

13.2 PLANNING AND DEVELOPMENT

13.2.1 ST LOUIS MASTERPLAN AND LOCAL DEVELOPMENT PLAN

File Ref:	LND/00061
Attachments – Public:	Location Map (Attachment 1) Applicant’s Letter (Attachment 2) Proposed Master Plan (Attachment 3) Proposed Local Development Plan (Attachment 4) Master Plan Resident Information Framework (Attachment 5)
Responsible Officer:	David Vinicombe Executive Manager Planning and Development
Author:	Stuart Devenish Planning Consultant and David Vinicombe Executive Manager Planning and Development
Proposed Meeting Date:	21 November 2017
Property Owner:	CHC (St Louis) Pty Ltd
Submitted By:	MW Urban
Lot No.:	Lot 901 Albert Street & Lots 123 & 200 Dean Street
Area of Lot:	30,256m²
Zoning:	Residential (Lot 901 R30/40 and Lots 123 & 200 R40)
Financial Implications:	Nil
Enabling Legislation:	<i>Planning and Development Act 2005 (PDA) Town Planning Scheme No. 3 (TPS3) Residential Design Codes (RDC) Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regs)</i>

Summary

- Application for Council endorsement of a Masterplan (MP) and Local Development Plan (LDP) for the future development of St Louis Estate Retirement Village (St Louis Estate) initially received 10 April 2017 and modified following discussions 1 August 2017.
 - The owners of St Louis Estate (through their planning consultants) made a submission on the proposed Stirling Highway LDP in 2016. Council resolved
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on 5 July 2016 to include St Louis Estate as a “designated landmark” site which is subject to the preparation of a MP which informs an LDP to identify and address specific development requirements for the site and guide amendments to TPS3 and/or Local Planning Policy. Further it was resolved that upon presentation of the MP to the satisfaction of Council, the Western Australian Planning Commission (WAPC) be requested provide approval for the preparation of an LDP for the site which links in with the Stirling Highway LDP.

- The proposed MP sets out the arrangements for redevelopment of the central portion of the retirement village site. A total of 47 dwellings are planned to be demolished, with new development providing in the order of 75 two and three bedroom multiple dwellings across 12 separate buildings. Proposed building heights vary between two (fronting Albert Street) and three storeys (fronting Dean Street) and eight storeys in the centre of the site. Two heritage listed buildings are planned to be retained.
 - The MP will form the basis of a LDP which will be subject to advertising following approval of the WAPC for its preparation.
 - A report on this matter was withdrawn from Council’s meeting dated 5 September 2017 due to concerns raised with the applicant regarding the lack of internal engagement with residents on the proposals.
 - The owner has appointed consultants to undertake an informal resident engagement exercise and survey (Resident Information Framework) which closes on 20 November 2017.
 - Although the internal resident consultation process will not deliver Council with its results prior to Council considering this matter, the applicant contends that these comments can be considered by Council in the review of the matter following formal public consultation on the proposed LDP.
 - There are no specific requirements or processes provided in planning legislation on the preparation, public comment or approval of a MP or requiring the resident engagement exercise.
 - The *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regs) guides the requirements for preparation, formal consultation (with the public and residents) and approval of LDPs.
 - Upon conclusion of the formal consultation processes, Council must consider all submissions received (from residents, and adjacent property owners and occupants) and make its determination on the approval (or otherwise) of the LDP (which may be subject to State Administrative Tribunal – SAT review).
 - Accordingly, it is recommended that the MP be conditionally supported by Council, subject to formal consultation and final approval of the LDP in accordance with the LPS Regs.
 - It is recommended that subject to receipt of WAPC approval for the preparation of the LDP, the Town seek public comment on the proposed LDP in accordance with the LPS Regs and, on conclusion of the consultation process, refer the comments received in the formal public consultation period and the informal resident survey to Council for consideration and final approval (or otherwise) of the LDP.
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Purpose

Council is requested to support the terms of a MP that will facilitate the redevelopment of a central portion of the St Louis Estate following the adoption of an LDP (see Applicant's letter - Attachment 2, Proposed Masterplan – Attachment 3 and Proposed Local Development Plan – Attachment 4). Further, Council is requested to seek approval of the WAPC to prepare and advertise an LDP for public submission.

Background

The following table outlines key dates regarding this proposal:

Date	Item/Outcome
5 July 2016	Council adopted the Stirling Highway LDP including a recommendation concerning St Louis Estate MP and LDP process.
14 November 2017	Council Briefing Session on proposed MP.
10 April 2017	Draft MP submitted.
7 July 2017	Additional information requested from applicant.
1 August 2017	Revised MP and draft LDP submitted by applicant.
26 August 2017	Report prepared for Council.
5 September 2017	Report to Council on 5 September withdrawn from Council.
31 October 2017	Applicant submits Resident Information Framework exercise and requests Council consideration of the matter on 21 November 2017.
9 November 2017	Report prepared.

Past Resolutions

There are no past Council resolutions relevant to the MP submission.

Planning Context

Strategic

The Town of Claremont Housing Capacity Study 2013 adopted by Council on 20 November 2012 examined the opportunity for increased dwelling yields to meet housing targets in line with the requirements of the WAPC's Directions 2031 and associated sub-regional strategies.

The Housing Capacity Study formed the basis of the Stirling Highway LDP that was adopted by Council on 5 July 2016. At the time of adoption, Council resolved to identify the St Louis Estate and adjacent Mont Clare sites as 'designated landmarks', and to be subject to the preparation of a MP as follows:

"Include the St Louis Estate Retirement Village as an identified "designated landmark" site which is subject to the preparation of a masterplan which informs the development of a separate Local Development Plan to identify and address specific development requirements for the site and to guide any future amendment to Town Planning Scheme No 3 and/or Local Planning Policy."

The Stirling Highway LDP also indicates an increase in R-Coding from R30/40 to R80 within the southern portion of the St Louis Estate. Any changes to density would be subject to separate consideration of a Scheme amendment.

Statutory

The subject site is predominantly zoned Residential R30/40. A relatively small strip adjacent Stirling Highway is reserved “Primary Regional Road” under the Metropolitan Region Scheme (MRS). A broader strip of land that was previously subject to the regional road reservation is now unzoned land – brought about by MRS amendment 1210/41 (effective 30 January 2017) that substantially reduced the width of the road reservation and now the subject of Amendment No. 138 to TPS3 (initiated by Council on 19 September 2017).

The intention of a MP is to provide guidance to the form of development, and to inform the subsequent preparation of a site specific LDP and ultimately, a development application. As such, the MP does not require formal adoption by Council; however the LDP is to be determined in accordance with the provisions of the LPS Regs.

Heritage

The subject site contains two standalone properties contained within the Town’s Heritage List, as follows:

Attribute	Address	Management Category
Federation Bungalow (Homestead)	10 Albert Street	‘B’
Federation Bungalow	13 Dean Street	‘C’

It is noted each bungalow is to be retained by the MP as recommended by the Heritage List management category assignments. The MP provides for additions to the bungalow at 13 Dean Street to be removed, enhancing the heritage value of the home. The other bungalow (Homestead), currently containing the administration activities for St Louis Estate, is to be retained.

Consultation

Community consultation is required to be undertaken through the following separate and subsequent statutory processes:

1. LDP – to be prepared with approval of the WAPC;
2. Scheme Amendment – following initiation of an amendment to implement recommendations of the Stirling Highway LDP and potentially to provide ancillary uses of consulting rooms at the retirement village; and
3. Development Application – addressing elements of a future application that may involve the Council (most likely the JDAP) exercising discretion relative to building height (cl.40 – see comment below) and cafe uses (SA in the Residential zone).

A separate engagement process has been undertaken by the owners of the Estate with its residents. This process (see Masterplan Resident Information Framework – Attachment 5) concludes on 20 November 2017 when the survey closes. From there, results are to be collated and analysed by the owners. Concern has been raised with the applicant that Council’s consideration of this matter prior to receiving the results of the resident survey is premature on the basis that comments raised by residents may influence Council’s consideration of this matter. The applicant has responded to this by indicating that the Town has the sole determining power on whether to approval (or

otherwise) an LDP (other than a SAT review). Accordingly, any comment raised by a resident of the Estate in relation to the proposed MP and LDP may be considered as part of Council's deliberations in reviewing public comments and determining the approval status of the LDP following the formal consultation period. Whilst this is true, Council may wish to consider matters raised by residents up front before initiating formal processes with regards to the proposed LDP.

It is noted that the MP is not subject to separate referral to government agencies including the Commission or Main Roads Western Australia (MRWA).

Discussion

Description

Site Overview

The land subject to the proposed MP comprises three land titles, all in common ownership of CHC (St Louis) Pty Ltd, described and currently developed as follows:

EXISTING SITE ARRANGEMENTS		
Lot	Land Area	Existing Development
Lot 901	28,417m ²	128 independent living units – 40 grouped dwellings and 88 multiple dwellings.
		Homestead (heritage bungalow) with resident facilities and administration functions.
Lot 123	1,222m ²	Single Dwelling (heritage bungalow)
Lot 200 (subject to two strata lots)	602m ²	Duplex Pair

The existing built form comprises a mix of single storey, two-storey plus basement and three storey buildings. Collectively, the site has frontage to Stirling Highway, Dean and Albert Streets and Barnfield Road. Vehicle access is a combination of direct street frontage and internal accessways. Internal pathways provide pedestrian connectivity between resident facilities and accommodation units.

It is noted the adjacent Mont Clare aged care facility is under separate ownership and not part of the proposed MP area.

Terms of Proposal

The MP divides the subject site into three precincts:

PRECINCT	DESCRIPTION
North Precinct and South Precinct	No redevelopment proposals are planned within the foreseeable future. In this regard, the applicant notes: <i>“The owners do not have plans for significant redevelopment of the northern and southern precincts of the estate in the foreseeable future, given the northern area contains attractive, mostly single level dwellings, and the southern area contains newer, modern buildings, including the Albert Street apartments and the Dean Street apartment.”</i>
Central Precinct	Refer to details below

The Central Precinct comprises 10,651m² (approximately 35% of the total site area). The MP provides for the following outcomes within the Central Precinct:

- Demolish existing grouped dwellings (19) and multiple dwellings (28).
- Retain the heritage listed bungalows at 13 Dean Street and 10 Albert Street.
- Remove an addition to the bungalow at 13 Dean Street, improving the heritage value of the building.
- Provide additional uses within the bungalow at 13 Dean Street such as medical consulting and potentially a café.
- Construct 75 multiple dwellings – based on floor areas ranging from 100 - 140m² (noting actual yield may ultimately vary depending on final design floor areas allocated per dwelling).
- Achieve a plot ratio area of 14,710m² (compared with 16,033m² achievable without concession under the existing R40 coding).
- Construction of 12 separate buildings:
 - Four buildings addressing the Albert Street frontage at two storey.
 - Four buildings set behind the buildings fronting Albert Street at three storey.
 - One building of three storey fronting Dean Street.
 - Two buildings set behind the buildings fronting Dean Street at four storey.
 - One building central to the site at eight storey.
- Provide 4m street setbacks to Albert and Dean Streets.
- Provide a central open space area, with smaller amenity areas distributed across the precinct.
- Provide car parking in-line with Scheme/R-Code requirements, predominantly within basements, with open air visitor parking.
- Reduce the Central Precinct number of crossovers from seven to three:
 - Albert Street - four crossovers reduced to two.

- Dean Street - three crossovers reduced to one.
- Improve pedestrian linkages with the North Precinct.
- Provide pedestrian and buggy links between all precincts.

The MP drawings identify building massing, and are not intended as representative of the architectural detail. The further detail in this regard, along with all other specific design detail will be set out within subsequent development application(s).

Technical reports in support of the MP include:

- 1 St Louis Estate – Preliminary Landscape Design Strategy, addressing:
 - Landscape design objectives
 - Proposed communal areas
 - Perimeter security
 - Lighting and signage
 - Access
 - Levels and retaining
 - At grade parking and vehicle access
 - Communal interaction spaces
 - Privacy
 - Boundary road treatments
 - Plant species selection
 - Sculptural elements
 - Outdoor furnishings
 - Cost/maintenance considerations.
- 2 St Louis Estate MP, Transport Report, addressing:
 - Proposed development form
 - Vehicle access and parking
 - Service vehicle provision
 - Traffic volumes
 - Public transport access
 - Pedestrian facilities
 - Cycling access
 - Safety
 - Staging of underground car parking.

The owners have engaged with residents of the retirement village as detailed in this report. It is noted that some of the units are unoccupied in anticipation of redevelopment.

Assessment

The proposed MP sets out arrangement for redevelopment that will provide a higher standard of amenity and functionality for residents by renewing aging accommodation units.

The floor space/dwelling yield is well within the existing R40 coding, and as such, the plan does not seek to 'over-develop' the site, or require an R-Coding amendment to TPS3.

Building heights are graduated from street front locations to a maximum of eight storeys central to the site. Clause 40 of TPS3 provides height restrictions for residential development (6.6m) unless special circumstances are established to vary this height under cl.40(5). If the MP and LDP are approved (following LDP consultation), the LDP would provide for the special circumstance required to vary residential development heights and approve the development under TPS3.

Building massing is not expected to detract from amenity of surrounding property and the streetscapes when taking into account overshadowing, privacy, view and existing multi-level development. Heritage values will be maintained or improved. These matters, together with the following streetscape considerations would qualify the future development height variation proposals as special circumstances considerations under cl.40(5):

- The two storey heights for development fronting Albert Street are consistent with normal height allowances for development along that street.
- The proposal for three storey development for one block of dwellings fronting Dean Street is consistent with the streetscape as this development will be located next to the existing three storey Mont Clare development and adjacent to the ten storey block of flats.
- The centrally located four and eight storey buildings will be primarily shielded from the street by the two and three storey developments proposed along the street frontages of Dean and Albert Streets, and therefore have limited impact on the streetscape.

A rationalisation of existing crossovers will improve traffic management and offer more opportunity for kerb side parking. The traffic report indicates that traffic generation associated with a net increase of dwellings in the order of 28 will be minimal and well within the capacity of the surrounding road network.

Summary

Based on the above, it is recommended that the MP be supported, subject to formal consultation being undertaken in association with an LDP. Council may consider any comment received from residents in relation to the MP and LDP in considering the future approval (or otherwise) of the LDP. In Council is uncomfortable in initiating the LDP processes prior to consideration of resident comments, it may be appropriate for

Council to defer this matter until the resident survey results are presented to Council for consideration.

Although the applicant has submitted a draft LDP along with the MP, the preparation of the LDP requires the approval of the WAPC. If Council is comfortable in initiating the LDP processes at this point it is recommended that the WAPC be requested to provide approval for the preparation of the LDP, after which the LDP be advertised for public comment and referred back to Council for further consideration.

Noting that the applicant has indicated additional uses may be considered for the heritage bungalow at Dean Street, it is recommended the applicant be advised that additional uses may require separate assessment and that support for the MP does not prejudice a future determination on a Scheme amendment addressing this matter.

Voting Requirements

Simple majority decision of Council required.

Officer Recommendation

Moved Cr Goetze, seconded Cr Main

THAT Council:

- a) **Support the terms of the proposed Masterplan for the St Louis Estate Retirement Village dated July 2017, subject to the following:**
 1. **Approval being granted by the Western Australian Planning Commission for the preparation of a Local Development Plan for the site as provided for by the *Planning and Development (Local Planning Scheme) Regulations 2015*.**
 2. **The Local Development Plan being advertised in accordance with the requirements of the *Planning and Development (Local Planning Scheme) Regulations 2015* and referred back to Council for determination.**
- b) **Advise the applicant that:**
 1. **All results of the Resident Surveys are to be submitted to Council for consideration along with all other public submissions received during the formal public consultation period.**
 2. **A Scheme Amendment may be required for ancillary uses identified for the bungalow at 13 Dean Street, which will be subject to separate consideration and determination.**
 3. **Any support for the Masterplan should not be construed as necessary support for additional uses.**
- c) **Formally request the Western Australian Planning Commission grant approval to the preparation of a Local Development Plan in accordance with *Planning and Development (Local Planning Scheme) Regulations 2015* for Lots 901, 123 and 200 Albert and Dean Streets respectively.**

CARRIED(167/17)

For: Mayor Barker, Cr Main, Cr Tulloch, Cr Goetze, Cr Kelly, Cr Mews, Cr Browne, Cr Edwards, Cr Franklyn.

Against: Cr Haynes.