

## CONTENTS

### 1.0 Introduction

### 2.0 The Landholding

- 2.1 Location
- 2.2 Legal Description
- 2.3 Historical and Existing Use
- 2.4 Adjoining Land Use and Development
- 2.5 Context of Site to City Centre Zone

### 3.0 Site Description

- 3.1 Topography
- 3.2 Vegetation
- 3.3 Groundwater
- 3.4 Geology / Geotechnical Investigation
  - 3.4.1 Existing
  - 3.4.2 Assessment of Risk
  - 3.4.3 Risk Mitigation
- 3.5 Acid Sulphate Soils
- 3.6 Service Infrastructure
- 3.7 Existing Road Network
- 3.8 View Corridors

### 4.0 Statutory Planning Considerations

- 4.1 State Planning Strategy
- 4.2 State Planning Policies
  - 4.2.1 SPP No. 3 Urban Growth and Settlement
  - 4.2.2 SPP No. 3.1 Residential Design Codes
  - 4.2.3 SPP No 3.4 Natural Hazards and Disasters
- 4.3 Regional Planning
  - 4.3.1 (Draft) Midwest Regional Planning & Infrastructure Framework
  - 4.3.2 Midwest - Country Land Development Program Review 2006
  - 4.3.3 Geraldton Regional Centre Strategy
  - 4.3.4 Geraldton Region Plan
  - 4.3.5 Greater Geraldton Structure Plan Update 2011
- 4.4 City of Geraldton-Greenough Strategic Community Plan 2011 - 2021
- 4.5 City of Greater Geraldton Town Planning Scheme No 3 (Geraldton)
  - 4.5.1 Scheme Objectives
  - 4.5.2 Current Zoning- Residential
  - 4.5.3 Urban Design Precinct 'E'
  - 4.5.4 Proposed Zoning-Mixed Use
  - 4.5.5 Other Scheme Controls

- 4.6 City Centre Planning Policy
- 4.7 Interim Commercial Activity Centres Strategy
- 4.8 Local Planning Policies

## **5.0 Heritage**

- 5.1 Aboriginal Heritage
- 5.2 European Heritage

## **6.0 Proposed Scheme Amendment**

- 6.1 Scheme Amendment Proposal
- 6.2 Purposes of Amendment
- 6.3 Justification for Amendment
  - 6.3.1 Development Concept
  - 6.3.2 Response to Site Opportunities and Constraints
  - 6.3.3 Land Use Mix
  - 6.3.4 Services
  - 6.3.5 Vehicle and Pedestrian Access
  - 6.3.6 Development of Design Guidelines
  - 6.3.7 Increased Residential Density
  - 6.3.8 Changes to Mixed Use Zone Provisions
  - 6.3.9 Changes to Urban Precinct E Provisions
  - 6.3.10 Changes to Zoning Table

## **7.0 Development and Design Guidelines**

- 7.1 Vision
- 7.2 Overall Concept Plan
- 7.3 Land Use Mix
- 7.4 Built Form, Density and Building Heights
- 7.5 Access, Open Space and Connectivity

## **8.0 Conclusions**

### **FIGURES**

- Figure 1 – Locality Plan
- Figure 2 – Adjoining Land Use
- Figure 3 – Existing Landholding

### **APPENDIX**

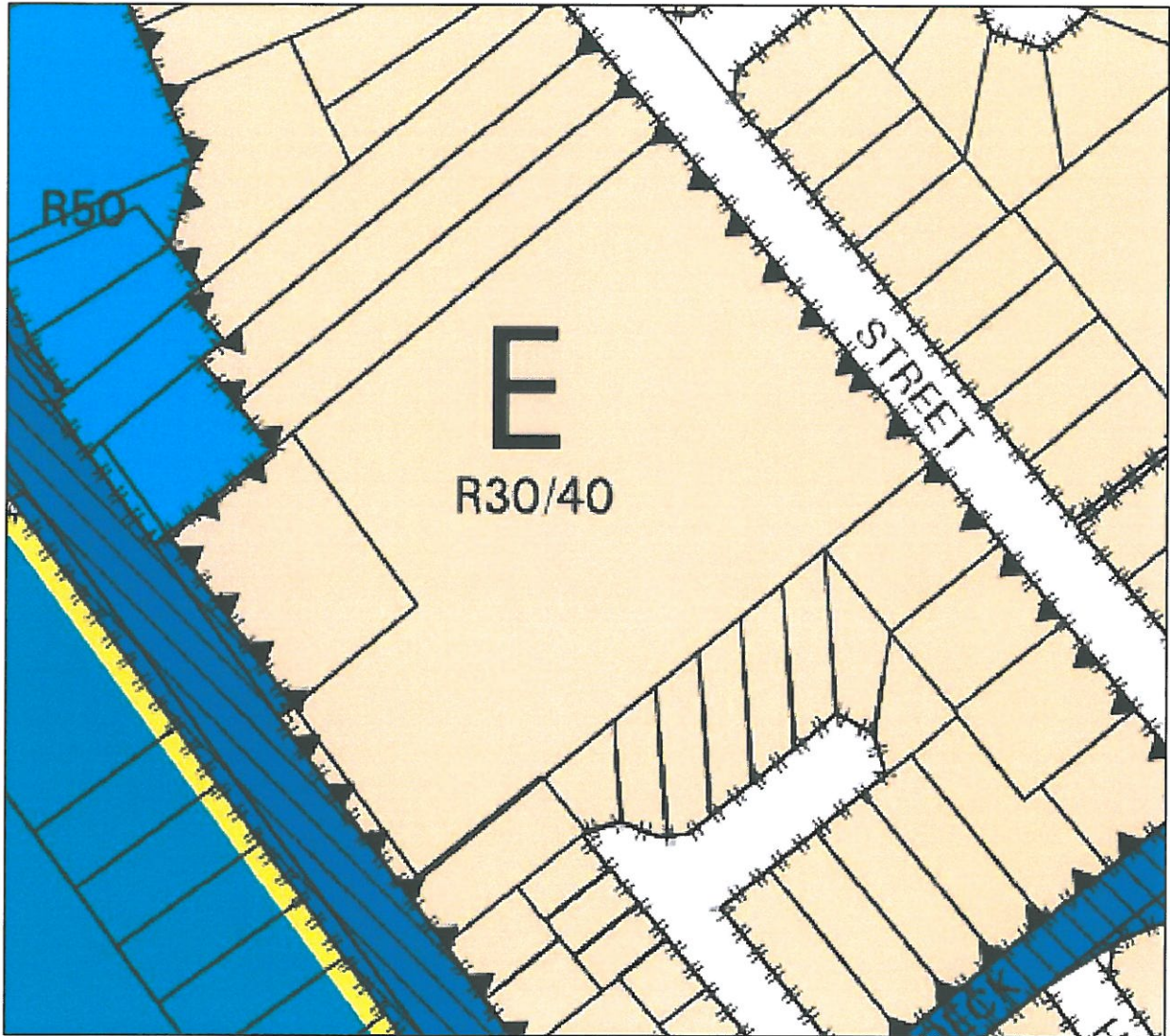
- Appendix 1 – AECOM Geotechnical Site Investigation Report
- Appendix 2 – AECOM Preliminary Engineering and Services Report
- Appendix 3 – Aboriginal Cultural Heritage Survey Reports #606 and #5097
- Appendix 4 – RPS Plan Set 3955 (Concept Plan, Indicative Elevation and Indicative Cross-Section)
- Appendix 5 – RPS Plan Set 3955 (Built Form, Access and Landscaping)



# CITY OF GERALDTON - GREENOUGH


## TOWN PLANNING SCHEME No. 3 (GERALDTON)

### (DISTRICT SCHEME)



#### LEGEND

- RESIDENTIAL
- DISTRICT DISTRIBUTOR ROAD
- CENTRAL GERALDTON
- R CODES
- CITY CENTRE
- SPECIAL DESIGN PRECINCT

 <b>LANDWEST</b> <small>URBAN AND RURAL PLANNING CONSULTANTS</small>	Suite 1 & 2 Geraldton Central 65 Chapman Road Geraldton WA 6530 PO BOX 1597 Geraldton WA 6531 Email : info@landwest.net.au Phone : (08) 9965 0550 Fax : (08) 9965 0559	CLIENT: YUGUNGA-NYA PEOPLES TRUST TITLE: EXISTING ZONING LOT 567 ON PLAN 60559 & LOT 983 ON PLAN 192146 DURLACHER STREET, GERALDTON CERTIFICATE OF TITLE: _____ DATE LAST MODIFIED: 10/08/12				
	DESIGNED: N/A      DRAWN: SD      APPROVED: _____	REV: _____ DATE: _____ DETAILS: _____ BY: _____ APPROVED: _____	SCALE: NTS      @A4	PLAN: 11028 - EZ	_____	_____
	* This plan remains the property of Landwest and must not be used for any purpose other than which it was prepared for, in relation to the land duly described, Landwest accepts no responsibility for any losses or damages caused to any person/s who may use the information for a purpose for which it was not intended.					

# CITY OF GERALDTON - GREENOUGH

## TOWN PLANNING SCHEME No. 3 (GERALDTON)

### (DISTRICT SCHEME)



### LEGEND

- RESIDENTIAL - R40
- MIXED USE
- R CODES
- SPECIAL DESIGN PRECINT



Suite 1 & 2 Geraldton Central  
 65 Chapman Road Geraldton WA 6530  
 PO BOX 1597 Geraldton WA 6531  
 Email : [Info@landwest.net.au](mailto:Info@landwest.net.au)  
 Phone : (08) 9965 0550  
 Fax : (08) 9965 0559

CLIENT: YUGUNGA-NYA PEOPLES TRUST					
TITLE: PROPOSED ZONING LOT 567 ON PLAN 60559 & LOT 983 ON PLAN 192146 DURLACHER STREET, GERALDTON					
CERTIFICATE OF TITLE:	DATE LAST MODIFIED: 10/08/12	REV:	DATE:	DETAILS:	BY: APPROVED:
DESIGNED: N/A	DRAWN: SD	APPROVED:	SCALE: NTS	@A4	

\* This plan remains the property of Landwest and must not be used for any purpose other than which it was prepared for, in relation to the land duly described. Landwest accepts no responsibility for any losses or damages caused to any person/s who may use the information for a purpose for which it was not intended.



## **6.0 PROPOSED SCHEME AMENDMENT**

This section outlines the proposed scheme amendment, specifying and providing justification for the changes proposed; both the rezoning of the subject land to the Mixed Use zone and the proposed changes to the Mixed Use zone provisions, Urban Precinct E provisions and the Zoning Table. It outlines the development concept envisaged for the subject land to support the amendment. The development concept is outlined in more detail in Part 7.

### **6.1 Scheme Amendment Proposal**

The proposed Scheme Amendment incorporates changes to both the Scheme Maps and the Scheme Text of Town Planning Scheme No. 3.

The Amendment will rezone Lot 983 Durlacher Street in entirety and a portion of Lot 567 Brede Street from Residential R30/40 to Mixed Use. The remaining portion of Lot 567 abutting Brede Street will retain its Residential zoning, but will be recoded to R40.

Changes proposed to the Scheme Text include modification to the Mixed Use zone provisions, specifically clause 4.17), minor changes to the Urban Precinct E provisions (Clause 4.15), renumbering of Scheme provisions to rectify an existing anomaly where three separate Scheme Amendments introduced different provisions with the same Clause number (Clause 4.17) and include the permissibility of the Home Office use class within the Mixed Use zone on the Zoning Table.

### **6.2 Purpose of Amendment**

The Amendment will predominantly facilitate a significant mixed use development on the subject land. The site has significant topographic constraints, but also presents a number of opportunities. The Mixed Use zoning proposed provides sufficient flexibility to allow a range of residential and non-residential uses capitalising on the site's location on the edge of the Geraldton City Centre.

It also ensures development provisions and requirements relate specifically to the characteristics and context of the subject land with detailed, site-specific development guidelines to be approved by Council.

The mixed use development envisaged will incorporate grouped/multiple dwellings; short stay accommodation, retail and commercial/office uses. The retail, commercial/office and short stay accommodation components will be limited to the portion of the site directly adjacent to Durlacher Street in order to address and benefit from Durlacher Street's role as a key pedestrian route and gateway to the City Centre.

The proposed re-coding of the portion to retain the residential zoning will assist with increasing overall densities by providing opportunity for a variety of lot sizes



The Amendment will also effect minor changes to the existing Mixed Use zone and Urban Precinct E provisions and Zoning Table to provide clarity, reduce ambiguity and uncertainty and rectify minor anomalies in the Scheme text.

### **6.3 Justification**

#### **6.3.1 Development Concept**

The evolution of the particular concept for the site has occurred over some time and reflects the aspirations of the landowners. The concept is outlined in more detail in Part 7 of this report, however in summary it incorporates a mixed use development with grouped and multiple dwellings, short stay accommodation units, retail and commercial/office floor space.

The development concept is indicative only. While it represents the format for expected development of the site, the Mixed Use zone provisions to be introduced, require detailed design guidelines which ensures that the final land use mix and disposition of development to are determined at that time.

#### **6.3.2 Response to Site Opportunities and Constraints**

The proposed Mixed Use zone and the development concept envisaged for the site are both an appropriate and an innovative design response to the opportunities and constraints of the site.

##### *Proximity to City Centre*

The landholding is a unique property given its significant size within central Geraldton. The site is within easy walking distance of all parts of the City Centre and its wide array of employment, commercial, cultural and educational facilities.

The amendment responds to the objectives of the City's City Centre Planning Policy which encourages inner city living as a sustainable and desirable lifestyle. This is further articulated in other strategic planning documents, which emphasise the primacy of the Central Business District. This amendment is an appropriate response to the site's locational advantages as it will facilitate a mix of uses, short stay accommodation and increased residential population on the edge of the City Centre. This will both enhance and benefit from the level of activity in the City Centre.

##### *Durlacher Street frontage*

Durlacher Street is a convergence point of a number of major entry routes into the City Centre, both for vehicles and pedestrians. Durlacher Street is recognised in the Scheme as a District Distributor Road. Commercial activity extends along the north western side of Durlacher Street from George Street up to the northern boundary of the subject land. There is no constructed footpath along Durlacher Street at the frontage of the subject land.



The Mixed Use zoning and the development concept envisaged for the site will extend the existing commercial use along Durlacher Street. Consistent with the City Centre Planning Policy, it will provide continuity in ground-level retail/commercial uses along an important pedestrian connection. It will also facilitate a development which will see the construction of a footpath along the Durlacher Street frontage of the subject land, improving access and mobility opportunities.

### *Topography*

The final constructed development will be designed to work with and integrate with the slope and to retain and utilise the slope wherever possible. Effectively, built form is used in lieu of retaining walls after earthworks. Development will be layered through various finished levels to achieve this. This avoids the steepest slopes and avoids the extensive use of retaining walls which has occurred elsewhere on the dune face within the city centre. Whilst retaining will be necessary, this approach avoids substantial wall height.

A green link along the southern boundary of the site will protect the steep southern face of the dune on the site. Wherever possible, existing vegetation will be retained on the steep slopes of the dune face, consistent with the recommendations of the AECOM geotechnical report.

Extensive earthworks will be required to achieve finished levels within this layered form for development. However during detailed design phase, it will be considered to use excess cut material from the upper levels to increase the finished levels for the lower gradient areas. It is expected that the upper level of the plateau will be reduced by approximately 4 to 5 metres in height to approximately 30m AHD, which is commensurate with the finished level of existing development on adjoining Lot 6, and similar to the original contour level prior to fill being placed on site historically. Refer AECOM report attached at **Appendix 2**.

Indicative concept plans, cross sections and elevation plans (RPS Plan Set, **Appendix 4**) show how this could be achieved

The recommendations of the AECOM geotechnical report, cited in Section 3.4.3 of this report, will guide the development of the land and will also be incorporated, as appropriate, into design guidelines for the site.

### *Landscape values and views to and from the site*

The development concept proposes a stepped or layered approach to building on the site, consistent with and sympathetic to the landform on the site. Significant green spaces are proposed between each building. These design criteria are addressed in the indicative sketches demonstrating built form, access and landscaping (**Appendix 5**) and show how built development will reflect the natural topography of the site.



It is proposed to integrate “green roofs” via rooftop landscaping into the development to soften the visual impact of large roofs on both residents from the higher portions of the site of the development and on the section of subject land visible from surrounding areas. It is also proposed to use local wildflower species in the landscaping of the site.

Buildings are to be located and designed so as to maximise and frame the significant views from the site over the city and port, to the south towards Separation Point and Back Beach, and to the north and east towards the HMAS Sydney Memorial and the Moresby Range.

Design guidelines that will be required to be adopted will ensure a consistent but innovative approach to achieving high quality built form and maximise opportunities for access to views from across the site.

### **6.3.3 Land Use Mix**

The proposed zoning will provide for a range of mixed use development with grouped and multiple dwellings, short stay accommodation units, retail and commercial/office floor space. The retail, commercial/office and short stay accommodation components will be limited to the portion of the site adjacent to Durlacher Street. It is anticipated that buildings on the remainder of the site, will be limited to residential and accommodation uses.

The floor space limitations of the Mixed Use zone will ensure that retail development on the site is contained, small in scale and complementary to, rather than to detract from retail provision in the adjacent City Centre. Short stay accommodation units, which depending on their management details may fall under the use class of Serviced Apartments or Tourist Accommodation in the Scheme, will address demand for accommodation in Geraldton adjacent to the City Centre, and will add to the social and economic vitality of the City Centre.

At the same time, the retail, office and short stay accommodation uses, along with the grouped and multiple dwellings proposed, will form an appropriate interface between the more intensive uses in the City Centre and lower density residential areas to the east. The non-residential uses proposed will be compatible with adjacent residential uses both within the site and on surrounding land.

The provision of retail and commercial/office use at ground-level along Durlacher Street represents an extension of existing use along Durlacher Street from George Street, and will also improve the streetscape value and pedestrian environment on a major entry route to the City Centre, consistent with objectives of the Mixed Use zone and the City Centre Planning Policy.

The retention of the residential zoning over the balance of the landholding but re-coding

### **6.3.4 Services**



A full complement of urban services for residential and commercial development is available to the site.

Refer to AECOM Engineering Services Report at **Appendix 2**.

It is proposed to relocate the water main that currently traverses the site from Brede Street to Durlacher Street via an easement on the lot. The water main is expected to be relocated via existing road reserves to re-connect at Durlacher Street.

### **6.3.5 Vehicular and Pedestrian Access**

Vehicular access to the site and the various land uses will be via the separate street frontages. Detailed design will assist in overcoming existing limitations for access, and assist with improved traffic management along Durlacher Street between the Waldeck and Maitland Street intersections.

Sufficient car parking (including visitor) can be provided on-site for all commercial and short stay accommodation uses fronting Durlacher Street. It is anticipated that some or all of this car parking will be in the form of undercroft parking to maximise use of the site and reduce the visual impact of extensive areas of open carparking.

The higher portion of the site is expected to have a single point of vehicular access/egress to Brede Street. Car parking for the residential buildings will be provided in the form of undercroft parking for those buildings or as garages within grouped dwellings.

Future residential development of the portion fronting Brede Street will be developed in accordance with the proposed R40 coding. Access to lot and/or dwellings may employ co-located driveways to reduce the number of vehicular access points to/from Brede Street.

The development facilitated by this amendment will provide for an efficient, safe and interconnected pedestrian environment. A colonnaded walkway is envisaged along the Durlacher Street frontage of the development. It is anticipated that internal access between the lower and upper reaches of the site will be provided by way of constructed pathways and green spaces. It is expected that public access through the site will be achieved by the provision of open space links. This will achieve a high level of connectivity between the Brede Street and Durlacher Street frontages.

### **6.3.6 Development of Design Guidelines**

In accordance with the Mixed Use zone provisions in the Scheme, detailed design guidelines will be required to be prepared and approved by the City prior to any development or subdivision of the subject land. The design guidelines will comprehensively address all of the matters listed in Clause 4.17.2 of the Scheme:

- height;
- plot ratio;
- setbacks;
- car parking;
- land use/s and mix;
- heritage considerations;
- protection and enhancement of views;
- pedestrian access and movement;
- landscaping and streetscape;
- building materials and colours;
- public art and/or facilities; and
- desired urban character.

In addition to these, design guidelines prepared for the site will specifically address risk mitigation recommendations from the AECOM geotechnical report and the management of common property within the development.

Design guidelines are a comprehensive mechanism to consider site specific opportunities and constraints and implement various technical recommendations.

### **6.3.7 Increased Residential Densities**

As outlined above, an increased and more varied residential density across the site is consistent with the policy direction of the state government and the City of Greater Geraldton. The subject land is very well located for residential development. The subject land is in close proximity to a wide range of facilities and services. More specifically -

- the land is approximately 1 km from the Geraldton City Centre and its wide range of employment, facilities and services;
- the land enjoys proximity to passive and active recreation areas/facilities including Maitland Park;
- it is close to public and private educational institutions from primary through secondary and tertiary;
- it is within close proximity to public and private hospitals, and a range of other medical facilities and services;
- only 1 km from the foreshore/ beach/ Batavia Marina precinct;
- only 3 km from the many regional sporting facilities in the Wonthella Sports precinct; and
- it has good existing and future connections to the local and regional road network.

These location advantages compare well with other residential areas where higher density infill residential development opportunities are available, than may be provided for under the current zoning.



A greater diversity in lot size, and increased lot yield overall will service increasing demand within Geraldton for locations where there is easy access to a range of services, facilities, educational institutions, recreation opportunities and employment areas. It will allow an increased number of households to potentially benefit from a location close to such facilities, thus reducing car dependency and travel demand and increasing walkability. In turn, this promotes a more efficient and therefore sustainable use of service infrastructure.

It is contended that the residential re-coding proposed by this amendment is consistent with state and local planning objectives, utilises the excellent locational advantages of the site, and will lead to a more sustainable use of land available for residential use and service infrastructure.

### **6.3.8 Changes to Mixed Use Zone Provisions**

It is contended that minor changes to the Mixed Use zone provisions are appropriate to provide clarity and remove perceived ambiguity. Accordingly, this Amendment proposes to:

- Correct a spelling error by changing the word “complimentary” to “complementary” in sub-clause 4.17.1 (a).
- Clarify that design guidelines for land within the Mixed Use zone may be subsequently modified, at the discretion of Council.
- Clarify that the 200 m<sup>2</sup> Net Lettable Area floor space restriction within the Mixed Use applies to any individual shop (inclusive of any sub-leases or tenancies), rather than to the total shopping floor space within an entire lot or area within the Mixed Use zone or the Mixed Use zone as a whole.
- Clarify that the restriction of residential use in a mixed use building to floors above ground level is only applied to individual buildings, rather than to a site within the Mixed Use zone or the Mixed Use zone as a whole. It is contended that to require non-residential use of the ground floor of all buildings within the Mixed Use zone would be unduly restrictive. Design guidelines addressing land use mix can require non-residential use on the ground floor of buildings facing major streets and pedestrian movement areas.

An error has been brought into Town Planning Scheme No. 3 by way of three separate Scheme Amendments introducing a Clause 4.17. These Amendments were numbers 32, 42 and 47. This Amendment proposes to resolve this error and avoid confusion by renumbering the Highway Commercial zone and Restricted Uses provisions as Clause 4.18 (and 4.18.1 to 4.18.6) and Clause 4.19 respectively.

### **6.3.9 Changes to Urban Precinct E Provisions**

The land subject to this amendment is contained within Urban Precinct E. While it is considered that the Mixed Use zone is the most appropriate zoning for the subject land and for the development concept envisaged, there are some areas where the current provisions for Urban



Precinct E are inconsistent with the provisions for the Mixed Use zone. Accordingly, this Amendment proposes to modify the Urban Precinct E provisions in Clause 4.15.5 to address these inconsistencies.

Sub-clause 4.15.5 (i) of the Scheme currently specifies that buildings for Multiple Dwellings will not be deemed to satisfy the objective of Urban Precinct E – and are presumably prohibited. However, it is argued that there is nothing necessarily inherent in multiple dwellings that render them unsuitable for preserving landscape values. It is quite possible for innovative and well designed multiple dwellings under the auspice of design guidelines, to have a more palatable visual impact than multi-storey single dwellings or grouped dwellings with no control other than the Residential Design Codes which do not address design outcomes.

Multiple dwellings are discretionary within the various zones within Urban Precinct E and can be refused if inconsistent with the objectives of the precinct. It is considered that the other provisions in Clause 4.15.5 are adequate to ensure appropriate built form and appearance without prohibiting multiple dwellings.

Multiple Dwellings are a component of the land use mix envisaged for the subject land. It is also contended that the issues of built form, appearance, materials, solar access, privacy etc will be addressed by design guidelines specific to this mixed use zone.

On this basis, the Amendment proposes to delete sub-clause 4.15.5 (i) from the Scheme.

Sub-clause 4.15.5 (ii) of the Scheme currently specifies that single houses to R30 standards, or grouped dwellings to R40 standards may be deemed to comply with the Zone objective, subject to satisfactorily achieving (in Council's opinion) the performance standards of the clause.

The development concept envisaged for the subject land would however be consistent with R50 standards. It is considered that an R50 density code is appropriate both for the subject site and for the mixed use zone as a whole, as it enables increased density to take advantage of the inner city location with its greater walkability and proximity to employment, commercial and cultural uses and many other facilities. This is more reflective of current planning principles than may have been the case when the urban precincts were introduced into the town planning scheme historically.

It should also be noted that, for multiple dwellings under the R50 code, there is no change to the maximum permissible plot ratio or the minimum site open space compared to the R40 coding.

In order to provide clearer guidance on development standards in the Mixed Use zone, and to avoid potential conflicts between the Urban Precinct E provisions and design guidelines prepared pursuant to the Mixed Use zone, this Amendment proposes to modify sub-clause 4.15.5 (ii) to refer to achieving "the performance standards of this clause or other standards specified in approved design guidelines for land within the Mixed Use zone".



This Amendment also proposes to include reference to both grouped and multiple dwellings in this sub-clause, as sub-clause 4.15.5 (i) is to be deleted.

### **6.3.10 Changes to Zoning Table**

It is proposed to modify the Zoning Table to include Home Office as a permitted ('P') use within the Mixed Use zone, which is precluded at present. It is unusual among recent model scheme text-based local planning schemes for home office to be included on the zoning table, as it is generally included in the list of uses that are exempted from requiring planning approval. However, as Town Planning Scheme No. 3 requires planning approval for a Home Office, but currently prohibits the use within the Mixed Use zone, it is appropriate to make the use a permitted ('P') use within the zone.

By definition, a Home Office is a home occupation carried out within a dwelling in such a way that it has no adverse impact and is not apparent to neighbours that any such use was being carried out at all. It is a use that entails no clients or customers travelling to and from the dwelling, involves no advertising signs on the premises and no external change to the appearance of the dwelling. As there is no adverse impact from a home office it is considered pertinent to amend permissibility in the mixed use zone within a central location.