

DRAFT

**PROPOSED SHOP(S) (INCLUDING SUPERMARKET),
RESTAURANT(S)/CAFÉ(S) AND CHILD CARE PREMISES
– NOS. 1022-1032 ALBANY HIGHWAY & NOS. 355-357
SHEPPERTON ROAD, EAST VICTORIA PARK (LOTS 1, 8, 30,
131, 132, 480, 481, 488 & 502)**

**Form 1 – Responsible Authority Report
(Regulation 12)**

DAP Name:	Metro Inner DAP
Local Government Area:	Town of Victoria Park
Applicant:	Urbis Ltd
Owner:	State of Western Australia – Lot 502 only Fabcot Pty Ltd – all other lots
Value of Development:	\$ 27,500,000
Responsible Authority:	Town of Victoria Park
Authorising Officer:	Manager Development Services
LG Reference:	DA 5.2024.212.1
DAP File No:	DAP/24/02746
Application Received Date:	19 August 2024
Report Due Date:	19 May 2025
Application Statutory Process Timeframe:	90 Days
Attachment(s):	1. Location/Site aerial plan 2. Amended DA report received 21 November 2024 3. Amended Local Planning Policy assessment received 21 November 2024 4. Architectural Design Statement received 19 August 2024 5. Amended architectural drawings received 31 March 2025 6. Amended landscaping plan dated received 31 March 2025 7. Amended Noise Management Plan for Child Care Centre dated received 31 March 2025 8. Acoustic Assessment received 19 August 2024 9. Amended Transport Impact Assessment dated received 5 June 2025 10. Applicant's response to traffic issues raised by Main Roads WA and the Town dated received 31 March 2025 11. Schedule of Submissions 12. Applicant's response to Schedule of Submissions 13. Applicant's request to further information response dated received 31 March 2025

	14. Pritchard Francis service relocation plan received 31 March 2025 15. Waste Management Plan received 19 August 2024 16. Sustainability Report received 19 August 2024 17. Design Review Panel report dated 7 May 2025 18. Correspondence from Main Roads WA dated 2 May 2025
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Responsible Authority Recommendation

The Responsible Authority Recommendation is to be considered by Council at its Ordinary Meeting on 17 June 2025.

Details: outline of development application

Region Scheme	Metropolitan Region Scheme
Region Scheme - Zone/Reserve	Urban
Local Planning Scheme	Town of Victoria Park Local Planning Scheme No. 2
Local Planning Scheme - Zone/Reserve	District Centre LPS 2 – ASR16 East Victoria Park Gateway Shopping Area – District Centre Zone
Structure Plan/Precinct Plan	No current plan – subject of draft Albany Highway Precinct Structure Plan
Structure Plan/Precinct Plan - Land Use Designation	Nil
Use Class and permissibility:	Shop - 'P' (Permitted) Child Care Premises – 'A' (discretionary) Restaurant/Café - 'P' (Permitted)
Lot Size:	7,633m ²
Existing Land Use:	Vacant Land and Car Park
State Heritage Register	No
Local Heritage	☒ N/A ☐ Heritage List ☐ Heritage Area
Design Review	☐ N/A ☒ Local Design Review Panel ☐ State Design Review Panel ☐ Other
Bushfire Prone Area	No
Swan River Trust Area	No

Proposal:

The development application proposes the construction of a two-storey commercial development with undercroft and basement parking including:

- A Woolworths Supermarket ('Shop') on the ground floor.
- A loading dock and back-of-house area to service the supermarket.
- Nine specialty retail tenancies ('Shop') on the ground floor.
- Three food and beverage tenancies ('Restaurant/Café') on the ground floor.
- Two covered alfresco areas abutting the food and beverage tenancies on the ground floor.
- A child care centre on the first floor with a proposed outdoor play area.
- Enclosed mezzanine plant and associated utilities on the first floor.
- One level of basement parking proposing 115 parking bays.
- One level of undercroft parking proposing 106 parking bays.
- A ground floor parking area proposing 14 parking bays.
- 20 bicycle bays and associated end of trip facilities.
- Vehicle ingress and egress via (i) Shepperton Road (left in via a proposed slip lane, and left out); (ii) Albany Highway (left in and left out only); and (ii) a road known as ROW 54 providing access between the development site and Oats Street.
- Removal of existing trees on-site and within the adjacent Shepperton Road verge, with 47 new trees proposed (24 on-site and 23 within the adjacent verges).
- Roof top PV cells.
- A commitment to achieve a 5 star Green Star building certification.

Proposed Land Use	Shop, Restaurant/Café, Child Care
Proposed NLA	5,428m ²
Proposed Number of Storeys	Two (2) storeys, plus one (1) undercroft level and one (1) basement level
Proposed Parking Bays	235 parking bays

Background:

Site Context

The development is proposed across nine (9) lots, and is located within the East Victoria Park Gateway Shopping Area at the intersection of Albany Highway and Shepperton Road, East Victoria Park. A summary of the subject sites is included below in Table 1.

Table 1 – Subject site lot details

Lot No.	Plan/ Diagram	Volume	Folio	Street Address	Area (m ²)	Proprietor
1	D75092	2186	134	1022 Albany Highway	2,087	Fabcot Pty Ltd
8	D15190	2024	285	1032 Albany Highway	916	Fabcot Pty Ltd
30	D10509	2001	175	357 Shepperton Road	636	Fabcot Pty Ltd
131	DP45782	2229	747	No Address	419	Fabcot Pty Ltd

132	DP45782	2229	747	No Address	178	Fabcot Pty Ltd
480	P2609	2048	405	1026 Albany Highway	1050	Fabcot Pty Ltd
481	P2609	1615	992	1028 Albany Highway	1050	Fabcot Pty Ltd
488	P2609	2001	177	355 Shepperton Road	853	Fabcot Pty Ltd
502	P415185	LR3173	171	-	444	State of WA

The total land area of the subject sites is 7,633m². The sites have 98 metres of frontage to Albany Highway and 123m of frontage to Shepperton Road.



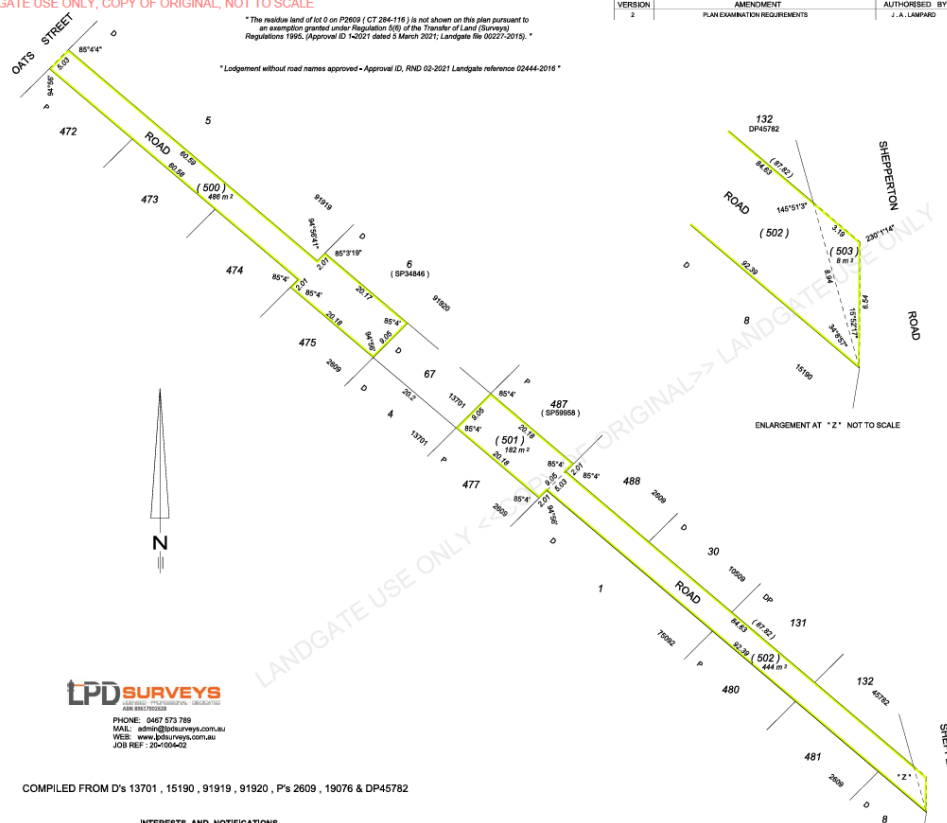
Figure 1- Aerial view of site - extent of subject sites shown in red.

The land known as ROW 54 which runs from Shepperton Road through to Oats Street, which while functioning as a right-of-way, is actually a dedicated road. ROW 54 comprises Lots 500, 501, 502 and 67 (see image below). For the purposes of this report, the reference to ROW 54 is a reference to those sections of road excluding Lot 502.

VERSION	AMENDMENT	AUTHORISED BY
2	PLAN EXAMINATION REQUIREMENTS	J. A. LAMPARD

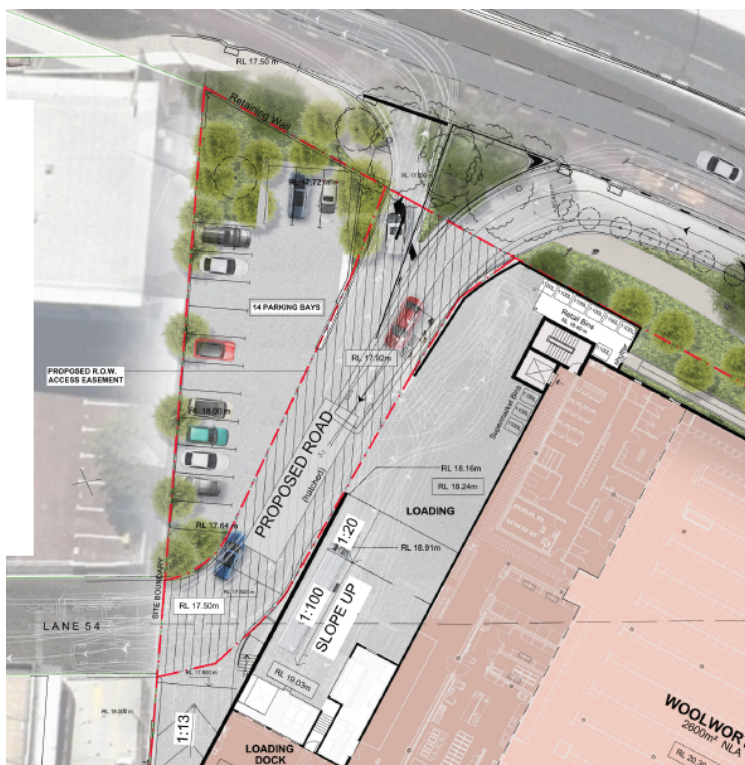
* The residue land of lot 0 on P2609 (CT 284-116) is not shown on this plan pursuant to an exemption granted under Regulation 5(6) of the Transfer of Land (Surveys) Regulations 1995. (Approval ID 1-2021 dated 5 March 2021; Landgate file 00227-2015).

* Lodgement without road names approved - Approval ID: RND 02-2021 Landgate reference 02444-2016 *



A subdivision application was lodged with the Western Australian Planning Commission (WAPC) on the 5 June 2024 which proposes the amalgamation of the lots comprising the development site, and the creation of a 524m² road reserve within the amalgamated site connecting the abutting ROW 54 to Shepperton Road. The WAPC is aware of the development proposal, and the subdivision application is currently on hold pending the outcome of this development application.

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Site Ownership

Lots 30, 131, 132 and 488 were previously owned by the Town of Victoria Park, with an open car parking area still operating at this site (approximately 82 bay car park). These lots were sold by the Town to the current owners, Fabcot Pty Ltd.

As part of the Town's sale of the land to Fabcot Pty Ltd, the contract of sale includes the following provisions:

- The existing public car park is to remain accessible and available for public car parking until the substantial commencement of the development
- **15. Buyer's Post Settlement Obligations**

15.1 Plans and Specifications

(a) The Buyer acknowledges and agrees that in undertaking the Development the Seller expects the Town of Victoria Park (in its capacity as a planning authority) to require the following objectives to be achieved:

- (i) installation of rooftop solar photovoltaic cells;*
- (ii) entry statement considerations on the corner of Albany Highway and Shepperton Road;*
- (iii) consideration of more iconic design principles in accordance with the Town of Victoria Park's relevant planning policies and guidelines at the Contract Date;*
- (iv) allocation of circa 15 car parking bays which are accessible by the public at all times with the remainder of any car parking bays on the Property (number to meet the Town of Victoria Park's minimum car parking ratios) being publicly accessible during business hours, with free parking limited to 90 minutes;*

(v) commitment to a 6 to 1 ratio of new tree planting (minimum 100 litre tree size unless otherwise agreed by the Seller acting reasonably) to existing trees in the adjacent area owned by the Buyer and on the Property where possible;
 (vi) minimum 4 star Green Star rating for the Development; and
 (vii) inclusion of a minimum of 4 electric car charging stations; and
 (viii) the Buyer to maintain its commitments under the publicly advertised Reconciliation Action Plan (RAP) while delivering and operating its business from the Property.

- **Clause 17 Car Parking (Public Car Parking within Development)**

The Buyer covenants and agrees with the Seller that:

(a) following completion of the Development it shall in accordance with the terms and conditions of the Development Approval maintain and make available for use by the public any car parking bays located within any secure car parking area within the Development at all times during which the Development is open for business (**Public Car Parking**) and subject to special condition 17(c) shall ensure that access to the Public Car Parking is not refused, restricted or obstructed so as to prevent the use of the Public Car Parking at all times during which the Development is open for business;

(b) the public shall be entitled to park in the Public Car Parking for free for up to 90 minutes; and

- **Clause 18 - Car Park (Circa 15 Bays on Property external to Development)**

a) The Buyer acknowledges and agrees that it may be required to maintain and make available for use by the public at all times car parking bays which are located on the Property but are outside of the secured car parking area of the Development (**External Car Parking Area**) pursuant to the terms and conditions of the Development Approval.

(b) The Buyer covenants and agrees with the Seller that following practical completion of the Development on the Property and prior to occupation of any part of the Development on the Property it shall grant to the Seller an easement pursuant to sections 195 and 196 of the Land Administration Act 1997 over the External Car Parking Area to be registered against the certificate of title to the Property for the benefit of the Seller and the public at large so as to permit the public to access the External Car Parking Area in perpetuity (**Car Parking Easement**) and the cost of the preparation, and registration of the Car Parking Easement to be borne by the Seller.

As part of the consideration of the development proposal, the Town sought legal advice regarding the relevance of the contract of sale conditions to the assessment of the development application.

The advice received by the Town is that the considerations potentially relevant to the assessment and determination of an application for development approval are set out in clause 67(2) of the deemed provisions, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. These considerations do not include contracts of sale or other private contractual arrangements with respect to land. The

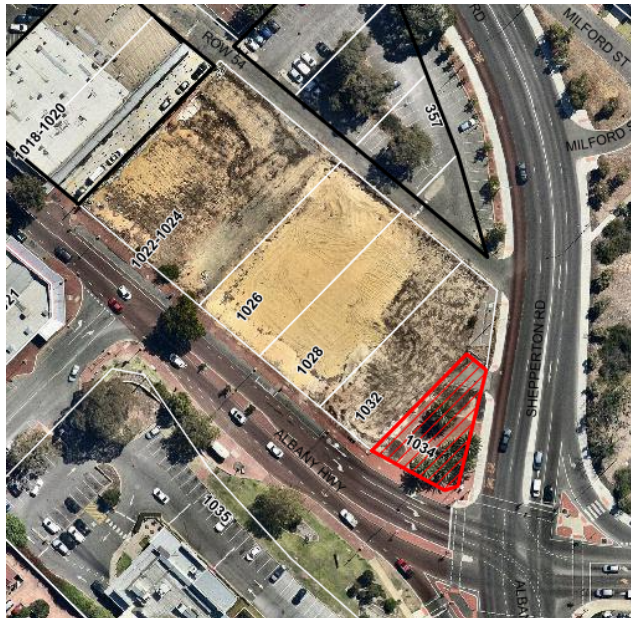
advice confirmed that *“as a matter of principle, planning is concerned with the public interest, not private interests”*.

Considering this advice, the contingencies related to the sale of the land, and the intent of the sale of land itself, have been given limited consideration as part of this planning assessment.

Lots 1, 8, 480 and 481 are currently vacant and Lot 502 is currently used for vehicle access to Shepperton Road.

Lot 7

To the south-east of the development site and at the intersection of Albany Highway and Shepperton Road (see image below) is Lot 7 (No. 1034) Albany Highway which is owned by the Department of Planning, Lands and Heritage. Lot 7 is a 500m² lot that is landscaped and has been maintained by the Town for a number of years.



Lot 7 is not included in the development application area. Due to Lot 7 being in separate ownership and being zoned land that is potentially able to be developed, the fire separation requirements of the National Construction Code restrict opportunities for the proposed development to have windows and openings on the boundary between the development site and Lot 7. As a consequence, the design response to Lot 7 is one of largely a blank wall, architecturally treated, rather than an activated frontage. The Town's Officer's and DRP have consistently expressed to the applicant and landowner that the non-inclusion of Lot 7 within the development site is a lost opportunity that compromises the built form outcomes for the development.

The use of, and interface with Lot 7 is the subject of on-going discussions with Fabcot, the State and the Town, which are occurring outside of the development application process. If a successful negotiation is to occur, then it is open to Fabcot to submit an amended development application with an alternative design which improves the Lot 7 interface and/or includes the use of Lot 7.

Surrounding Area Context

The subject sites are immediately adjacent to land zoned District Centre to the south and to the west, along Albany Highway. The surrounding land uses include a range of commercial uses, including shops, restaurants and cafes.

Beyond the District Centre, land is zoned residential to the north, south and west. The significant numbers of residential dwellings in this zone supports the commercial development in the District Centre and the Mixed-Use strip along Albany Highway.

The Welshpool Industrial Area is located further afield, providing further support for the District Centre through the significant number of workers that transit to the area daily.

Site Access and Internal Movement

Access to the site is proposed via:

- A new left-in and left-out only crossover from Albany Highway at the western corner of the site. Note that until 14 May 2025, the applicant had proposed this access point be a full movement access notwithstanding the Town's consistent concerns to this proposed arrangement.
- A new left-in-left-out crossover off Shepperton Road at the north-eastern corner of the site inclusive of a left turn entry slip lane.
- The existing abutting right-of-way to the north-west (ROW 54) which links to Oats Street.

A crossover to Albany Highway is proposed, now as a left-in and left out access and egress point to the undercroft and basement car parking levels via an access ramp with a proposed 1:6 – 1:8 grade. It connects and provides internal circulation to the Shepperton Road crossover and ROW 54.

Shepperton Road is classed as a 'Primary Regional Road' under the MRS, and legal access from this road requires the approval of Main Roads Western Australia (MRWA). Access from Shepperton Road is proposed through a left-in-left-out crossover only. It provides access to the loading and unloading dock as well as the undercroft and basement car parking levels via an access ramp with a proposed 1:20 – 1:100 grade. It connects and provides internal circulation to the Albany Highway crossover and ROW 54. A left turn slip lane into the Shepperton Road access way has been included as part of the development's design, at the request of MRWA. The left turn slip road was not proposed by the applicant as part of the original design. As a result of extensive discussions and MRWA confirming their preference, the applicant has amended the development plans and the Town is supportive of the proposed left turn slip lane although noting this has reduced the extent of landscaping to the Shepperton Road frontage from that originally proposed (discussed further below).

The existing ROW 54 that abuts the development site to the north-west and links to Oats Street will connect to the Shepperton Road crossover via a new road reserve within the development site proposed as part of a separate amalgamation application (WAPC ref: 200355). Lot 502 that currently links Shepperton Road to ROW 54 is proposed to be closed through a separate road closure request. This will improve traffic safety through the relocation of Shepperton Road access further away from the Shepperton Road/Welshpool Road and Albany Highway intersection.

Landscaping

A total of 358m² of deep soil planting is proposed onsite which equates to 4.7% of the total site area provided.

There are inconsistencies in the information provided within the application documents in relation to tree retention and removals. The Officers understanding is that -

- 10 existing trees are proposed to be removed from the subject site, as are 20 existing trees located within the verge to Shepperton Road (in the latter case required to be removed to facilitate the construction of the left turn entry slip lane requested by MRWA).
- 3 existing trees within the adjoining verges are to be retained.
- 24 new trees are proposed to be planted inside the site boundaries while 23 new trees are proposed to be planted outside the site boundaries.

The 'Tree Species Location Plan' within the Landscape plan (refer **Attachment 6**) indicates that on-site and verge landscaping will be located on Albany Highway, the ground floor car parking area, and the Shepperton Road verge/building frontage. The Concept Report indicates that landscaping will include a range of native trees and garden beds.

The Albany Highway landscape treatment includes the retention of one existing tree and the inclusion of six additional street trees. Street furniture and bicycle racks are also proposed in these areas.

The landscaping treatment along the Shepperton Road frontage and verge has been amended late in the application process in view of MRWA's request for a left turn entry slip lane on Shepperton Road. The amended design now comprises a range of native trees and garden beds, including two retained trees and twenty-four additional trees. A pedestrian path is proposed along the extent of the Shepperton Road frontage with a landscaping buffer to separate the pedestrian path from Shepperton Road. A creeper style plant is proposed to be grown up the Shepperton Road building façade to reduce the visual impact of the blank facade, soften the buildings appearance and provide visual interest for passing pedestrians and traffic. While noting this, the Town's Design Review Panel (DRP) have identified that opportunity exists to further improve the landscape treatment to the building façade – see DRP comments below.

The ground floor car parking area is proposed to accommodate a landscaping buffer with Shepperton Road comprising trees and a garden bed. Eighteen additional trees are proposed throughout or adjacent to the parking area to provide shade and separation between parking bays and the street.

The south elevation comprises a small piece of land between the proposed built form and the existing plaza on Lot 7, which is adjacent to the development site and not included as part of this application. This small piece of the subject site will be landscaped to provide continuity with the existing plaza and an appropriate transition between the plaza and the development.

Given inconsistencies between the Landscape Plan and the Arborist Report a condition is recommended requiring the final detailed landscaping plan to be to the satisfaction of the Town and address the inconsistencies. Furthermore the final landscaping plan should incorporate the improvements recommended by the DRP (discussed below).

Legislation and Policy:

Legislation

1. *Planning and Development Act 2005*
2. *Planning and Development (Development Assessment Panels) Regulations 2011*
3. *Planning and Development (Development Assessment Panels) Amended Regulations 2024*
4. *Planning and Development (Local Planning Schemes) Regulations 2015*
5. Metropolitan Region Scheme (MRS)
6. Town of Victoria Park Local Planning Strategy
7. Town of Victoria Park Local Planning Scheme No. 2 (LPS2)

State Government Policies

1. State Planning Policy 4.2 – Activity Centres for Perth and Peel
2. State Planning Policy 5.4 – Road and Rail Noise
3. State Planning Policy 7.0 – Design of the Built Environment

Local Policies

1. Local Planning Policy 6 – Family Day Care and Child Care Premises
2. Local Planning Policy 15 – East Victoria Park Gateway Shopping Area Design Guidelines
3. Local Planning Policy 17 – Street Frontage Design Guidelines for District Centres and Commercial Areas Along Albany Highway
4. Local Planning Policy 23 – Bicycle Parking, Car Parking and Access for Non-Residential Development
5. Local Planning Policy 24 – Loading and Unloading
6. Local Planning Policy 29 – Public Art Private Developer Contribution
7. Local Planning Policy 37 – Community Consultation on Planning Proposals
8. Local Planning Policy 38 – Signs
9. Local Planning Policy 39 – Tree Planting & Retention

Consultation:Public Consultation

In accordance with Council's Local Planning Policy 37 'Community Consultation on Planning Proposals' (LPP 37), the proposed development was considered to be a Significant Application and was advertised for a period of 28 days via the following methods:

- Letters to surrounding properties
- Newspaper notice published in Perth Now Southern;
- Notice displayed on noticeboard in Town's Administration Centre;
- Notice published in the Public Notices section of Council's website; and
- Development plans and accompanying information being displayed for public viewing on the Town's website.

The consultation period commenced on 28 November 2024 and closed on 6 January 2025.

During the period for comment 156 submissions were received, 103 of these being in support, 33 objecting to the proposal and 20 neither supporting nor objecting to the proposal.

A complete schedule of submissions received (with personal details redacted) is

provided at **Attachment 11**. A summary of the key themes expressed in the submissions received, and the assessing officer's response to those matters, are as follows:

Issue Raised	Officer comments
<u>Land Use</u> Submitters questioning appropriateness of land uses proposed, raising concerns relating to a proliferation of certain types of land use.	The proposed land uses are permitted for the site in accordance with the Town's LPS2 and are therefore considered appropriate. The ability of a land use to economically survive or competition with other similar businesses is not a relevant planning consideration. The ability of a business or service to survive on the site will be determined by demand for the goods and services they offer.
<u>Traffic</u> Concerns relating to traffic congestion on Albany Highway and at the intersection of Albany/ Shepperton/Welshpool. Potential for traffic congestion on the surrounding residential streets. Impact of increased traffic volumes on pedestrian safety. Impact of proposed land uses (particularly child care centre and shop) on traffic volumes. Concerns regarding increased use of ROW 54	The traffic impact of the development has been the subject of significant review by the Town's traffic engineers and MRWA. In response to concerns expressed by the Town, MRWA and the public, the applicant engaged a new traffic consultant to review the proposal and submitted an amended TIA. Refer to detailed assessment below of traffic impacts.
<u>Redevelopment</u> Support redevelopment of the site	Noted

The applicant has provided their responses to the submissions received within their response letter dated received 31 March 2025 (refer **Attachment 12**).

Referrals/consultation with Government/Service Agencies

- Main Roads Western Australia

As the development site adjoins Shepperton Road which is a Primary Regional Road, the application was referred to MRWA for comments. MRWA made it clear from the outset that they require the construction of a left turn entry slip lane on Shepperton Road to gain entry into the site. The applicant was originally resistant to this, but has now incorporated this into the design. MRWA have reviewed the further amended information submitted by the applicant on 31 March 2025.

Refer to **Attachment 18** to view MRWA's letter dated 5 May 2025. MRWA's advice is that they support the amended proposal subject to conditions. In addition to this, MRWA's correspondence listed certain items for the Town's consideration, largely

relating to the traffic modelling undertaken and ensuring consistency in reports. These matters were included in the list of outstanding traffic matters raised by the Town in correspondence to the applicant dated 8 May 2025.

Since this time, further liaison on these matters has been occurring between the Town, MRWA Officers and the applicant's traffic consultant. The matters have now been addressed in the amended TIA (see **Attachment 9**) and MRWA have confirmed that they are happy for the matters raised by them to be considered by the Town and without the need to refer the amended TIA back to MRWA for review.

Design Review Panel Advice

The Town's Design Review Panel (DRP) have been extensively involved in the design assessment of the proposed development, reviewing concept proposals for the development and providing preliminary feedback prior to the submission of the application. The development has also been presented to the DRP three times after being formally submitted to the Town.

The DRP gave final consideration to the proposal at their meeting on 7 May 2025. The DRP support the development subject to matters which can be addressed through development approval conditions including –

- Amending the alignment of the proposed public footpath along Shepperton Road to be hard up against the lot boundary. This will improve pedestrian safety, provide for a large consolidated landscape area within the verge, and allow for the deletion of the proposed on-site path accessing the bin store and its replacement with landscaping.
- Achieving a 5 star Green Star building certification.
- Public art being incorporated within the building facades.
- Treating the blank wall visible from ROW 54 – could be a different paint treatment or a location for public art.

The DRP's concluding comments on the proposal are as follows –

“Fitting a supermarket onto a relatively small and irregular site with a ‘main street’ frontage was always going to be a challenge and the architectural response is well resolved under the circumstances. The recent changes to the design have taken it to a point where it can be deemed by the DRP to be an acceptable response to the ten principles of SPP7, subject to a few minor changes, some of which can be addressed by conditions of approval. It is also noted that this development approach is a far better outcome than the at-grade Woolworths that are proposed for outer suburban and regional areas.

The Panel acknowledges that Shepperton Road is a very different context to Albany Highway and accepts that a landscaped interface with a degree of architectural articulation is an acceptable alternative to active shopfronts in this context. It is disappointing that MRWA has insisted on a deceleration lane which has diminished the potential for a generous landscape screen. However, deletion of the on-site pathway and alignment of the verge footpath along the boundary would go a long way to rectifying the issue.

The lack of resolution around the adjacent corner lot and its interface remains a disappointment but the Panel is heartened by the ongoing liaison with the DPLH on

the future of the adjacent land, but the Town of Victoria Park should be in those discussions to monitor progress and provide advice where necessary.”

Refer to **Attachment 17** to view the DRP’s final comments and recommendation on the proposal in full.

Other Advice

Internal referral comments were sought from the Town’s service areas including:

- Place Planning;
- Building;
- Street Improvement;
- Street Operations (Waste);
- Environmental Health; and
- Parks.

Comments from these service areas were provided to the applicant and resulted in further information being submitted that has been resolved or can be resolved prior to the submission of a building permit application and/or occupation.

Planning Assessment:

In assessing this application, consideration has been given to the relevant provisions of the Scheme, and State and local planning policies outlined in the Legislation and Policy section this report.

Local Planning Scheme No. 2

The site is zoned ‘District Centre’ under the Town’s Local Planning Scheme No. 2 (LPS2). The table below provides a summary of the proposed land uses and their permissibility in the ‘District Centre’ zone under LPS2:

Land Use	Permissibility
Shop	‘P’ (permitted)
Child Care Premises	‘A’ (discretionary with advertising)
Restaurant/Café	‘P’ (permitted)

Shop and Restaurant/Café are permitted uses under LPS2.

Child Care Premises are an ‘A’ use under LPS2, which means that the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions. The proposed development has been advertised in accordance with clause 64 and the use is considered to be a complimentary use to the proposed mixed-use development and adjacent commercial development.

Draft Albany Highway Precinct Structure Plan

The Draft Albany Highway Precinct Structure Plan provides a vision for the future growth of the Town's major retail strip. The document has been advertised for public comments but Council has not yet formally considered the public submissions. The proposed development is assessed against the relevant provisions below:

	St James Sub Precinct Development Requirements	Compliance
Plot Ratio	3.0	Complies. Plot ratio of 0.56. Although significantly less than proposed, the style of development necessitates a lower rise proposal, which ultimately is appropriate for the site's landmark location.
Building Height	8 storeys	Complies. Proposed development does not exceed 5 storeys (18.5m)
Street Setback	Nil	Complies. Nil setback proposed along Albany Hwy
Side Setback	Nil	Variation. The proposed development is set back from northern lot boundary to accommodate the loading and unloading zone and access driveways. The variation is considered reasonable to accommodate the required infrastructure and internal vehicle circulation needed to appropriately service the site and proposed land uses.
Rear Setback	Nil	Variation. A nil setback is only achieved for a small portion of the Shepperton Road. The variation is considered reasonable to accommodate landscaping and a pedestrian pathway, improving the amenity at the rear of the site.
Frontage Type	Centre	Variations. The frontage proposes a minor variation, being a break in the awning to preserve an existing street tree. However, the intent of the PSP has been achieved, with an activated and interactive building frontage proposed. The variation is therefore considered acceptable.

The development is largely consistent with the intent and key provisions of the Draft Albany Highway Precinct Structure Plan, and is considered appropriate.

State Government Policies

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP 4.2)

SPP 4.2 outlines provisions to ensure that developments and planning for activity centres appropriately addresses distribution, function, broad land uses, access and urban form considerations.

Under SPP 4.2, East Victoria Park is classified as a District Centre. A development proposing >5,000m² NLA within a District Centre is classed a 'Major Development'. A Net Benefit Test is required for all 'Major Development' proposed within activity centres that do not already have a needs assessment associated with a corresponding Local Planning Scheme or Local Planning Strategy.

It is noted that the Town of Victoria Park Local Planning Strategy has identified potentially seeking a reclassification of East Victoria Park to a Secondary Centre, noting the similarities between East Victoria Park and Victoria Park which is currently classified as a Secondary Centre. Specifically, consistencies in land use diversity, retail floor space and residential dwelling density are highlighted. A development proposing >10,000m² NLA within a Secondary Centre is classed a 'Major Development'.

While SPP 4.2 does acknowledge that *"established and planned hierarchy of neighbourhood and local centres are identified in the relevant local planning strategy"* a process for the formal reclassification of an activity centre is also detailed. The requirements include, but are not limited to:

- A needs assessment to justify the reclassification
- The reclassification to secondary should only occur where the centre has a train station.

As a needs assessment has not been prepared for East Victoria Park to-date and there is no train station in proximity, the classification of East Victoria Park as a 'District Centre' under SPP4.2 is considered appropriate for the purposes of this assessment.

The development proposes a total of 5396m² NLA, which is below the threshold for requiring a Net Benefit Test. The development is therefore consistent with the requirements of SPP4.2.

State Planning Policy 5.4 – Road and Rail Noise (SPP5.4)

The site abuts Shepperton Road to the east which is classed as a Primary Regional Road under the MRS. The requirements of SPP5.4 are triggered to address the proposed Child Care Premises which is considered a sensitive land use.

A Noise Management Plan was provided as part of the development application and is included as **Attachment 7**. The Noise Management Plan identified that traffic noise exceeds the external noise level criteria, requiring noise amelioration to be provided which largely involves additional glazing requirements.

A condition of approval will be included to ensure noise amelioration on site is implemented as recommended in Appendix B of the Noise Management Plan.

State Planning Policy 7.0 – Design of the Built Environment

State Planning Policy 7.0 contains 10 Design Principles, which are set out as the overarching principles for development in Western Australia. Consideration of the principles are integrated into and informed the Town's assessment of the subject development application.

The application is assessed against the 10 Design Principles as follows:

1. Context and Character <i>Good design responds to and enhances the distinctive characteristics of a local area, contributing to a sense of place.</i> <u>Applicant comment:</u> • The proposal responds to Albany Highway's vibrant character, that is a mixture of diverse retail and commercial uses located along the 'strip'. • The proposal compliments the context of the area and further provides an attraction for a mixture of retail and specialised tenancies. • The site has frontages to two major roads, meaning it has excellent exposure, but it is also at the start of the strip and therefore is a landmark site that needs to signal the entry into the precinct. • The site has a number of larger car-based retail sites around it, however these sites mostly attempt to conceal car parking and provide active frontage to Albany Highway where possible. <u>Officer and DRP comments:</u> <i>Strengths</i> a) The response to Albany Highway is positive with an active and well composed frontage. b) The material palette provides some warmth, texture, and visual interest consistent with the broader locality. c) The scale of development that complements the general intent for the centre. <i>Areas for improvement</i> d) The southern interface and 'plaza' remain an unresolved opportunity for a superior design outcome. However, it is noted that there are ongoing discussions with the DPLH on the use of the adjacent lot. e) The landscaped interface to Shepperton Road has been eroded by the inclusion of the slip lane – refer to commentary under Landscape Quality.
2. Landscape Quality <i>Good design recognise that together landscape and buildings operate as an integrated and sustainable system, within a broader ecological context.</i> <u>Applicant comment:</u> • The proposal incorporates a high quality and bespoke landscape response to provide a high amenity streetscape that is attractive and encourages pedestrian movement. • The design has been informed by considerable landscape input (by consultant, See Design Studio). This includes a high-quality street furniture that reflects

Victoria Parks vibrancy is proposed to create informal gathering spaces and alfresco dining opportunities.

- The proposal incorporates high quality landscape utilization to create a landscape buffer along the edges of Shepperton Road.
- The proposal effectively utilizes the corner, by responding with a setback of the upper level to allow landscaping to come up onto the building, enhancing 'green' feel to the corner.

Officer and DRP comments:

Strengths

- a) The general landscape intent is supported.
- b) The retention of street trees in the Albany Highway reserve is positive.
- c) The planting and material palettes are generally supported.
- d) An indicative intent for the childcare playscape has been included. Further detail should be required prior to Building Permit.
- e) The use of permanent shade structures to the childcare playscape is supported.

Areas for improvement

- f) The introduction of the deceleration lane at the insistence of MRWA is unfortunate. However, the inclusion of climbers as an offset to the loss of verge goes some way to mitigating the visual impact of the blank wall to the supermarket.
- g) The reduced landscape buffer resulting from the deceleration lane requires a new approach to this interface to consolidate the planting and make it more resilient and effective. This could include the removal of the on-site service path from the Shepperton Road frontage and use of the verge footpath instead for bin access, which would free up more space on site for landscape and provide more deep soil volume for the climbers on the wall.
- h) Realign the verge footpath so it follows the site boundary, would be safer and enable more effective verge planting between the footpath and the kerb.
- i) Clarify the status of the five trees on the northern boundary in the face of conflicting information.
- j) The planting of Plane trees should be reconsidered given their susceptibility to the PSHB.

3. Built Form and Scale

Good design ensures that the massing and height of development is appropriate to its setting and successfully negotiates between existing built form and the intended future character of the local area.

Applicant comment:

- The proposal responds to both the existing and future planning contexts to ensure good experience for end-users and a built form which does not compromise the future intentions of the area to have greater density for new mixed- use development on adjacent sites.
- Located on the corner of Shepperton Road and Albany Highway, the proposal will signal the beginning of 'strip' development and provide a sense of activation to the area with a built form which provides good enclosure of the street for an improved pedestrian experience.
- Built form is minimised towards the east with a podium arrangement that is complimentary to neighbours.

Officer and DRP comments:*Strengths*

- a) The overall form and massing is appropriate to the use and locality.
- b) The celebration of the southwest corner with additional height and the 'art screen' is good.
- c) The elevations are generally well-composed and modulated, especially to Albany Highway.
- d) The provision of shade and shelter to Albany Highway is good (and the break for the existing tree is supported).
- e) The extent of active frontage to Albany Highway is positive.
- f) Most of the car parking is hidden from the public domain.
- g) The raised canopy height and additional glazing to the corner tenancy is an improvement.

Areas for improvement

- h) Continue to discuss and resolve the use of the adjacent corner lot with the DPLH and include the Town of Victoria Park in the discussions.
- i) There was some discussion about using curved corner for the canopy below the art zone to reflect the building geometry. However, it is noted that the square corner better protects the alfresco area underneath.

4. Functionality and build quality

Good design meets the needs of user efficiently and effectively, balancing functional requirements to perform well and deliver optimum benefit over the full life-cycle.

Applicant comment:

- The proposal has been designed and oriented to ensure that maximum street activation and accessibility for all building users incorporates provisions

regarding the screening of services to ensure a functional and high-quality development.

- Albany Highway is activated with shopfronts that are weather protected with continuous awnings.
- The proposal incorporates high quality functionality and build quality to ensure continued activation along Albany Highway and little disruption to surround residents.

Officer and DRP comments:

Strengths

- a) The design appears to be generally functional and fit for purpose.
- b) The material selection is broadly supported.

Areas for improvement

- c) Annotate the childcare car bays on the plans.

5. Sustainability

Good design optimises the sustainability of the built environment, delivering positive environmental, social and economic outcomes.

Applicant comment:

A variety of sustainability elements are incorporated into the development such as:

- a. Well shaded walkways & glazing
- b. Water sensitive design
- c. High quality/durable materials
- d. Passive environmental design
- e. Sustainable waste management
- f. Vibrant mix of land uses
- g. Community facilities
- h. Mix of diverse tenancies
- i. Building to meet commercial demand.
- j. Connection to public transport

Officer and DRP comments:

Strengths

- a) A sustainability strategy has been prepared and reflects a commitment to achieving a certified 5 Star Green star rating for the project.

Areas for improvement

- b) The Town should consider a condition of approval that requires the project to be registered with the Green Building Council and the elements required to achieve a certified 5 Star Green Star Buildings rating to be incorporated into the detailed design process prior to building permit.

6. Amenity

Good design provides successful places that offer a variety of uses and activities while optimising internal and external amenity for occupants, visitors and neighbours, providing environments that are comfortable, productive and healthy.

Applicant comment:

- The proposal promotes high levels of amenity for both residents and visitors, providing substantial opportunities for community gathering. Public seating and active frontages aim to ensure an inviting and comfortable space that enables a range of uses and is accessible to all.
- The corner landscape has been capitalised to create an activated pedestrian environment, with a café tendency to enhance experience, increasing the vibrancy of the neighbourhood centre.
- High grade walkability and an increased convenience of a new modern supermarket enhances amenity for pedestrians.

Officer and DRP comment:

Strengths

- a) The level of amenity to Albany Highway is good.
- b) The alfresco area to Albany Highway provides additional amity to patrons.
- c) There is capacity for good public amenity in the 'plaza' if, and when, the issue of the southern plaza is resolved.
- d) Access to light and ventilation to the childcare centre is reasonable.
- e) The permanent shade solution to the childcare playscape is supported.

Areas for improvement

- f) There is limited access to natural light for most of the retail and mall floorspace.

7. Legibility

Good design results in buildings and places that are legible, with clear connections and easily identifiable elements to help people find their way around.

Applicant comment:

- The proposal aims to facilitate high legibility both within the site as well as to external areas. Specifically, the proposal includes distinct entry points, recognisable destination features and high-quality wayfinding techniques.

Officer and DRP comment:

Strengths

- a) The main entrance is clearly visible and directly accessed from Albany Highway.
- b) The Albany Highway tenancies have their own front doors.
- c) The capacity for vehicles to enter the site from three different directions offers

flexibility. d) The treatment of the SW corner helps to create a sense of arrival to the centre. <i>Areas for improvement</i> e) None.
8. Safety <i>Good design optimises safety and security, minimising the risk of personal harm and supporting safe behaviour and use.</i> <u>Applicant comment:</u> • The proposal promotes a safe environment through promoting activation, maximising passive surveillance and ensuring any back of house areas are suitability addressed from a CPTED perspective. • The proposal also utilizes passive surveillance through development along ground floor and early learning centre above. • Dedicated parking for visitors on site. • CCTV and integrated lighting to be used in public and service areas. <u>Officer and DRP comment:</u> <i>Strengths</i> a) There is reasonable passive surveillance of Albany Highway. b) Continuation of the footpath material across the Albany Highway is good (although it would be better if the crossover wasn't there at all or even reduced in size). c) The lift contributes additional security to the childcare centre along with the inclusion of the out-of-hours security screen to the rest of the centre. <i>Areas for improvement</i> d) The lack of passive surveillance of Shepperton Road is disappointing. e) The limited passive surveillance of the 'plaza is also disappointing. However, it is noted that there are on-going discussions with the DPLH on the use of the adjacent site, which may resolve the issue. f) The all-movement intersection on Albany Highway remains a concern, particularly in relation to the risk associated with right-turn movements both from a traffic and pedestrian safety perspective. Given this is an engineering issue, the DRP will defer to the Town's engineers for better informed advice. <i>(Officer Note – since this comment was made the access arrangement to Albany Highway has been amended to be left-in and left-out only).</i>
9. Community

Good design responds to local community needs as well as the wider social context, providing buildings and spaces that support a diverse range of people and facilitate social interaction.

Applicant comment:

- The proposal will facilitate development which responds to community needs. It will deliver a high-quality retail and serviced focused centre and a meeting place for the Victoria Park community.

Officer and DRP comment:

Strengths

- The uses are of benefit to the community.
- The intention to integrate public art and the selected location is supported.
- The activation of Albany Highway is good.

Areas for improvement

- The resolution of the plaza with the DPLH would deliver the largest community benefit of the project by far.
- The Town should require details of the public art as a condition of approval.

10. Aesthetics

Good design is the product of a skilled, judicious design process that results in attractive and inviting buildings and places that engage the senses.

Applicant comment:

- The proposal has been designed to be attractive and inviting. The proposal facilitates a scale, arrangement and articulation of built form which will deliver a high level of amenity.

Officer and DRP comment:

Strengths

- The elevations, particularly to Albany Highway, are well composed.
- The palette of architectural elements, materials, textures and colours complement those of the locality.
- The potential for integration of public art.
- The containment of tenancy signage above the shopfronts.

Areas for improvement

- Resolution of the interface with the 'plaza', would have delivered a more vibrant and appealing elevation.
- The blank rendered wall on the northern elevation is a disappointing termination to the vista along the laneway – consider a more interesting texture or colour solution for the portion visible along the laneway or, possibly, a mural opportunity.

Local Policies

Local Planning Policy No. 6 – Family Day Care and Child Care Premises (LPP6)

LPP6 provides considerations for establishing a Child Care Premises, including aspects such as location, site characteristics, design, parking, access, traffic and noise. The proposal is generally compliant against LPP6, however clause 2.2(b)iii states that:

Child care premises are not considered suitable in locations where access is from a major road or in close proximity to a major intersection where there may be safety concerns.

As it is likely that the majority of parents dropping their child off at the childcare centre will park in the basement or undercroft parking area and access the child care centre directly via the lifts provided, access is considered to be secure, despite the location of the development being at a major intersection.

Limited details relating to the operating hours of the childcare centre have been provided. The applicant has stated that additional details cannot be provided until a tenant is confirmed for the site, however they did confirm that the operating hours would be from 7am-6pm. As the childcare centre is not in proximity of any sensitive land uses or residential development, no condition relating to the operating hours has been proposed.

The DRP requested that the applicant review and confirm the entry arrangements to the child care centre. The applicant has confirmed that an entry lockable door will be provided internally to the childcare to provide for secure access. The architectural plans have also been updated to include a security shutter that can be closed to separate the lifts from the shopping centre, to allow for access to the child care via the lifts prior to the centre opening.

Local Planning Policy No. 15 – East Victoria Park Gateway Shopping Area Design Guidelines (LPP15)

The following provisions under LPP15 relate to the proposed development:

Movement and Parking

LPP15 prioritises pedestrian movement. The pedestrian network should ensure continuous, safe, and attractive links between commercial areas and parking. Redevelopment should support pedestrian movement, especially along building frontages and to Albany Highway. Developments near footpaths should have engaging frontages, avoiding unattractive features like blank walls and visible vehicle servicing.

The building frontage along Albany Highway is proposed to be activated, with engaging frontages and no blank walls proposed. Interest is achieved by proposing a variety of tenancy options and alfresco areas along the Albany Highway frontage.

The building frontages abutting Lot 7 and Shepperton Road are not activated, with blank walls proposed on both frontages. The applicant has sought to soften these frontages through the provision of landscaping, that accompanies a pedestrian footpath. However, these frontages do propose blank walls adjacent to pedestrian accessways, with little to no passive surveillance offered from the building itself. Given the busy nature of the intersection that this site is located on, a significant amount of passive surveillance will be provided by passing vehicles and pedestrian traffic. Considering this, although not strictly in keeping with the LPP provisions, the proposed development facades are considered appropriate for the type of commercial development proposed.

Left in, left out egress is proposed directly onto Shepperton Road. As Shepperton Road is classed as a 'Primary Regional Road' under the MRS, MRWA is the responsible authority for approval of access, and has requested a left in access slip lane to this vehicle access way.

Parking in front setbacks is only permitted along Shepperton Road frontages, though it is noted that existing parallel on-street parking bays along Albany Highway are proposed to be modified and retained.

The LPP does not support direct vehicle access to Albany Highway if alternatives exist. In this respect, alternative vehicle access is available via Shepperton Road and from Oats Street via ROW 54.

However, the Town considers that the proposal for some vehicle access from Albany Highway is not unreasonable given the proposed developments large street frontage. Additionally, a form of vehicle access on the Albany Highway frontage will assist in distributing traffic across the surrounding road network, rather than concentrating vehicle access and egress at Shepperton Road and Oats Street.

It is further acknowledged that the built form of the proposal, and the level of traffic it is proposed to attract, necessarily varies the Albany Highway strip style of development that is envisioned by the Town's LPPs in order to accommodate a large format supermarket that will provide important amenity to the Town's community.

Considering these factors, the Town is supportive of the proposed left in-left out vehicle access/egress at the proposed Albany Highway vehicle access location.

A condition of approval will be included to ensure vehicle access/egress to the site to Albany Highway is restricted to left-in and left-out only to the satisfaction of the Town, noting that while this is now described and depicted within the amended TIA (**Attachment 9**), it is not indicated on the architectural drawings (**Attachment 5**) and other application documents still refer to a proposed full movement access to Albany Highway).

Streetscape and Built Form

The continuation of the Albany Highway strip form of development is encouraged, with proposed developments being sympathetic to the surrounding built form. The building frontage is generally proposed to provide continuity with the adjacent strip form of development, with the Albany Highway crossover the major break in this built form aspect.

Further discussion on the signage proposed is included at the section below relating to Local Planning Policy No. 38.

Landscaping

Landscaping requirements under LPP15 are categorised as follows:

- Shepperton Road frontage
- Car parks
- Lighting and paving

Landscaping along Shepperton Road should comprise trees and low-level planting that does not obscure sight lines for vehicles. While trees are proposed along the extent of the Shepperton Road frontage, smaller trees are proposed closer to the street edge to assist in limiting sight-line obstructions. A landscape buffer is also required for development fronting Shepperton Road. While the development does not directly front Shepperton Road a landscape buffer is provided.

“Car parks should provide extensive shade trees.” The ground floor parking area proposes shade trees within the carparking area.

Extensive paving is proposed adjacent to the Shepperton Road frontage, to provide a pedestrian pathway. Planting has also been proposed on the building structure itself, which results in a softened interface with the Shepperton Road aspect. The Landscaping Concept Plan indicates that lighting will be provided but does not specifically indicate where this will be located on the Shepperton Road frontage.

It is recommended that an updated Landscaping Plan be provided prior to the issue of a Building Permit that will confirm the detail of these landscaping aspects.

Local Planning Policy 17 – Street Frontage Design Guidelines for District Centres and Commercial Areas Along Albany Highway

Provision	Requirement	Proposed	Compliant
Location of frontages	Full width of site to have nil street setback.	Nil setback along Albany Highway with the exception of the Albany Highway crossover.	No, but considered acceptable.
Activities adjacent to the frontage	Ground floor activation.	Ground floor tenancies proposed along Albany Highway	Yes
	High quality architectural design.	Facades with articulation, horizontal and vertical features, a range of materials and colours, and mural proposed	Yes
	No vehicle parking or plant rooms along frontage.	Vehicle parking proposed in undercroft and basement parking levels and at north-east corner of site at ground level abutting Shepperton Road.	Yes

		No plant rooms proposed along frontage of Albany Highway.	
Facade design and height	Vertical elements & Avoid long straight horizontal awnings and parapets.	Vertical elements to scale specialty tenancies, alfresco areas, child care premises and main entrance to shopping centre provided	Yes
	Appropriate scale of buildings relative to pedestrian environment.	The scale of the building appropriately suits the pedestrian scale with vertical elements providing scale and a range of specialty tenancies along Albany Highway provided to avoid long continuous frontages with little interest	Yes
	Building height to be sympathetic to surrounding built form and avoid dominating streetscape.	Development does not dominate Albany Highway streetscape and integrates appropriately with adjacent sites while maintaining landmark feature as a corner site at the entrance to the Town of Victoria Park	Yes
	Façade to be at least 60% transparent.	Ground floor Albany Hwy façade 66% glazing. First floor Albany Hwy façade 78% glazing.	Yes
	Glazing to be broken into segments.	Specialty retail tenancies along Albany Highway separated and distinguishable through design elements	Yes
	Avoid roller doors and heavily tinted glazing.	None proposed	Yes
Security	Security elements provided including as part of the architectural design of the façade.	High level of passive surveillance along Albany Highway. CCTV provided along Albany Highway and frontage to be well lit	Yes

Heritage buildings	N/A		
Lighting	Tenancies fronting Albany Highway to remain lit after hours until midnight.	A condition will be imposed requiring tenancies fronting Albany Highway to remain lit after hours until midnight	Yes
	Lighting required in recessed areas, access ways and parking areas.	Albany Highway crossover, alfresco areas and main entrance include lighting fixtures to ensure areas are well lit	Yes
Colours	Naturally occurring and complementary colours encouraged.	A range of colours including exposed red brick, light grey rendered parapet and walls, grey metal cladding and architectural features such as a white feature steel frame parapet extension and a white feature folding screen finished which are well suited to the surrounding area.	Yes
Signage	Buildings to display street numbers.	None proposed. Variation is considered minor and is acceptable.	No
	Avoid obstructing building's architectural features or views of building and surrounding built form.	Signage does not obstruct the building's architectural features or impede the views of the surrounding built form.	Yes
	Signage encouraged at ground floor level. Signage above ground floor to be considered if no impact on the architectural integrity of building.	Signage proposed above ground floor level is well placed to integrate with architectural design of building.	Yes
	Signage above ground floor to not duplicate existing signage.	Woolworths tenancy signage has been dispersed around the development. Signage on Albany Hwy façade not duplicated at ground and first floor.	Yes
	No roof signs.	None proposed.	Yes

	Neon and animated signage may be appropriate if associated with night-time entertainment and not impactful on surrounding residential areas.	None proposed.	Yes
Awnings and Verandahs	Continuous weather protection.	Awnings proposed along Albany Highway façade with the exception of the Albany Highway crossover and the 55m ² alfresco area. Applicant has stated the gap in awning is to enable the retention of a street tree, which is considered acceptable.	No
	Awnings to be constructed from solid light impenetrable material.	Applicant has not provided further details relating to the awning material. A condition has been applied to address this.	Conditioned.
	Awning to compliment architectural design of building.	The awnings provided are compatible with the architectural design.	Yes
	Retention of mature shade trees along Albany Highway encouraged.	1 existing mature tree along Albany Highway proposed to be retained (being the only tree).	Yes
Plant Management	1 large tree for every 4 parking bays for parking at rear of property.	7 large trees are proposed for 14 parking bays in the ground floor parking area, equating to a large tree for every 2 parking bays	Yes
Alfresco dining on public footpaths	Alfresco areas to retain a 2.5m width strip for pedestrian use.	Alfresco areas are contained within development site and don't impede on adjacent pedestrian footpath.	Yes

Local Planning Policy 23 – Bicycle Parking, Car Parking and Access for Non-Residential Development (LPP23)

LPP23 outlines requirements for bicycle parking, car parking, end-of-trip facilities and access for non-residential development. Requirements are provided based on proposed land use.

Bicycle Parking

Land Use	Bicycle Parking Requirements	Assessment
Shop, Retail and Restaurant/Cafe	1 space per 500m² NLA (short stay) and 1 space per 250m² NLA (long stay)	21 bicycle bays required.
Child Care Premises	1 space per 100m² NLA (short stay) and 1 space per 250m² NLA (long stay)	14 bicycle bays required.
Total Bicycle Parking Required		35 bicycle bays

20 bicycle bays are provided in total as part of this development proposal, consisting of 10 bicycle racks that can each hold two bicycles.

This equates to a shortfall of 15 bicycle bays across the development. The applicant has not provided justification for this shortfall in bicycle bays. As the Town seeks to encourage residents to choose active forms of transportation, this shortfall of bicycle bays is not considered appropriate for the proposed development. A condition of approval will be included to satisfy this requirement:

End-of-trip Facilities

If more than 11 bicycle parking facilities are required, 4 showers and change room facilities are required under LPP 23.

Communal end-of-trip facilities comprise two female showers and two male showers with changeroom facilities, complying with the requirements of the LPP.

Car parking

No minimum or maximum parking requirements are detailed under LPP 23 leaving it to landowners and applicants to determine their own parking requirements based upon their parking needs.

The development proposes a total of 235 parking bays, including:

- 106 parking bays (including 6 'direct to boot' bays) located in the undercroft car parking level;
- A total of 4 ACROD parking bays
- 115 parking bays located in the basement car parking level; and
- 14 parking bays provided on the ground floor.

LPP23 requires that where on-site parking is provided, then ACROD bays be provided at a rate of one bay per 20 parking bays. This exceeds the applicable ACROD parking rate of one bay per 50 parking bays under the National Construction Code (NCC).

Four parking bays out of a total of 235 are designated as ACROD bays, which equates to one ACROD bay per 59 parking bays. A minimum of 12 ACROD bays are required under the provisions of LPP23, noting that the provision of ACROD bays also requires the provision of an adjoining shared space and can often result in the space 1 ACROD bay with associated shared space occupying the space of 2 or 3 standard car bays.

The applicant's justification states that the Town's lack of minimum parking requirements meant the parking proposed was adequate for the site. This justification may be reasonable for standard parking bays, however the proposal falls short of the ACROD bay parking requirement of the LPP. The proposed development includes a supermarket that will serve all members of the community, and it is reasonable that all members of the community should be adequately catered for in terms of accessible transportation and parking, as per the LPP.

In the absence of the applicant providing evidence based information demonstrating that the development generates a lesser extent of ACROD bays, a condition of approval has been proposed requiring the development to comply with a one in 20 ratio for ACROD bays.

The applicant's planning report stated that five short term parking bays at the basement level had been designated for the exclusive use of the child care centre. These designated bays have not been marked on the plans. A condition of approval will be included to satisfy this requirement.

Notwithstanding LPP23 not specifying a minimum on-site parking requirement of general car bays, the decision-maker still needs to be satisfied under Clause 67 of the deemed provisions that there is an adequate supply of parking bays to meet the likely demand. In this respect the Town accepts the parking demand analysis undertaken by the applicant and outlined in the TIA.

Local Planning Policy 29 – Public Art Private Developer Contribution

Private development with a value exceeding \$2 million is required to provide a contribution for the provision of public art, to the value of 1% of the total cost of the development. The format of a public art contribution has not been confirmed by the applicant however the development plans do include indicative locations for the delivery of public artwork throughout the development including – the 'art screen' above the corner food and beverage tenancy; on the wall behind the alfresco space fronting Albany Highway.

A condition of approval and advice note will be included to satisfy this requirement:

Local Planning Policy 38 – Signs

The development proposes wall signs, direction signs and several miscellaneous signs. A summary of the proposed signage is provided in the table below:

No.	Type	Dimensions	Notes
Albany Highway Elevation			
6	S01 - Tenancy Sign	2,500 x 750mm	Main street retail sign. Illuminated lettering/box over tenancy entry.
5	S02 – Tenancy Sign	3,300 x 800mm	Main street retail sign. Illuminated lettering/box over tenancy entry.
1	S04 – Woolworths Signage	3,165 x 3,238mm	Woolworths tenancy identification. Illuminated high level sign board. Albany Highway corner element.

1	S06 – Woolworths Entry Signage	7,615 x 1,550mm	Illuminated canopy sign over main entry.
1	S08 – Woolworths Logo	1,500 x 1,500mm	Stencil cut logo on wall (no lightbox)
Shepperton Road Elevation			
2	S05 – Woolworths Signage	4,286 x 3,858mm	Illuminated high level sign board for Shepperton Road frontages – standard Woolworths sign.
1	S11 - Parking Sign	4,286 x 1,050mm	Backlist parking logo, arrow and direct to boot signage.
1	S12– Parking Sign	8,395 x 350mm	Height bar (from Albany Hwy).
North Elevation			
1	S12 – Parking sign (Wall sign)	No dimension provided for type of wall sign.	'P' and directional arrow.
1	S13 – Parking sign	6,830 x 1,590mm	Woolworths logo and clearance warning.
1	S14 – Woolworths carpark entry sign	7,365 x 1,590mm	Lit direct to boot/parking direction signage.
South Elevation			
1	S03 – Feature Signboard	3,165 x 4,600mm	Illuminated high level signboard, multiple tenancy signs and parking sign.

The requirements for direction signs are summarised in the table below:

Requirement	Proposed	Compliant
A maximum of two direction signs, not exceeding a height of 1.2m above ground level and a width of 1.0m.	2 direction signs proposed on the north elevation measuring 1,050x1,050mm and two direction signs on the south elevation ie. 4 in total	No
Non-residential land only	Zoned 'District Centre' under TPS2	Yes

The proposed direction signage exceeds the dimensions and total number permitted under LPP38. While the variation is minor the impact on the surrounding area is anticipated to be minimal and can ordinarily be accepted, the two direction signs on the south elevation are not supported given they would detract from this highly visible and prominent corner entry feature they direct vehicles from the east to access the car park by turning right off Albany Highway, which the Town does not support, and therefore the signs are unnecessary. A condition of approval is recommended requiring the deletion of the direction signs on the north elevation.

The requirements for wall signs are summarised in the table below:

Requirement	Proposed	Compliant
It is an aggregate area of 0.4m ² per 1m of street frontage of the subject tenancy (up to a maximum aggregate area of 10m ²).	Signage is proposed to be approximately 28m ² along Albany Highway frontage and 23m ² along Shepperton Road frontage, inclusive of parking and wayfinding signage. The proposed signage for the development is in excess of the LPP requirements. However, the structure of the development itself varies the Albany Hwy strip style of development that is envisioned by the Town's LPPs, therefore requiring some discretion to be applied to its technical aspects. Given the style of development proposed, the variation is considered reasonable in the context of the development.	No
Non-residential land only	Zoned 'District Centre' under LPS2.	Yes

A pylon sign was proposed in previous iterations of the development plans. The pylon sign has not been included in the final drawings, and the applicant has confirmed that it has been removed from the proposal.

Main Roads WA - Policy and Application Guidelines for Advertising Signs

All signage visible from a 'Primary Regional Road' or 'Other Regional Road' is required to be considered by MRWA against its Policy and Application Guidelines for Advertising Signs. As Shepperton Road is classed as a 'Primary Regional Road' under the MRS the application was referred to MRWA for comment. MRWA have requested the inclusion of a standard conditions relating to signage being of low illumination and not flashing or pulsating etc.

Local Planning Policy 39 – Tree Planting & Retention

LPP39 encourages the preservation of 'trees worthy of retention' and the appropriate replacement of 'trees worthy of retention' that have been removed with trees well suited to the natural environment. This includes encouraging a diversity of plant species for proposed trees.

Despite inconsistencies in the drawings provided, the applicant has confirmed in writing that the intent is for the removal of 10 on-site trees and approximately 20 verge trees, in the latter case to facilitate the construction of a left turn entry slip lane from Shepperton Road. 2 existing trees to Shepperton Road and 1 to Albany Highway are proposed to be retained.

LPP39 provides a replanting rate correlated to the lot area or number of 'trees worthy of retention' that are proposed to be removed. Under LPP39 the applicable requirement is the greater of:

- One 'Medium Tree' is to be provided for every 300m² of lot area; or
- One 'Medium Tree' for every 'tree worthy of retention' that has been removed.

Respectively with a lot area of 7633m² and 10 'trees worthy of retention' to be removed, the applicable new tree planting requirement is the planting of a minimum of 25 new trees.

LPP39 expects the planting of new trees on the development site but does acknowledge that where site constraints exist, the Town can consider planting in an alternative location including within the adjoining verge or in close proximity.

The application proposes the planting of 24 new trees inside the site boundaries and 23 new trees are proposed to be planted outside the site boundaries, with 3 verge trees to be retained as part of the development. It should be noted that the Town intends to remove one of the verge trees to Shepperton Road which is in poor condition (tree id. #9), in which case the development retains two existing street trees.

Parking areas are to provide one medium or large tree for every 4 car parking bays under LPP39. It is noted that trees in parking areas are permitted to be included in the calculation for total number of onsite trees required. The ground floor car parking area is proposed to accommodate a landscaping buffer with Shepperton Road comprising trees and a garden bed. Eighteen additional trees are proposed throughout the ground floor parking area, equating to a large tree for every two parking bays.

The undercroft and basement parking areas are not suitable for tree planting.

As described above, where site constraints prevent the planting of trees the Town may support a proposal to plant trees offsite to satisfy the requirements of LPP39. One key objective of LPP39 is to increase the tree canopy coverage within the Town to 20%. As such, as the undercroft and basement parking levels are not able to include tree planting for the purpose of shading and cooling. Noting the recommendations of the DRP that the on-site footpath be removed and instead the adjacent public footpath be used for access to the bin store, this presents opportunity for additional tree planting in this area.

Accordingly a condition of approval is recommended requiring the planting of a minimum of 25 new medium trees on-site as per the requirements of LPP39.

It is acknowledged that this is a lesser requirement than the 6:1 replanting ratio detailed in the contract of sale between Fabcot and the Town, however as noted above contractual obligations are not enforceable through a development application process. Fabcot's advice is that site constraints prevent the planting of new trees at this higher ratio.

Approval of the removal of street trees is a separate process through the Town's Parks team, however an initial assessment indicates that the trees to be removed (approximately 19) are generally of a low quality and understanding the practical reasons for their removal, removal is supported, albeit subject to a Helliwell value payment for the removal of a Town asset (estimated to be approximately \$35,000).

The Landscape Plan is not consistent with the proposed Arborist Report, provides only high-level conceptual details of the final landscaping proposed and is unclear on the boundary location and which trees are on the private property and within the verge. The Town's Parks team have advised that some of the proposed new street tree plantings are not of a suitable species. These and other items need to be addressed in a final detailed landscaping plan.

Traffic impact

In support of the development application, a Transport Impact Assessment (TIA) dated 2 May 2024 was submitted. This TIA was advertised for public comments and was reviewed by Main Roads WA and the Town's Engineering team.

As reflected in the Schedule of Submissions the issue of traffic impact was the most significant concern raised through public submissions. Submissions cited existing traffic congestion and delays on the roads around the site, and concerns regarding the use of ROW 54 by vehicles associated with the development including delivery vehicles.

Additionally several concerns were raised by the Town's Engineering team and Main Roads WA regarding aspects of the submitted TIA.

The primary concern raised by MRWA was that the development needs to include a left turn entry slip lane from Shepperton Road for safe access to the site.

The primary concern raised by the Town's Officers was the proposed full movement access onto Albany Highway, with the Officers view being that access to Albany Highway should be limited to left in and left out only minimising the impact to the nearby signalised intersection.

Progression of the development application was delayed for some time while the applicant worked through the many issues raised by the Town, Main Roads WA and the community, generally but most particularly traffic related matters. This included meetings with MRWA and Town Officers.

A new TIA dated 28 March 2025 was submitted to the Town and considered by MRWA and the Town prior to the Special Council Meeting on 14 May 2025. This version of the TIA included the left turn entry slip lane requested by MRWA but persisted with a full movement access onto Albany Highway.

In response to the Town's further information request of 8 May 2025 and the Council's resolution to defer consideration of the item pending attention to outstanding traffic issues, the applicant has now submitted a further amended TIA dated 5 June 2025 (**Attachment 9**). This updated TIA report now modifies the access arrangement to Albany Highway to be restricted to left-in and left-out only, and addresses outstanding queries and issues regarding the modelling and other traffic related aspects.

The development as now proposed, incorporates the following –

- Three vehicle access points –
 - (a) Left in and left out access to Shepperton Road, with a left turn entry slip lane (in addition to the two northbound traffic lanes and bus priority lane). It is said that for vehicles associated with the development, this access will be used for

light vehicle entry and exit, entry for Bunnings and Officeworks delivery vehicles (up to 12.5m length), and exit for Woolworths delivery vehicles (up to 15m semi-trailers).

(b) A left-in and left-out only access point to Albany Highway.

(c) Full movement access to ROW 54.

- All service and waste vehicles accessing the site will enter from Oats Street (via ROW 54), entering into the enclosed loading area in a forward gear and reversing into the dock, and then exiting in a forward gear via Shepperton Road.
- In the case of articulated delivery vehicles up to 15m long, access into ROW 54 via Oats Street will be restricted to a right-turn movement only, as left-turn movements are constrained.
- 235 on-site car bays comprising 221 bays within the basement or undercroft areas and 14 external bays.

At the request of the Town the amended TIA considers possible modifications to the road network, including marking Oats Street as two lanes in each direction between Albany Highway and Shepperton Road and extending the right-turn pocket on Albany Highway (west leg) approaching the Shepperton Road/Welshpool Road intersection.

The revised TIA assesses the proposed access points and the traffic impact of the development on the surrounding road network and intersections based on six scenarios and comments that :

Overall

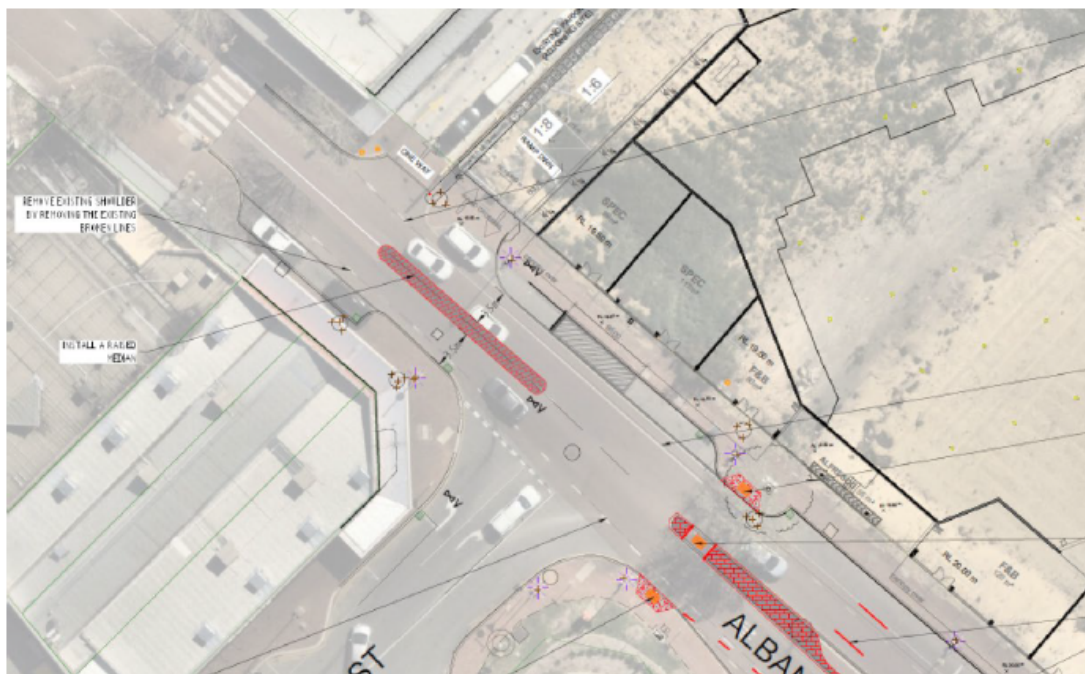
- The proposed development is estimated to generate 387 vehicle trips during the weekday AM peak hour (two-way), 514 vehicle trips during the weekday PM peak hour (two-way) and 474 vehicle trips during the weekend midday peak hour (two-way).
- Taking into account “pass-by trips” the proposed development represents a net increase in traffic of approximately 280 vehicles during the weekday AM peak hour, 364 vehicles during the weekday PM peak hour and 315 vehicles during the weekend peak hour. *(Officer Note - The assumption of pass-by trips is acceptable given the close concentration of commercial development within walking distance of each other, also aligning with the Town’s Integrated Transport Strategy’s themes of Accessibility and Liveability).*
- The peak parking demand for the development is 246 car bays based upon parking demand rate of 3.8 spaces per 100m² or 201-223 bays based upon a reduced rate of 4.0 – 4.5 bays per 100m². Accordingly it is suggested that the provision of 235 bays will cater for the likely parking demand.
- In relation to intersection performance, in 2026 the proposed development will have limited impacts on the operation of the surrounding road network with intersections, however the intersections exceed capacity limits due to the network transport growth.
- In 2036, road network growth will result in diminishing intersection performance. The proposed development will however generally have limited impacts on the overall operation of the network.
- There is good public transport access to the site.

For the Shepperton Road access

- The intersection performs satisfactorily.

For the Albany Highway access

- The modelling shows that generally this intersection will operate satisfactorily across all time periods and model horizons.
- A narrow median is proposed to be installed in Albany Highway to prevent right-turn movements without restricting right turns into the neighbouring crossover (see concept below).



- Notably, whereas the previously proposed full movement access indicated queuing for westbound vehicles back to the Shepperton Road/Albany Highway intersection could extend to nearly 200m in 2036, the restriction to left-in and left-out only eliminates any potential queuing issues back to the intersection.

For the Oats Street/ROW 54 access

- While the width of ROW 54 is down to 5m at points which would ordinarily be insufficient for simultaneous two-way movement, two way movement is occurring, and noting that ROW 54 increases to a width of around 9m elsewhere along its length (see section 2.7.4 of the TIA).
- Generally the intersection will operate satisfactorily for all scenarios with minimal queues and delays.
- In the highest traffic volume scenarios (2036 with development) it is estimated that there will be less than 2 vehicles per minute in each direction, in which case there is a low likelihood of conflicts occurring.
- If the marking of two lanes on Oats Street in each direction between Albany Highway and Shepperton Road were to occur this will result in measurable improvements and allow entering vehicles to wait momentarily in the left lane and allow other vehicles to pass in the right lane.
- Existing Bunnings and Officeworks service and waste vehicles (limited to 12.5m length) will enter from Shepperton Road and proceed west along ROW54 to their destination before exiting onto Oats Street as per existing arrangements.

As outlined above, MRWA who have advised that they support the proposal subject to conditions and advice notes (**see Attachment 18**) including (but not limited to) –

- The left-in and left-out access to Shepperton Road being implemented prior to occupation.
- Left-in movement and left-out movement to and from Shepperton Road being restricted to vehicles with respective maximum lengths of 12.5m and 15m.

Some public submissions express concern about the impact of the development on service vehicle access to existing commercial premises along ROW54, citing the narrow width of ROW54, constraints and potential conflict between service vehicles as well as with light vehicles.

In relation to access to and from ROW 54, it is noted that the ROW varies in width being 5m at its western end and 9.0m elsewhere. Building setbacks to the ROW also vary. ROW 54 is principally used to service the rear of the adjacent buildings, namely for service delivery and waste collection. It facilitates two way movement, but particularly at the western end is restrictive for vehicles to pass one another at the same time. Figure 23 of the applicant's amended TIA demonstrates the opportunity does exist for larger vehicles to pass one another in the wider section of ROW54, as would be the case for service vehicles and light vehicles.

While it is agreed that based upon the applicant's modelling there will be increased use of ROW 54 –

- ROW 54 is a public road and service delivery vehicles and customer vehicles generated by the proposed development are entitled to use ROW 54 for access to and from the site, where safe to do so;
- service vehicles for Bunnings and Officeworks are currently able to park on their site to load and unload – the proposed development does not prevent this from continuing;
- if any issues arise that impact deliveries to the adjoining businesses, it is open to the operators of the adjoining businesses to manage the times of their own deliveries to not conflict with peak periods of customer and service delivery vehicle movements for the development.
- it is open to the Town to implement any necessary traffic management measures within ROW 54 at a future time if necessary.
- conflicts arising from the entry and exit of Woolworths delivery vehicles will be mitigated through a service delivery management plan. In this respect the amended TIA at section 3.7.2 anticipates that the following measures will be included in the service delivery management plan –
 - Articulated vehicles will be restricted to arriving on-site between the hours of 9pm to 7am.
 - Articulated vehicles will be restricted to entering the site via a right-turn from Oats Street into ROW 54, with delivery routes and schedules arranged accordingly.
 - Medium (8.8m) and Heavy Rigid Vehicles (12.5m SUT) should be required to follow the same delivery route, however there could be an additional window during the middle of the day (eg. 10am to 2pm) where deliveries are permitted during lower vehicle generation periods.

The Town's Traffic Engineering team have reviewed the amended TIA dated 5 June 2025 and are satisfied that traffic impact of the development is acceptable.

Recommended conditions of approval relating to traffic to be carried out at the cost of the proponent include –

- The Albany Highway access being restricted to left-in and left out only;
- The marking of two lanes on Oats Street in each direction between Albany Highway and Shepperton Road.
- Extending the right-turn pocket on Albany Highway (west leg) approaching the Shepperton Road/Welshpool Road intersection.
- The existing on-street parking bays on Albany Highway adjacent to the development site being removed and converted to an extended lane for vehicle movement to the east.
- The new access road through the site, linking Shepperton Road to ROW 54 being constructed prior to the commencement of the building works or the closure of public access to Lot 502 (whichever occurs first), to ensure continued public access from the western end of ROW 54 at Oats Street through to Shepperton Road. Without this the development could commence or Lot 502 could be closed to public access and service vehicles servicing the existing commercial properties (up to 12.5m long) would only be able to enter ROW 54 via Oats Street and would have no means of being able to exit ROW 54 as they would be unable to turn around to also exit via Oats Street.
- The left-in and left-out access to Shepperton Road being implemented prior to occupation – requested by MRWA.
- Left-in movement and left-out movement to and from Shepperton Road being restricted to vehicles with respective maximum lengths of 12.5m and 15m – requested by MRWA.
- Submission and approval of a Service Delivery Management Plan.

Clause 67 assessment

The Town's Officers are satisfied that relevant matters that need to be considered under clause 67 of the deemed provisions have been met such that the development is recommended for approval. Namely -

- The proposed development is generally in accordance with the aims and provisions of LPS2, relevant local planning instruments and orderly and proper planning.
- The proposed development is compatible with the desired future character of the Town and will improve the amenity of the locality. The inclusion of additional landscaping, revitalisation of the built form and character of the area and provision of positive social impacts through increased commercial amenity, will make a positive contribution to the eastern end of Albany Highway.
- The traffic impacts of the development have been comprehensively reviewed by the Town and MRWA and are now at a point where the Town considers the traffic impact to be acceptable.
- Overall, the proposed development will have a positive impact on the Town's community, improving an underutilised piece of land in a central location and providing important amenity.

Conclusion:

The development application proposes a mixed-use development comprising a Shop (Woolworths supermarket), a childcare premises, nine specialty retail tenancies and three food and beverage tenancies with a combined NLA of 5,428m²

The built form of the development provides a high standard of architectural amenity and variety of uses. The quality of the development means that it is compatible with the locality, despite its necessity to stray from the built form along Albany Highway to accommodate a more modern form of development.

The key concerns raised as part of the planning assessment include:

- Traffic related matters which have now been addressed to the satisfaction of the Town and MRWA.
- Lot 7 interface – the interface with Lot 7 lacks the desired extent of articulation and interest for a building façade at a prominent entry to the Town. However, the constraints that exist are understood and the applicant's efforts to provide visual interest here through design materials and landscaping, within the bounds of legislation under the National Construction Code, are noted and supported by the Town. The Town strongly supports further negotiations between Fabcot and the State on potential for an improved, more active interface to Lot 7 and the street intersection.

The proposed variations to the planning framework are supported, as the Town is satisfied that the development is a high-quality design that will activate a previously under-utilised site and provide commercial amenity to the surrounding area.

On balance, it is recommended that the development application be approved subject to conditions.

Officer Recommendation

That the Metro Inner Development Assessment Panel approve DA 5.2024.212.1 for Proposed Shops (including Supermarket), Restaurant(s)/Cafe(s) and Child Care Premises at Nos. 1022-1032 Albany Highway and Nos. 355-357 Shepperton Road (Lots 1, 8, 30, 131, 132, 480, 481, 488 and 502), East Victoria Park, subject to the following conditions –

Legal

1. Prior to the issuing of an occupancy permit, the subject lots (Lots 1, 8, 30, 131, 132, 480, 481, 488 and 502) are to be amalgamated into a single lot on a Certificate of Title.
2. Prior to the issuing of an occupancy permit, a circa 524m² portion of the subject site shall be ceded to the Crown as a public road to provide vehicle access between Shepperton Road and that portion of ROW 54 known as Lot 501.

3. Prior to occupancy, an easement is to be registered over that part of the site occupied by the Town's relocated stormwater pipes which enables access to the relocated stormwater pipes by the Town and its contractors.

Vehicle access

4. Access to Albany Highway to be restricted to left in and left out only. The applicant/owner is to submit detailed design drawings of the proposed measures to be implemented to restrict vehicle access to Albany Highway to left-in and left out only, which shall generally be in accordance with the concept sketch at Figure 16 of the Transport Impact Assessment report dated 5 June 2025. The approved access restriction measures are to be implemented to the Town's satisfaction prior to occupancy. The applicant/owner is responsible for all costs associated with the design and implementation of the approved access restriction measures.
5. The existing on-street parking bays on Albany Highway adjacent to the development site are to be removed and converted to an extended lane for vehicle movement to the east to the satisfaction of the Town, prior to occupancy of the development. The applicant/owner is responsible for all costs associated with implementing this.
6. The existing right turn pocket on the Albany Highway (west leg) approaching the Shepperton Road/Welshpool Road intersection is to be extended to the satisfaction of the Town, with detailed design drawings being submitted for the Town's approval and the approved design being implemented prior to occupancy of the development. The applicant/owner is responsible for all costs associated with design and implementation.
7. The proposed new access road linking Shepperton Road to ROW 54, as required by condition 2, is to be constructed to the satisfaction of the Town prior to the removal of the existing access from Shepperton Road to ROW 54 over Lot 502. Detailed design drawings are to be submitted for the Town's approval with the applicant/owner being responsible for all costs associated with design and implementation.
8. New line marking is to be installed on the section of Oats Street between Albany Highway and Shepperton Road so that there are two marked lanes in each direction, to the satisfaction of the Town. Detailed design drawings are to be submitted for the Town's approval and the approved design is to be implemented prior to occupancy of the development. The applicant/owner is responsible for all costs associated with design and implementation.
9. Prior to occupancy, a Service Delivery Management Plan is to be submitted and approved by the Town which includes details of deliveries to and from the

site, including hours of deliveries, access movements in and around the site, and service vehicle access routes to and from the site. The approved Service Delivery Management Plan shall include :

- Articulated vehicles being restricted to arriving on-site between the hours of 9pm to 7am.
- Articulated vehicles will be restricted to entering the site via a right-turn from Oats Street into ROW 54, with delivery routes and schedules arranged accordingly.

Main Roads conditions

10. Prior to the issue of a building permit, the applicant must undertake a 15% concept design for the proposed left-in / left-out (LILO) access and left-turn pocket on Shepperton Road to Main roads requirements.
11. Prior to occupation of the development, the applicant must undertake works as required by condition 1 to Main Roads requirements to restrict Shepperton Road access to left in left out traffic movements only and ensure vehicles can turn safely to and from Shepperton Road. All works shall be at the applicant's cost
12. The crossover to Shepperton Road is limited to the below at all times:
 - Left-in movement from Shepperton shall be restricted for vehicles up to 12.5 min length and
 - Left-out movements to Shepperton Road for vehicles up to 15.0m in length.
13. Prior to occupation of the development, the redundant vehicle crossover is to be removed and kerbing, verge, and footpath (where relevant) reinstated with landscaping to the satisfaction of the Town of Victoria Park.
14. Prior to occupation of the development, all lots shall be amalgamated, and a new Certificate of Title obtained for the amalgamated lot.
15. All waste collection is to be onsite.
16. This noise sensitive development adjacent to a major transport corridor must implement measures to ameliorate the impact of transport noise. The development is to comply and implement the '*Noise Management Plan for Proposed Childcare Centre – Woolworths Group*', Revision 2, date 13/02/2025 prepared by Herring Storer Acoustics and must be implemented at all times.
17. Prior to occupation of the development, certification from a qualified acoustic consultant being submitted, confirming that the recommendations of the amended acoustic report (per the above condition 7) have been implemented is to be provided to the Town of Victoria Park.
18. A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the Certificate(s) of Title of the proposed development. The notification is to state: "*The lots are situated in the vicinity of a transport corridor and are currently affected, or may in the future be affected by transport noise.*"
19. All signs must be placed on private property and must not overhang or encroach the Primary Regional Road Reservation.

20. Any proposed illumination of the sign must not exceed 300 cd/m² (candela per square metre) between sunset and sunrise and 150 cd/m² during the night.
21. The sign must not flash, pulsate or chase.
22. The device must not contain fluorescent, reflective or retro-reflective colours or materials.
23. Vegetation within the state road reserve shall not be removed or trimmed to improve the visibility of the proposed advertising sign.
24. No works are permitted within the Shepperton Road Reservation unless Main Roads has issued a Working on Roads Permit.
25. Stormwater shall not be discharged to the Shepperton Road Reserve or the widened road reservation.
26. Prior to the issue of a building permit, the landscaping plan is to be approved to Main Roads requirements for any temporary landscaping located within the Primary Regional Road Reserve (PRRR). Landscaping must not create a safety issue by limiting sightlines to or from side roads for all road users.
27. No structural encroachment (e.g. building anchors, car parks, basements etc) below ground level is permitted within the PRRR.

Parking

28. For the life of the development and to the satisfaction of the Town, all parking within the undercroft and basement car parks is to be available for use by the public at all times that the development is open for business.
29. Prior to occupancy, an easement in gross is to be registered over that section of the site occupied by the external car bays and associated access so as to ensure public access to these bays at all times.
30. Prior to the occupation or use of the development, all car parking spaces together with their access aisles to be clearly paved, sealed, marked and drained in accordance with AS2890.1 and thereafter maintained to the satisfaction of the Town. The on-site parking provision is to include –
 - (a) A minimum of 1 ACROD bay for every 20 on-site car bays; and
 - (b) A minimum of 5 short-term parking bays being designated for the exclusive use of the child care centre.
31. Bicycle facilities for a minimum of 35 bikes, unless otherwise approved, are to be provided on-site in accordance with Australian Standard AS 2890.3 and to the satisfaction of the Town. The bicycle parking facilities shall be installed and remain in place permanently unless otherwise approved by the Town.

32. Prior to lodging an application for a building permit, the applicant must submit and have approved by the Town details of the proposed Electric Vehicle charging infrastructure.
33. Prior to the occupation or strata-titling of the building(s), whichever occurs first, Electric Vehicle charging infrastructure as per the approved details being implemented to the satisfaction of the Town.
34. Prior to occupancy a detailed parking management plan is to be submitted and approved by the Town of Victoria Park, including details of:
 - a. How alternate modes of transport will be encouraged and incentivised by the site operators, effective from the development first being occupied.
 - b. The allocation of car bays to staff and any measures to minimise the use of the on-site car bays by staff.
 - c. Measures to prevent the long-term occupation of the on-site car bays by members of the public.
 - d. Drop off and pick up bays for the child care use including any time restrictions on the use of the bays for drop off or pick up purposes.
 - e. Strategies to be employed to manage parking demand created by the site; and
 - f. Maintenance and management details for the end of trip facilities.The parking management plan is to thereafter be implemented to the satisfaction of the Town.
35. Any letterbox, structure, wall or fence located within a 1.5 metre x 1.5 metre visual truncation at the intersection of any driveway and the front property boundary, is not to exceed a height of 750mm with the exception of:
 - (i) one brick pier (maximum dimensions 350mm by 350mm); and/or
 - (ii) wrought iron or similar metal tubing style infill fencing.

Landscaping

36. Prior to the submission of an application for a building permit, the applicant is to submit a final detailed landscaping plan for the Town's approval which shall include the following to the Town's satisfaction –
 - Resolving inconsistencies in the drawings regarding tree removal and retention within the site and adjacent street verges
 - Clarifying the boundary location and which trees are on the private property and which are within the verge
 - All verge tree planting on Albany Highway and Shepperton Road 'Tree to the TOVP preference' to be *Corymbia maculata*.
 - Verge trees to be a maximum size of 100 litres.
 - Planting of a minimum of 25 new trees on the site.

- A detailed playscape plan for the childcare centre including ground treatments and fall zones.
 - Proposed tree species, the depth and width of structural root zones and tree protection zones.
37. The landscaping plan shall include at least 25 new on-site tree(s), or a lesser number agreed to by the Town, the species and height of which are to be provided to the satisfaction of the Town.
38. The landscaping areas shown on the approved detailed landscaping plan shall be installed and reticulated prior to occupation of the development, and be thereafter maintained by the landowner(s) for the life of the development to the satisfaction of the Town.
39. Existing trees located within the verge are a Town asset and as such must be retained except where otherwise approved for removal by the Town.
40. The Town's street tree(s) are to be protected from damage during all phases of development. Pruning of any street tree affected by the development on the subject site is to be undertaken by the Town, at the owner/applicant's cost.

Other matters

41. Prior to the submission of an application for a building permit, the plans being amended to incorporate the following to the satisfaction of the Town –
- Relocating the public footpath along Shepperton Road to the lot boundary.
 - Deleting the on-site footpath providing access to the bin store area and including landscaping within this space.
 - The blank wall on the elevation facing ROW 54 being architecturally treated or to include public art.
42. The number of children and staff attending the Child Care Premises is limited to a maximum of 94 children and 20 staff at any one time.
43. All windows and doors to street frontages are to be provided with clear glazing, and are not to be subsequently obscured by alternative window treatments, signage or internal shelves, to the satisfaction of the Town.
44. Prior to lodging an application for building permit, the applicant/owner is to contribute the sum of 0.5% of the value of the total construction value towards public art. (Refer to related Advice Note)
45. Prior to the submission of a building permit application, the applicant submitting a Green Star Buildings Designed assessment report (pre-certification) prepared by a suitably qualified independent consultant, demonstrating to the satisfaction of the Town that the building design will achieve a minimum 5 star Green Star rating (or recognised equivalent).

46. Prior to occupancy, the applicant submitting a report prepared by a suitably qualified independent consultant, providing as-built certification to the satisfaction of the Town confirming that a minimum 5 star Green Star rating (or recognised equivalent) has been achieved.
47. Prior to occupation of the development, a signage strategy for future tenant and wayfinding signage is to be submitted for the Town's approval.
48. The pylon sign to Shepperton Road is not approved as part of this application
49. The sign labelled 'S03' on the south elevation being amended to delete the Parking and Direct-to-Boot direction signs.
50. Complete details of the proposed external colours, finishes and materials to be used in the construction of the buildings are to be provided to the satisfaction of the Town prior to submission of an application for building permit. The development shall be constructed in accordance with the approved details and shall be thereafter maintained.
51. Prior to lodging an application for a building permit, a plan shall be submitted detailing the location of all external lighting, to the satisfaction of the Town. The lighting plan and subsequent lighting installed must demonstrate that any light spill to adjoining properties is minimised to acceptable levels and is in compliance with AS4282:1997. Lighting in accordance with the approved plan is to be installed prior to occupation or strata titling of the building(s), whichever occurs first.
52. All plant equipment, air conditioning units, hot water systems, water storage tanks, service metres, bin storage areas etc must be located to minimise any visual and noise impact on the occupants of nearby properties and screened from view from the street. Design plans for the location, materials and construction for screening of any proposed external building plant must be submitted to and approved by the Town prior to the submission of an application for a building permit.
53. The existing Town stormwater infrastructure traversing the site being diverted at the owner's cost, generally in accordance with the design outlined in the Pritchard Francis drawings dated received 31 March 2025, to the satisfaction of the Town.
54. Prior to lodging an application for a building permit, the applicant must submit and have approved by the Town, and thereafter implement to the satisfaction of the Town, a Construction Management Plan.

55. Development being in compliance with the Noise Management Plan (prepared by Herring Storer Acoustics dated received March 2024) for the life of the development to the satisfaction of the Town, which shall include implementation of the noise amelioration measures recommended in Appendix B of the Noise Management Plan.
56. An updated Waste Management Plan is to be submitted reflecting waste vehicle access entering from Oats Street via ROW 54 and exiting via Shepperton Road, for approval by the Town prior to occupancy. The amended approved Waste Management Plan is to be implemented and complied with for the life of the development.
57. At all times provision must be made onsite for the storage and collection of garbage and other solid waste. A waste storage and collection area must be graded, drained and screened from public view, and the garbage collected regularly, to the satisfaction of the Town.
58. With the exception of those traffic management measures required to be undertaken as per conditions of this approval, any other works within the road reserves are not approved and require separate approval from the Town and/or Main Roads WA (as relevant).
59. All building works to be carried out under this development approval are required to be contained within the boundaries of that part of the lot the subject of this development application..
60. Prior to lodging an application for a building permit, stormwater disposal plans, details and calculations must be submitted for approval by the Town and thereafter implemented, constructed and maintained to the satisfaction of the Town.
61. Prior to occupation or use of the development, any redundant crossover/s must be removed and the verge and kerb reinstated to the specification and satisfaction of the Town.
62. To address the conditions of this approval, prior to the submission of an application for a building permit a covering letter (detailing compliance with each condition), copy of the final working drawings and relevant associated reports and information, are to be submitted by the applicant for clearance by the Town.
63. This decision constitutes planning approval only and is valid for a period of four years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
64. The approval also being an approval under clause 48 of the Metropolitan Region Scheme.

65. The development, once commenced, is to be carried out in accordance with the approved plans at all times, unless otherwise authorised by the Town.

Town's Advice Notes

- AN1 Estimated Helliwell valuation for removal of street trees is \$34,995.96.
- AN2 An amended Waste Management Plan is necessary to address an inconsistency between the TIA and WMP regarding waste vehicle access.
- AN3 In regard to a public art contribution, the contribution being either:
- a) Payment directly to the Town which will be placed in the Town's Community Art Reserve with the funds being used by the Town to provide public art within the same Town Planning Scheme Precinct; or
 - b) The owner/applicant is to provide public art on the development site in accordance with the procedures outlined in the Town's Developers Public Art Handbook, which includes the submission of details for approval by Council. The public art is to be completed and installed to the satisfaction of the Town prior to the occupation of the development. The public art is to be maintained thereafter by the owner/occupiers.
- AN4 With respect to a Construction Management Plan, it is to address the following matters:
- a) How materials and equipment will be delivered and removed from the site;
 - b) How materials and equipment will be stored on the site;
 - c) Parking arrangements for contractors;
 - d) Construction waste disposal strategy and location of waste disposal bins;
 - e) Details of cranes, large trucks or similar equipment which may block public thoroughfares during construction;
 - f) How risks of wind and/or water borne erosion and sedimentation will be minimised during and after the works;
 - g) Construction traffic and pedestrian management; and
 - h) Other matters likely to impact on the surrounding properties.
- AN5 A building permit is required to be obtained from the Town prior to commencement of any work in relation to this development approval.
- AN6 Crossover location and construction shall comply with the Town's Specifications for Crossover Construction. A separate application must be made to the Town's Street Improvement Unit for approval prior to construction of a new crossover.
- AN7 It is recommended that the required Service Delivery Management Plan be prepared in consultation with the Town and other landowners along ROW54.

Main Roads Advice Notes

a) Condition 1 (15% Concept Design drawings) is required to meet MRWA Drawing Presentation requirements as per the MRWA formal RTE Design Review Process given this is a proposed access and slip lane on an MRWA Asset road (website link below):

<https://www.mainroads.wa.gov.au/49a9cc/globalassets/technicalcommercial/technical-library/road-and-traffic-engineering/typical-projectprocesses/design-and-drawing-presentation/drawing-presentation-guidelines.pdf>

See table 1 for further details to assist preparation of the 15% design.

b) Main Roads approval for signage and pavement marking modifications is required under the Road Traffic Code 2000. The proposed 'Keep Clear' at the Access 2 for the development (via Albany Highway) will be separate approval process by the MRWA Traffic Management Services

c) Works within the Shepparton Road Reserve is subject to a separate approval process under Main Roads Act 1930.

d) Main Roads is the relevant authority to approve signage on and / or visible from a state-controlled road. A further approval maybe required from for the proposed signage. Under Main Roads (Control of Advertisements) Regulations 1996.

e) The upgrading/widening of Shepperton Road is not in Main Roads current 4-year forward estimated construction program and all projects not listed are subject to change.