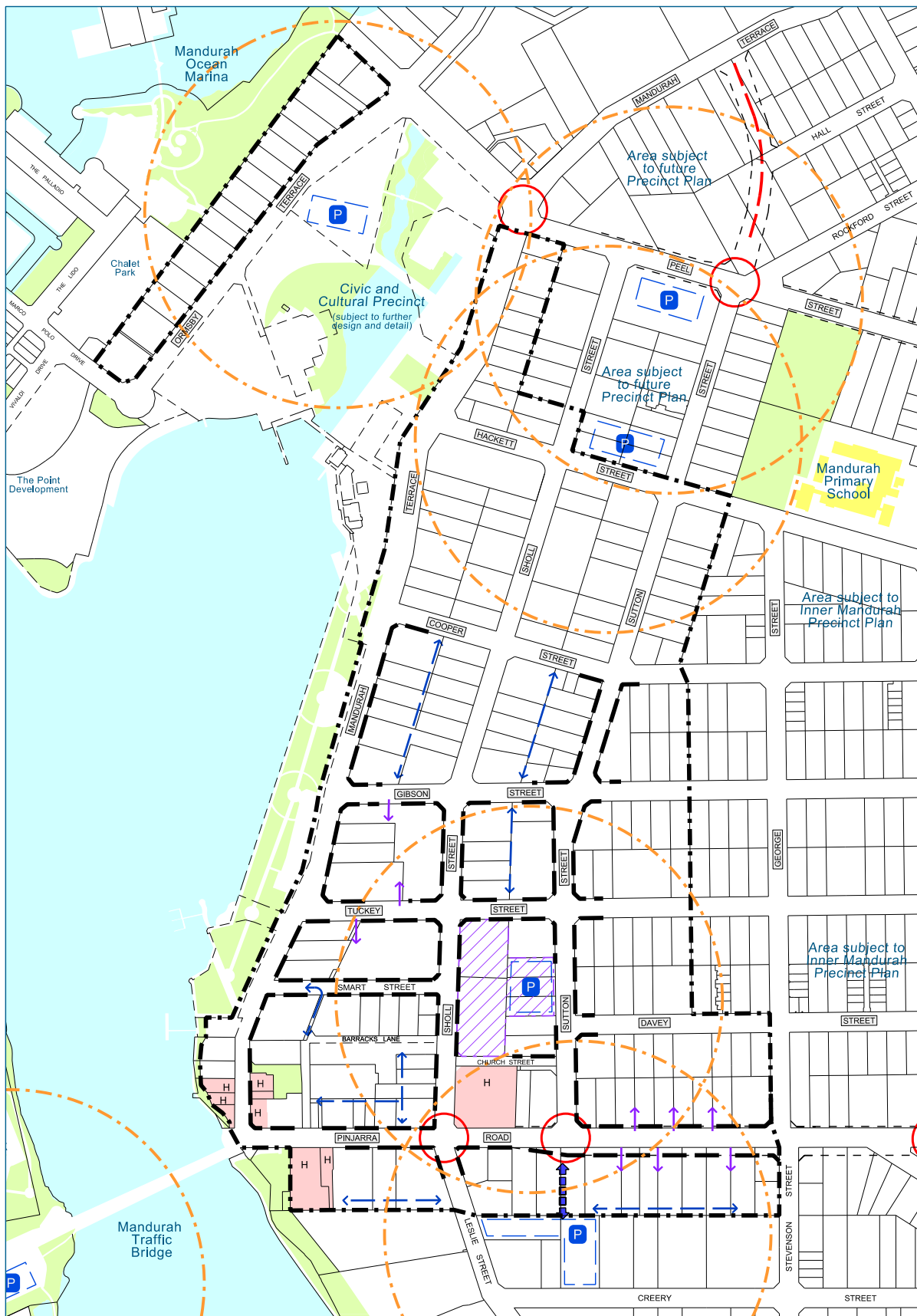
	Minimum On Site Requirements ⁽¹⁾
Retail / Main Street <i>Lots less than 1000 square metres</i>	Nil
Retail / Main Street <i>Lots greater than 1000 square metres</i>	25 per cent of Assessment 2
Mandurah Waterfront <i>Lots less than 1000 square metres</i>	Nil
Mandurah Waterfront <i>Lots greater than 1000 square metres</i>	25 per cent of Assessment 2
Central Employment	25 per cent of Assessment 2
Heritage <i>All development</i>	Nil
(1) Where applicable, otherwise as per standard provision by land use category	

Table 11 Parking Requirements: Cash-in-lieu payment for Bays Not Provided On Site

	Minimum Cash in Lieu Payment ⁽¹⁾
All Precincts <i>Except Heritage Sub Precinct</i>	\$30,000 (as determined by Assessment 2)
Heritage <i>All development</i>	Nil
(1) Where applicable, otherwise as per standard provision by land use category	
(2) Figure 7 provides guidance to the location of public parking that maybe provided using the funds received from cash in lieu provisions	
(3) The cash in lieu sum will be annually reviewed (noting that it is a discounted rate from the actual cost of providing public parking), and as a minimum indexed by reference to ABS Catalogue 6427.0 Producer Price Indexes Tables 15 and 16, General Construction (41) Western Australia.	

Table 12 Parking Requirements: Bays Available and Accessible for General Public Use




25 per cent of the total bays to be provided (as determined by Assessment 2) where there is a combined floorspace above 2000 square metres within the following land use categories:	
Category 1: Retail	Category 3: Dining and Entertainment
Category 2: Commercial	Category 4: Amplified Noise Avenue



Precinct Summary

-  Parking Node (potential decked parking) (as per City Centre Parking Strategy)
-  200m walking distance to public parking node (2.5 mins)
-  Proposed New Road Connections

Crossover and Access

-  Restricted Access / Restricted Crossovers
-  Shared Access Laneway
-  Dedicated Access Point (Shared Crossover / Shared Easement)
-  Pedestrian Connection to be provided

Specific Requirements




-  Mewburn Site DGP Area (Refer to Section 2.2.1 of Precinct Text)
-  Heritage Sub-Precinct (Refer to Section 2.2.1 of Precinct Text)
-  Precinct Plan Boundary

Figure 8 - Parking Access Provisions



0 60 120m

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3.4.3 Design Requirements

- (a) The design standards for the design and layout of parking spaces shall be in accordance with the relevant Australian Standard, including those required for disability access.
- (b) Off-street (ie on-site) car-parking areas are to be located internally within a development, out of view from pedestrians on adjacent public footpaths.
- (c) Car parking areas shall be designed to address the elements of:
 - Security and lighting
 - Traffic and Pedestrian access
 - Landscaping
 - Disabled access
 - Shelter
 - Signage
 - Bicycle parking and end of trip facilities
 - Integration with adjoining development

3.4.4 Bicycle Parking

Parking and facilities and end of trip facilities are required to be integrated into the development for employees and residents in accordance with the following requirements.

Table 13 Bicycle Parking: Parking Space Requirements

	Long Term Bicycle Parking Space (Floorspace in Gross Leasable Area)
Category 1: Retail	1 space per 500m ² above 1000m ² of floorspace
Category 2: Commercial	1 space per 250m ² above 1000m ² of floorspace
Category 3: Dining and Entertainment	1 space per 500m ² above 1000m ² of floorspace

(1) Refer Section 4.7 for definition of Gross Leasable Area

(2) The requirements for bicycle parking for multiple dwellings in activity centres are addressed Residential Design Codes .

Table 14 Bicycle Parking: End of Trip Facilities

Long Term Bicycle Parking Spaces Required	End of Trip Facilities (Showers/Changerooms)
0 – 2	0
3 – 5	1
6 – 10	2 (1 male, 1 female)
11 – 20	4 (2 male, 2 female)
above 20	4 + additional 2 per 10 bicycle parking space above the first 20 bicycle parking space provided

- (a) Facilities, in addition to showers, should include the change rooms and clothing lockers, ideally close to the long-term bicycle parking facilities, in a safe and secure location. Clothing lockers should be provided at the same rate as the number of long term bicycle parking spaces.
- (b) The design of bicycle facilities should be convenient and secure, and generally be one of the following:
 - Locked compounds with communal access using duplicate keys or electronic swipe cards in a secure location and fitted with bicycle parking devices; or
 - Fully-enclosed individual lockers; or
 - Devices to which the bicycle frame and wheels can be locked positioned close to and directly visible from inside the place of employment.
- (c) Where required, car parking bays required to be provided in **Section 3.4.2** can be used to make the necessary provision for the bicycle parking provisions as required by this section.

3.4.5 Crossover and Access Provisions

The following criteria will apply with respect to provision of access to parking and provision of crossovers accessing site(s):

3.4.5.1 Restricted Vehicle Access / Crossovers

- (a) No vehicle access for servicing or parking is permitted for those locations shown in **Figure 7**.

This provision is to apply, except where the opportunity for amalgamation with a lot to another street frontage can be clearly demonstrated as impractical.

- (b) Where a development is accessible from two street frontages, access to vehicle parking will be from the frontage deemed by Council as the 'secondary frontage'.

3.4.5.2 Shared Access Laneway

- (a) Where the Precinct Plan (as indicated on **Figure 7**) shows a *Shared Access Laneway*, which will be required to be provided either as a dedicated Right of Way or shared access easement, all access, servicing and parking shall be via this Laneway.
- (b) There may be circumstances where a staged approach to this access is required.
- (c) Each Shared Access Laneway shall be a minimum width of 6.0m. As a result, a minimum 3.0m setback from the rear property boundary shall be required, unless otherwise indicated elsewhere.
- (d) For the Shared Access Laneway shown between Brighton Lane and Smart Street, a 3.0m building setback to the property boundary shall be required, and space protected via an easement, as required and indicated within **Section 3.1**.
- (e) A minimum height clearance of 3.5m shall be required for all Shared Access Laneways or Shared Access Easements.

3.4.5.3 Dedicated Access Points (Shared Crossover / Shared Easement)

Where a Dedicated Access Point is shown on shared between properties, shared access easement(s) shall be provided in order to protect this access for the adjoining owner.

The Dedicated Access Points shall have a minimum width of 6.0m to be shared equally between the adjoining properties (with the exception of those running in an east-west direction, which shall be subject to detailed car parking and access design).

3.4.6 Pedestrian Connection to be Provided

- (a) A dedicated Pedestrian Connection is to be provided as shown on **Figure 7**.
- (b) It shall have a minimum width of 6.0m, and covered by an easement at the time of development.

The width of the Pedestrian Connection can be reduced to a width of 4.0m subject to an active frontage being provided along the length of the access as described in **Section 3.1**.

3.4.7 Traffic Management Report

Notwithstanding the provisions of this Section, applications for planning approval shall be accompanied by a Traffic Management Plan to confirm that the proposed access points as part of the development are satisfactory.

3.5 Building Design

Council encourages individual, diverse, sustainable, environmentally responsive material palettes and architectural detailing in regard to the building design.

3.5.1 Architectural Form

The architectural character should be of a contemporary nature with consistency of form, materials and detailing, and should include the following:

- (a) Strong and clear expression of building form;
- (b) Articulation of buildings into elements which express distinct forms, reduce the perceived visual bulk of the building, provide an interplay of light and shade and establish a variety of transitional spaces adjacent to the public domain;
- (c) A sensitive integration of the commercial and residential components; and
- (d) In the case of residential development, a flexibility of design with the capacity for the buildings to be adapted for commercial activities at a later date.

3.5.2 Articulation and Detailing

- (a) Buildings are to be articulated (broken down visually into smaller elements to establish a 'rhythm' or pattern, particularly at pedestrian level). At street level this should be at intervals of around 6-8m.
- (b) Corner buildings are to address both frontages and should articulate the corner by incorporating a distinctive design feature (such as a tower element or entrance feature).
- (c) The public faces of buildings should be detailed using of a variety of materials, surface modelling, projections such as balconies and verandahs, the spacing of windows and doors.
- (d) The integration of public art shall be incorporated into the design of buildings, as architectural features, or as part of improved streetscape / ground level design works as part of the development.
- (e) Where walls without articulation are unavoidable other details using colour, texture or other variation should be applied.
- (f) Structural elements, glazing details, architectural details and cladding patterns should be used to create a rhythm to building elevations and avoid a monolithic appearance.
- (g) Recesses and projections in the architectural detailing should be pronounced to take advantage of the sharp contrast resulting from the strong sunlight evident in Mandurah.
- (h) The design of roofs should be considered from various viewpoints. These can include observation points from taller buildings, to helping to form a distinctive skyline for the city. The perceived scale of taller buildings can be reduced by breaking down the massing through roof articulation.
- (i) Elements of 'public art' shall be incorporated into the design of the building, either through the use of materials and colours on the sides of the building(s), or at street level.
- (j) External lighting must be provided under all awning treatments in accordance with the relevant Australian Standards;

3.5.3 Windows

- (a) The use of clear glazing is required wherever there is significant occupation of the building to engender a strong visual relationship between the building occupants and people within the adjacent public domain.



- (b) The use of reflective, heavily tinted or obscure glass (including signage) is not permitted on ground floor windows adjoining pedestrian areas.
- (c) Rooms requiring privacy or shop fit outs that require shelving adjacent to the street front that require blocking out of the windows are not permitted.
- (d) Exterior shade structures should be used where it is necessary to protect windows from summer sun.

3.5.4 Materials and Colours

Mandurah is a coastal location. External materials should take into consideration the conditions of the location.

A schedule of proposed exterior colours and materials is to accompany applications for planning approval.

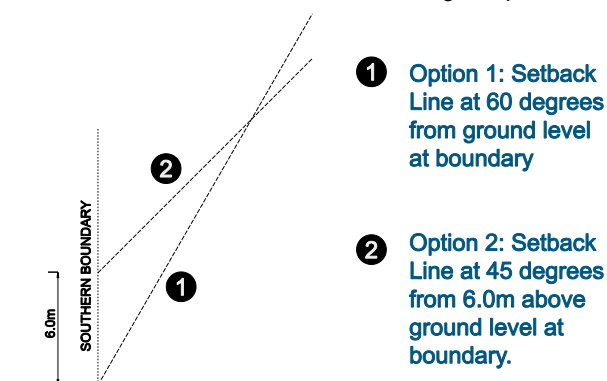
3.5.5 Provisions for Natural Lighting

A minimum of 65 per cent of floorspace for developments within **Category 2: Commercial Land Use Category** in a single development shall be within 8.0m of a natural source of daylight (i.e. an external window). Demonstration of compliance with this requirement shall be included with the submission of an application for planning approval.

Note: This reflects similar criteria in the Green Building Council of Australia star rating system (IEQ-4-Daylight).

3.5.6 Provisions for Solar Access to Adjacent Sites

A setback to the rear boundary, where located on the southern side of the lot shall be provided as shown below to ensure that northern light is preserved for the site to the south.



3.5.7 Landscaping

- (a) A minimum 20 per cent of the site area shall be dedicated to landscaping.
- (b) This requirement may be fulfilled at ground level or provided as a landscape terrace or green roof on the upper levels of the building(s).
- (c) Areas of landscaping included in the requirement exclude:
 - Areas where any part of the building projects over this area; or
 - Accessible private terraces belonging exclusively to residential units of the building.
- (d) Vertical green walls may be included in this requirement subject to 2 square metres of vertical element be calculated to satisfy 1 square metre of the requirement.
- (e) Stormwater is to be retained on site wherever possible, using water sensitive design principles, or through rainwater tanks below and above the building.



- (f) Landscaping should be designed using water sensitive design principles, with native plants being preferred.
- (g) The selection of plant species should include consideration of the mature size of the plant, which should not result in the obstruction of any lighting or essential vehicle or pedestrian sight lines.

3.5.8 Crime Prevention through Environmental Design (CPTED) Provisions

- (a) The safety of people and property throughout the Precinct and within individual developments is to be assisted through the use of appropriate design elements, such as the following:
 - Building and landscape design is to avoid the formation of 'blind' spaces, corners or alleys that cannot be seen from within the most used rooms of a building or from approach paths.
 - Deterrents to ram-raiding such as raised sills should be considered in the design of ground floor windows in vulnerable buildings such as shops and showrooms.
 - Where provided, security screens and grills are to be designed to be integral to the architecture of the development to ensure streetscape is maintained.
- (b) A 'CPTED' assessment shall be undertaken for all development.

Note: *Reference shall be made to the Performance Criteria under Chapter 5 of the WAPC's Designing Out Crime Guidelines, 2006 in undertaking such assessments.*

3.5.9 Energy and Resource Conservation

In addition to any provision already covered by the Precinct Plan, the following should be considered in the design of buildings within the Precinct Area.

Attention should be given to the energy efficient design principles and construction materials in the design of buildings and spaces.

The following elements being considered as part of the design and construction process:

- Low thermal mass materials being used externally, especially on exposed east and west facades;
- High thermal mass materials being used for internal construction to retain internal ambient temperature;
- Appropriate ceiling insulation and ventilation being included provided;
- Shade and draft protection for large windows and door openings, particularly on the east and west facades; and
- Double glazing being considered for large areas of glass to limit heat transmission and possibly noise attenuation.
- Outdoor living for domestic and commercial purposes being designed and located to provide protection from sun and strong winds.
- Water conservation and recycling opportunities should be explored throughout the building.

Note: *These elements will be subject to review over time, which may include the introduction of a relevant star rating system to assess and monitor development.*



3.6 Noise Attenuation Measures

In providing for the sustainable co-existence of a mix of land uses (including residential, retail and commercial) within an urban village setting measures need to be taken to minimise the adverse impacts of noise.

Within a precinct of this type there needs to be an acceptance that noise levels will be higher than those in suburban residential areas. There must also be acceptance of a shared responsibility for noise management between the owners and operators of entertainment facilities and the developers and occupiers of residential premises.

As a result, a detailed Acoustic Report will be required to be submitted with an application for planning approval to the City of Mandurah as detailed in this section.

3.6.1 Sources

Ambient environmental noise sources that are relevant to an urban village setting include:

(a) Traffic Noise

Major roads contribute to the ambient environmental noise of an area. In most cases, these roads are characterised by a daily traffic noise pattern.

(b) Residual Break Out Noise From Leisure and Entertainment Venue

Developments that accommodate lifestyle uses including cafes and restaurants particularly with alfresco dining, hotels and entertainment venues such as taverns and nightclubs are integral to the vitality and enjoyment of mixed-use localities for all sections of the community.

Although noise emission from such venues is regulated under the *Environmental Protection (Noise) Regulations 1997*, residual break out noise does occur which can be in excess of the strict interpretation of the regulations and this noise contributes to general ambient environmental noise.

Low frequency noise from amplified music from venues such as nightclubs, taverns and hotels can have significant impacts as this type of noise can pass easily through most walls and windows and can prevent people sleeping seriously affecting the health and amenity of people living within the precinct. Specific measures from these venues are essential to protect the amenity of business and residential uses within the precinct.

(c) Street Noise

Urban locations containing the mix of lifestyle uses that contribute to the vitality and enjoyment of such areas are also characterised by increased levels of pedestrian activity. The noise associated with this pedestrian activity, including movement to and from different establishments, persons getting into and out of parked cars, and occasional anti-social behaviour, can contribute significantly to general ambient environmental noise (particularly when this occurs late at night or early morning), impacting on the amenity of noise sensitive premises, particularly residential.

(d) Service Vehicles

Delivery and Waste Collection Vehicles servicing commercial and residential premises can cause disruption but practically these vehicles must be capable of operating outside hours to allow adequate servicing, prevent traffic and parking congestion and reduce potential safety issues.

(e) Mechanical Plant

Air-conditioning and related service hardware can impact on the amenity of noise sensitive premises. In a residential setting, the noise emission from a single air conditioner condenser can affect a neighbouring property. In mixed-use locations, exhaust fans associated with commercial kitchens, smoke exhaust systems, refrigeration compressors and chillers associated with the air conditioning of larger premises are significant noise sources that impact on the general ambient environmental noise.

3.6.2 Measures to be taken

- (a) All new development shall address the potential adverse impacts of noise intrusion and noise emissions at the planning and design stage, incorporating appropriate measures at the time of construction to minimise the impacts of noise.

For residential uses, measures are required to control noise intrusion from ambient noise sources, including:

- traffic noise;
- residual break out noise from lifestyle uses and entertainment venues
- amplified music particularly low frequency noise
- street noise
- service vehicles; and
- mechanical plant (on adjoining or adjacent properties).

For commercial uses, measures are required to control noise emissions generated by a use, including:

- noise break out from lifestyle uses and entertainment venues particularly low frequency noise;
- mechanical plant; and
- Services vehicles through locations of loading bays and access ways

- (b) In the case of mixed-use buildings, a Memorial shall be placed on the residential titles to notify owners of the mixed-use nature of the building and the potential for noise nuisance generated by the commercial components of the building.
- (c) The special noise control provisions and the potential for noise nuisance can also be brought to the attention of prospective purchasers through the local government responses to property inquiries.

3.6.3 Acoustic Reporting

Objective for reporting

An acoustic report prepared shall demonstrate how the proposed development has been acoustically assessed and designed for the purpose of minimising the effects of noise intrusion and/or noise emissions.

Acoustic Report

Where an acoustic report is required, the report shall:

- (a) be prepared by an acoustical consultant with relevant qualifications and experience equivalent to those required for admission as a Member of the Australian Acoustical Society (to the satisfaction of the City of Mandurah);
- (b) be lodged with the application for planning approval; and
- (c) to address all matters that are required to demonstrate that the 'objective for reporting' has been achieved including:

for developments that may receive noise (noise intrusion):

- the identification of all environmental noise sources;
- the measurement of all identified noise sources including, adequate sampling to enable the establishment of reliable design noise levels. (for example, for traffic noise, measurements at different times such as during peak traffic times and late at night on weekends;
- the character of the noise source to be adequately described in terms of frequency analysis (minimum of octave bands);
- the establishment of appropriate interior design sound levels for various areas of occupancy in accordance with the Noise Criteria (outlined below);
- a detailed description of the construction measures that are required to be included, or which have been included, in the proposed development to achieve the noise levels prescribed in the Noise Criteria (outlined below). Calculations shall be based on octave band noise source data and octave band sound reduction performance for construction elements; and

- the provision of the following: date, time and results of measurements; design noise levels used in assessment; design sound levels used for internal spaces; and recommendations for construction.

for developments that may emit noise (noise emissions):

- the identification of all noise sources to be addressed, including alfresco areas for lifestyle uses such as cafes, restaurants and hotels;
- any potential low frequency emissions;
- determination of noise source levels and character;
- acoustic data to be in octave bands where noise sources are internal;
- the establishment of Assigned Levels for noise sensitive premises in the vicinity in accordance with the *Environmental Protection (Noise) Regulations 1997*;
- a detailed description of the construction measures that are required to be included, or which have been included, in the proposed development to achieve the noise levels prescribed in the Noise Criteria (outlined below). Calculations shall be based on octave band noise source data and octave band sound reduction performance for construction elements;
- for commercial premises that have external noise sources, a description of the measures that are required to be included, or which have been included, in the proposed development to comply with the *Environmental Protection (Noise) Regulations 1997*; and
- the provision of the following: date, time and results of measurements; design noise levels used in assessment; Assigned Levels determined for adjacent areas/noise sensitive premises in the vicinity; and recommendations for construction and noise control.

3.6.4 Noise Criteria

Noise Intrusion (Residential Development)

For the purposes of this policy, noise intrusion into residential premises within the Entertainment Precinct, should not exceed the *maximum* indoor noise levels recommended in AS/NZS 2107 for houses and apartments near *minor* roads as set out in the Table below.

Table 15 Noise Criteria: Maximum Indoor Sound Level

Type of occupancy/activity	Maximum indoor sound level
Sleeping areas	35 L _{Aeq} dB(A)
Living areas	40 L _{Aeq} dB(A)
Work areas	40 L _{Aeq} dB(A)
Common areas (lobbies, etc)	55 L _{Aeq} dB(A)

Where there is a significant level of music in the noise impacting on the residential premises, a lower indoor design sound level is recommended, based on the increased sensitivity of people to this form of noise, particularly during sleeping periods. Where low frequency noise is likely to impact the residential premises the development should be designed to achieve significant noise attenuation due to this type of noise ability to penetrate building materials. As a guide noise reduction of at least 25 dB at 63Hz should be achieved.

All calculations for noise are to be undertaken considering the measurement being taken from inside with windows closed and does not include balconies. The City cannot protect the internal noise environment with windows open within the City Centre Precinct.

Internal Construction Requirements

Multi-residential developments shall be constructed to meet the requirements of the acoustically upgraded 2004 Building Code of Australia (BCA) Part F5.

Noise Emission

Noise emission from all developments shall comply with the Environmental Protection (Noise) Regulations 1997.

3.6.5 Noise Attenuation Measures

General

To achieve appropriate acoustic environments within noise sensitive premises, ambient environmental noise shall be considered at the planning stage of the development process, and subsequently addressed during development design for implementation during construction.

Development Planning

The consideration of sound attenuation at the planning stage of a development can contribute significantly to achieving required Noise Criteria -as well as reducing the eventual cost of construction. Factors that affect the acoustic performance of a building that should be considered include:

- (a) the identification of existing/potential environmental noise sources;
- (b) development orientation and layout taking into account the location of existing/potential environmental noise sources;
- (c) the location of bedrooms away from noise sources;
- (d) the location of balconies and windows away from noise sources;
- (e) the use of development built form (blade walls etc) to screen noise sources; and
- (f) the use of building design elements (balcony balustrades, decorative screens etc) to provide some reduction in noise impact on windows.

Development Design (Documentation)

At the design documentation stage, working drawings should reflect the outcomes and recommendations in the acoustic report prepared for the development.

Development Construction

Noise attenuation measures that may be addressed in the acoustic report and implemented into the construction of the development to achieve the Noise Criteria include:

Noise Intrusion:

- (a) Windows:
 - heavyweight / thicker glass;
 - double glazing;
 - special acoustic requirements for window frames; and
 - specific acoustic performance requirements – Laboratory tests data.
- (b) Walls:
 - stud frame walls may require acoustic upgrading;
 - acoustic attenuation for exhaust vents through wall; and
 - specific acoustic requirements for external doors.
- (c) Roof - Ceiling:
 - specific acoustic requirements for sealing roof;
 - upgraded acoustic performance for ceiling;
 - closing / sealing of eaves;
 - insulation of ceiling void; and
 - acoustic attenuation for vents through roof.

Noise Emission

- (a) Environmental Protection (Noise) Regulations 1997:
 - Assigned Levels identified for various time of day; and
 - adjustments for noise characteristics identified.
- (b) Noise breakout from premises:
 - acoustic upgrade of windows;
 - acoustic lobbies at entry and exit points in the building;
 - acoustic upgrade to walls and roof-ceiling construction;
 - process for determining maximum allowable internal noise level;
 - use of permanent noise monitoring with integrated audio control system;
 - management strategies to control breakout noise; and
 - management strategies for control of noise during deliveries and disposal of rubbish.

3.6.6 Amplified Music Venue(s)

Any development within the **Amplified Music Venue Land Use Category** must be capable of fully enclosing with appropriate noise attenuation as detailed above all parts of the licensed area after 10:00pm this specifically involves “beer garden” situations which can result in very high levels of patron and music noise emissions. This requirement does not apply to venues that can demonstrate that they can practically move all patrons from the outdoor area of the venue after 10:00pm to an enclosed noise attenuated area.

All doors that open directly to an outdoor area or windows that provide patron thoroughfare must be provided with acoustic lobbies to prevent the leakage of noise from inside the premises

Aside from these design requirements as a minimum standard all **Amplified Music Venues** must achieve the following standard catering for low frequency noise and this should be achieved through acoustic design measures. Measurements will be taken from the boundary of the licensed venue.

3.6.7 Management

Conditions may be imposed to require notification on title advising prospective purchasers of noise-sensitive premises, of the potential for noise nuisance for all development.

The special noise control provisions and the potential for noise nuisance can also be brought to the attention of prospective purchasers through the local government responses to property inquiries

(Note: adapted from EPRA Planning Policy 1.17, dated January 2005)

3.7 Services and Facilities

3.7.1 Vehicular and Pedestrian Access

- (a) The design of exterior spaces, including car parks, is to reflect a priority for pedestrian passage, with footpaths being continuous across driveways.
- (b) Pedestrian access to buildings is to be clearly defined.
- (c) Pedestrian access is to be designed to comply with Australian Standard AS1428.1 (Disabled and Limited Mobility).

3.7.2 Servicing

- (a) In order to ensure active street fronts and public spaces, all rubbish collection, loading areas and service zones shall be located at the rear of buildings.
- (b) All services located on the roof (eg air-conditioners etc) shall be designed to be integrated into the roof design and shall not be visible from the surrounds, noting that adjoining buildings may be developed with a number of levels.

3.7.2.1 Lighting

- (a) Lighting is to be provided in all parking and open spaces that may be subject to night time use.
- (b) All lighting is to be compatible with the general amenity of the area. Direct and reflected glare is to be prevented, light spill into surrounding areas minimised, and colour rendition is to be natural.
- (c) The provision of lights under verandahs and awnings is required.

3.7.3 Subdivision

Subdivision (including strata) of lots for small lot residential and / or commercial use is unlikely to be supported by Council unless the lot has otherwise been developed and / or an approved development has been substantially commenced.

The subdivision and / or amalgamation of lots does not affect any element, standard or requirement of the Precinct Plan.

3.7.4 Corner Truncation

Where a development is proposed on a corner lot that currently does not have a standard 6.0m x 6.0m truncation, a truncation will be required to be created and shall be ceded to the Crown as a condition of approval.

3.7.5 Drainage and Stormwater

Subject to a review of Council's drainage and stormwater infrastructure, on-site drainage and stormwater may be connected into the street system.

This provision is subject to a contribution fee for the connection to, maintenance and improvement to the existing infrastructure.

3.7.6 Construction Management

Within the Precinct Area, a high level of construction management is required, to ensure that the City Centre can continue to perform its function whilst construction work is being undertaken, and to ensure a safe environment during these times.

A condition of planning approval will require the preparation of a detailed construction management plan, which shall cover the following as a minimum:

- Type and location of lighting
- Type and location of fencing
- Nature of and timing of deliveries to the site
- Form of security (where applicable)
- Location of parking for delivery vehicles, construction vehicles and vehicles of builders and sub-contractors (which may be off site).

3.8 Signage

A high standard of signage is required as an integral part of achieving the vision for the City Centre. The following provisions apply throughout the Precinct Area. They shall be considered as part of the building design.

- (a) No freestanding signage is permitted. All signage must be attached to a building.
- (b) Signage shall be integrated with the architectural design and where multiple occupancy is likely to occur, signage should be shared.
- (c) Corporate colours, logos and decorations will be regarded as signage and will be required to being considered through a signage concept plan for each development. Signage should not detract from the intended amenity and character of the Precinct and can only be considered when attached or form part of the building façade.
- (d) Maximum sign size of 3 square metres within 5.0m of ground level.
- (e) Illuminated corporate logos are contemplated at the upper level of buildings greater than 12-storeys in height.
- (f) Signage is not permitted above the roofline of the building.
- (g) Pylon signs are not permitted.
- (h) Clearance to signs above pedestrian areas shall be a minimum of 2.4m.
- (i) Street numbering is to be provided on the building's front façade.
- (j) The use of reflective, heavily tinted or obscure glass (including signage) is not permitted on ground floor windows adjoining pedestrian areas as rooms requiring privacy or shop fit outs that require shelving adjacent to the street front that require blocking out of the windows are not permitted.



3.9 Heritage Impact Assessment

3.9.1 Overview

The Precinct Area is significant to Mandurah and the region.

It is indicative of the early settlement patterns of Mandurah where families congregated around the former ferry site adjacent to the current old traffic bridge. The area has aesthetic value in the stonework of the early random rubble wall construction of buildings. The area is one of social significance through its role in giving identity and social cohesion to the Mandurah community.

There are numerous sites throughout the Precinct Area that have been included in Council's Municipal Heritage Inventory. As provided within the relevant provisions of Scheme 3, Council will take account of the heritage significance of these places when assessing development.

Further to this, in recognition of consideration significance of several places, a portion of the Precinct Area has been designated as a 'Heritage Precinct' within the Precinct Plan, as described in **Section 2.6**. Council considers that this Precinct makes a special contribution to the city. Within the Heritage Precinct, Council expects that existing heritage buildings will be retained and conserved, and that any extensions, alterations or new construction will respect existing buildings. In response, new development will generally be restricted to 2 storeys.

3.9.2 Development Control Principles

In considering any application for planning approval for a place within the Heritage Precinct, Council will apply and have regard to:

- The development control principles set out in Sections 6.5 and 6.6 of State Planning Policy 3.5 - Historic Heritage Conservation;
- The structural condition of the building(s) on the site, and whether a place is reasonably capable of conservation.

3.9.3 Heritage Impact Assessment

Council will require a Heritage Impact Statement to be prepared for any development within the Heritage Precinct, except in the case of minor development.

The Impact Statement will address the following questions:

- How will any proposed works affect the significance of the place and area?
- What alternatives have been considered to ameliorate any adverse impacts?
- Will any proposal result in any heritage conservation benefits that might offset any adverse impacts?

Council may also require a Heritage Impact Statement to be prepared on any land adjacent to the Heritage Precinct, or any other site within the Precinct Area listed in the Municipal Heritage Inventory to consider matters of scale, massing / form and material and details.

3.9.4 Structural Implications

If structural failure is cited as a justification for the demolition of a building within the Heritage Precinct, evidence should be provided from a registered structural engineer that the structural integrity of the building has failed, to the point where it cannot be rectified without removal of a majority of its significant fabric and/or prohibitive costs.

In this instance, Council will require the preparation of an archival record of the place, prior to the commencement of development. The archival record is to be in accordance with the Heritage Council's standard for archival recording.

Mandurah City Centre Precinct Plan

4. Administration

4.1 Adoption of the Precinct Plan

As referred to in **Section 1.2**, the Precinct Plan (once endorsed by Council and adopted by the WAPC), requires that all development and subdivision will be determined in accordance with the Precinct Plan. Clause 4.1.4 of Scheme 3 outlines the process required, in order to give effect to the Precinct Plan under Scheme 3, which is as follows:

- (a) Council to adopt the draft Precinct Plan for the purposes of advertising;
- (b) The draft Precinct Plan will be advertised for public comment for a period of 42 days;
- (c) Council to consider submissions received which may require modifications to the Plan and grant final approval to the Plan; and
- (d) The Precinct Plan will be then referred to the Western Australian Planning Commission (WAPC) for approval.

4.2 Modifications to the Precinct Plan

There may be circumstances under which the Precinct Plan may warrant modification, either through a Council initiative or upon a request from a landowner or the community. On this basis, Council may consider modifications to the Precinct Plan, subject to the following qualifications, whereby any proposed modifications to either the land use or layout of the Precinct Plan:

- Must not compromise the overall function or integrity of the Precinct Area;
- Must be consistent with the Vision and Aims of the Precinct Plan;
- Must not prejudice adjoining landowners in terms of amenity, interface or integration; and
- Must be able to demonstrate an improvement to the overall design and function of the Precinct Area.

Such modifications, if deemed acceptable, will need to be undertaken by the process outlined by Clause 7.11 of Scheme 3.

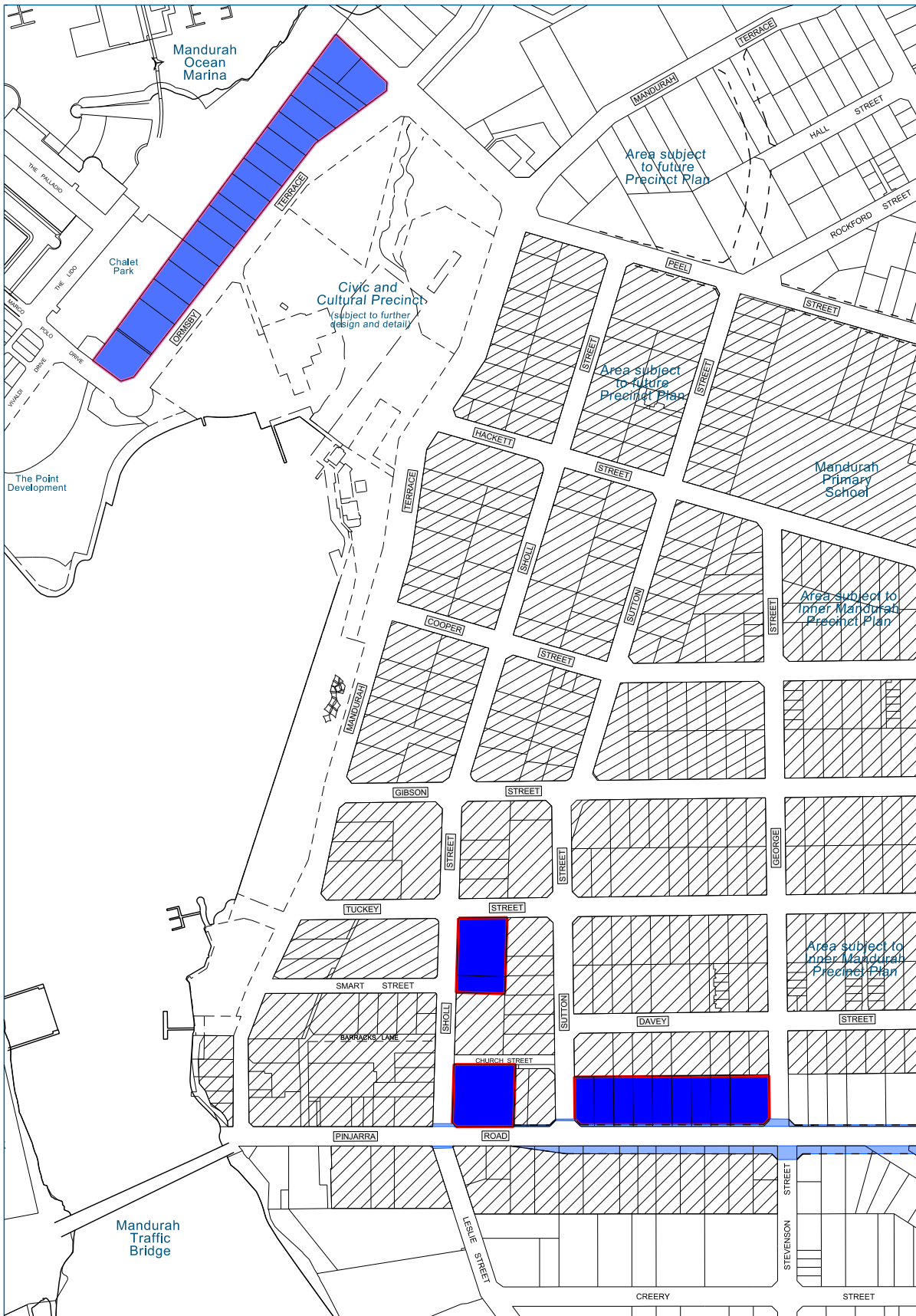
4.3 Amendment 96 to Scheme 3

In order to ensure that the Precinct Plan can be implemented through Scheme 3, and to ensure that there are no conflicts between the Precinct Plan and Scheme 3, an Amendment to Scheme 3 is necessary. Council has adopted Amendment 96 to ensure this consistency.

In summary, Amendment 96 to Scheme 3 seeks to achieve the following:

- Modify the provisions relating to Clause 4.1 (City Centre Development zone requirements) to reference development being in accordance with a 'Precinct Plan' rather than an Outline Development Plan, to generally reflect those provisions contained in Clause 4.14 (Precinct Development zone);
- Outlining additional criteria that is to be included in a Precinct Plan for the City Centre Development zone;
- Modification to Table 1 of the Scheme Text, which currently provides land uses and development standards for the City Centre Development zone, to ensure that Table 1 only applies in the absence of a Precinct Plan;
- Removal of residential density codes from the Scheme maps for the City Centre Development zone, to ensure residential development and density is covered by this and other Precinct Plans;
- Inclusion of Lot 9 and portion of Lot 14 Sholl Street ('George Robinson Gardens' / 'Mewburn Centre' site) into the City Centre Development zone (from the Local Recreation reserve), ensuring the whole area is integrated into the Precinct Plan. Similarly Lot 16 Sholl Street (Christ's Church site) is recommended to be included in the City Centre Development zone (from the 'Community Purpose' reserve);
- Inclusion of lots fronting Pinjarra Road, between Sutton Street and George Street from the 'Service Commercial' zone into the 'City Centre Development' zone to match the Precinct Plan boundary;
- Inclusion of lots fronting Ormsby Terrace, between Marco Polo Drive and Peel Street (opposite the Civic and Cultural Precinct) being rezoned from 'Tourist R40' to 'Precinct Development' zone, to allow for the provision of this Precinct Plan to be applied to development outcomes of these sites.

The relevant mapping changes, including those arising from Amendment 96 and Peel Region Scheme Amendment 013/33 are shown in **Figure 9**.



Amendment 96 to Scheme 3

- City Centre Development Zone
- Precinct Development Zone
- Remove Residential Density Code

Amendment 011/33 to Peel Region Scheme

- Other Regional Road
- Precinct Plan Boundary

Figure 8 - Amendment 96 to Scheme 3



4.4 Applications for planning approval

4.4.1 Submission of Plans

In addition to any other information required by the Scheme or by any Council policy, applications for planning approval for development within the Precinct Area shall also provide the following:

- (a) For development above four storeys (16.0m) shall be accompanied diagrams illustrating the shading of surrounding and adjacent properties (including the public domain), at 9:00am, 12:00 noon and 3:00pm as at 21 June and 22 March/September;
- (b) A coloured perspective or artists impression of the proposed development, and its integration into the street block; and
- (c) Any other plan, assessment or contribution as outlined elsewhere in the Precinct Plan; such as:
 - CPTED Assessment;
 - Acoustic Report;
 - Traffic Management Plan
 - Demonstration the development complies with the requirement for commercial floorspace within being within 8.0m of a natural source of daylight

4.4.2 Advertising of Proposals

Any proposal that seeks to modify any of the development standards referenced in Section 2 of the Design Criteria will be required to be advertised in accordance with Clause 5.3 of Scheme 3, which states:

Except for development in respect of which the Residential Planning Codes apply under this Scheme, if a development the subject of an application for planning approval does not comply with a standard prescribed by the Scheme with respect to minimum lot sizes, building height, setbacks, site coverage, car parking, landscaping and related matters, the Council may, notwithstanding that non compliance, approve the application unconditionally or subject to such conditions as the Council thinks fit. The power conferred by this clause may only be exercised if the Council is satisfied that:

- (a) *approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;*
- (b) *the non compliance will not have any adverse effect upon the occupiers or users of the development or the inhabitants of the locality or upon the likely future development of the locality;*

4.5 Servicing implications

4.5.1 Water and Sewerage Services

Implementation of this Precinct Plan and other Precinct Plans in the immediate locality will have an impact upon existing Water Corporation infrastructure. For instance, the capacity of the existing sewerage pump station near the Mandurah Visitors Centre may need to be increased and waste water conveyance infrastructure may need to be replaced.

Should development of the Precinct occur at a rate which exceeds the Water Corporation's capital works program, it may be necessary for developers to pre-fund certain infrastructure improvements.

4.5.2 Electricity Services

Implementation of this Precinct Plan and other Precinct Plans in the immediate locality will have an impact upon existing Western Power infrastructure and will most probably require additional 22kV feeder capacity into the Precinct Plan areas. Should development of the Precinct occur at a rate which exceeds Western Power's capital works program, it may be necessary for developers to pre-fund certain infrastructure improvements.

4.6 Non Statutory Recommendations

4.6.1 Architecture Review Panel

Council may consider the introduction of an Architecture Review Panel to assist in assessing development proposals, to ensure that an acceptable standard of architectural quality is provided for development in the City Centre.

4.6.2 Development Contribution Plan

In order to implement the Precinct Plan, the City of Mandurah may prepare a Development Contribution Plan to fund the recommendations.

The Development Contribution Plan may include the following items (but not limited to):

- Underground Power;
- Streetscape Upgrades (to cover pavement treatments, street trees, street furniture, footpath upgrades, street lighting, signage and branding);
- Upgrades to Services (Drainage, Power, Water etc);
- Improvements to Public Transport; (Extension to 'CAT' bus system etc) and
- Public Art.

The implementation of a developer contributions scheme once prepared, will be advertised for public comment prior to final endorsement by Council as required by Scheme 3 and will form part of the Precinct Plan. Any Development Contribution Plan that is proposed will be to satisfactorily address the requirements of State Planning Policy 3.6 – Development Contributions for Infrastructure.

4.7 Interpretation and Definitions

Building Height

For the purposes of interpretation of building height in the Precinct Area, reference shall be made to the following definition provided in Scheme 3:

“when used in relation to a building that is used for:

- (c) residential purposes, has the same meaning given to it in and for the purpose of the Residential Design Codes; or*
- (d) purposes other than residential purposes, means the measurement taken from the natural ground level immediately in front of the centre of the face of the building to a level of the top of the eaves, parapet or flat roof, whichever is the highest.”*

*For the purposes of this definition, **natural ground level** shall be measured using the minimum finished floor levels specified for the purposes of 1 in 100 year storm event and that ground levels that exist on a subject lot prior to any other alterations being made to lot.*

Storey/Level means a space within a building which is situated between one floor level and the floor level above, or if there is no floor above, the ceiling or roof above.

Gross Leasable Area

For the purposes of interpretation of gross leasable area in the Precinct Area, reference shall be made to the following definition provided in Scheme 3:

means, in relation to a building, the area of all floors capable of being occupied by a tenant for his exclusive use, which area is measured from the centre lines of joint partitions or walls and from the outside faces of external walls or the building alignment, including shop fronts, basements, mezzanines and storage areas

Street Wall

For the purposes of the Precinct Plan, **‘street wall’** shall be defined as *“the extent of the building face at the nearest point to the street before additional setback at upper levels”*.