

Schedule of Submissions DP13/0003
**Draft Detailed Area Plan – Lots 8 & 9 Dowell Road, Lots 21, 4, 3, 2, 50, 51, 19, 21, 74 & 75 Bussell Highway and Lot 22
 Newtown Close, Vasse**
SUBMISSIONS CLOSE: 16 January 2015
OFFICER: Louise Korovesi

No	NAME & ADDRESS	NATURE OF SUBMISSION	OFFICER COMMENT	OFFICER RECOMMENDATION
1.	Western Power	No objection subject to the following advice being noted and addressed in the future subdivision and development of the land - Comments – <ul style="list-style-type: none"> • Future subdivision and development within the areas identified should have conditions imposed to protect Western Power’s easements and restriction zone requirements for existing and new infrastructure. • New distribution infrastructure or upgrades and modifications may be required in the future to meet the demand from infill development. 	Noted	That the submission be noted.
2.	Department of Health	No objection subject to the following advice being noted and addressed in the future subdivision and development of the land - <ul style="list-style-type: none"> • All proposed developments are to be connected to scheme water and reticulated sewerage in accordance with the draft Country Sewerage Policy. • The subject land is in a region that regularly experiences significant problems with nuisance and disease carrying mosquitoes. 	Noted	That the submission be noted.
3.	Department of Fire and Emergency Services	No objection. Any future development would be subject to DFES operating guidelines in relation to emergency access and effective firefighting operations.	Noted	That the submission be noted
4.	Department of Water	No objection.	Noted	That the submission be noted.
5.	Main Roads WA	No objection.	Noted	That the submission be noted.
6.	Water Corporation	No objection subject to the following advice being noted and addressed in future subdivision and/or development within the DAP area – The Corporation has adopted long term wastewater infrastructure planning for this area which is a guide for the future servicing of the land. A new wastewater line will be required from the existing system to the east, along Orlando Boulevard and along Bussell Highway. Future development proposals will need to determine if the existing system has the capacity to accept additional flows and what upgrades may be required.	Noted	That the submission be noted.

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7.	Department of Parks and Wildlife South West Highway Bunbury WA 6230	DEC datasets indicate that the proposal is located within an area known to support Western Ringtail Possum (WRP) and is expected to contain native vegetation which is potential habitat for WRP and Black Cockatoos. Given that the proposal may involve clearing of native vegetation it is recommended that a Fauna Management Plan be prepared and implemented to minimise impacts on fauna during the clearing of vegetation.	The Vasse town site is a developed urban area that includes residential, commercial and industrial land uses. Vegetation is restricted to a scattered mix of individual native and non-native species. The town site does not contain native vegetation that has structural integrity and density because of the level of disturbance (clearing) that has occurred historically through urban development, therefore its value as habitat for species such as the Western Ringtail Possum and Black Cockatoos is highly compromised. The Detailed Area Plan, in and of itself, will not result in any clearing and it is considered that, should further development or redeveloped occur within the town site, there may be scope to retain individual trees.	That the submission be noted.
8.	Roberts Day 130 Royal Street East Perth WA	<p>Objection.</p> <p>This submission considers the impacts of the Draft DAP on the development of the Vasse Estate, and specifically on the viability of the new Village Centre. The Village Centre is scheduled to be fully serviced by June 2015 and buildings constructed and businesses open by December 2016.</p> <p>The Vasse Village Centre is a significant long-term undertaking. Its success relies on providing a critical mass of diverse uses and activities, not just to ensure that it attracts the necessary trade to be commercially successful, but also for the successful branding and promotion required to attract traders and tenants. To preserve this critical mass requires the consolidation of as much activity as possible in the Village Centre, particularly retail and ancillary commercial uses. The loss of any of these uses to the Hamlet will fragment the offer provided in the Village Centre to its long-term detriment.</p> <p>The competition provided by a second retail centre in close proximity to the Village Centre will fundamentally weaken the prospects of this success, with serious impacts for the residents, visitors, employees/employers and the developer of the Village. This review explores this issue in detail, and finds a range of negative commercial, planning, design and community impacts associated with the proposal that are not accounted for in the supporting report or justified with reference to the existing planning and commercial</p>	<p>Officers consider that there are four key questions arising from consideration of this submission. These are outlined and discussed below –</p> <ol style="list-style-type: none"> 1. Is an expansion of retail and commercial opportunities at Vasse likely to have a negative impact on the primacy of the Busselton City Centre and the Dunsborough Town Centre? 2. Is the expansion of retail opportunities within the Vasse townsite likely to have a negative impact on the establishment of the planned, new Vasse Village Centre mainstreet? 3. What would be the likely impact of not allowing some retail and flexibility in land use within the Vasse townsite? 4. How will the planned, future ‘downgrading/upgrading’ works for Bussell Highway within the Vasse townsite be funded? 	That the submission be noted.

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	<p>hierarchy. These are detailed below, resulting in the conclusion that the Draft DAP should be refused by Council.</p> <p>1.0 PLANNING CONTEXT</p> <p>The Vasse Estate has been the subject of extensive planning, investment and development since its identification as a new settlement in State Planning Policy No. 6.1 – Leeuwin-Naturaliste Ridge Policy (SPP6.1). The relevant planning instruments guiding development and investment are detailed below, with commentary relative to Council’s consideration of the Draft DAP.</p> <p>1.1 State Planning Policy No 6.1 - Leeuwin-Naturaliste Ridge Policy</p> <p>SPP6.1 provides direction for future land use in the Leeuwin Naturaliste Ridge region. It sets the settlement pattern for the region with Vasse identified as a ‘Village’ in the hierarchy of centres. SPP6.1 states that Vasse may grow to 2,000 people and provides scope for growth to 5,000 people, subject to sufficient employment creation to support the additional growth. The creation of a viable, economically productive Village Centre is the key driver to ensuring this economic target can be achieved, and maintained.</p> <p>SPP6.1 supports the consolidation of commercial activity within each settlement as follows:</p> <ol style="list-style-type: none"> 1. The ‘Statement of Intent’ for Settlement at Section 4.1 includes “the principle of commercial (especially retail) development being located within designated commercial zones, with major retail development being located in the principal centres”; and 2. This intent is then reinforced by ‘Settlement Design - Planning Statement 1.7’ that states “the location of commercial centres should reinforce the central focus, function and character of the settlements”. <p>The creation of a competing main street centre, 150 metres from the designated Village Centre, conflicts with both the strategic intent and specific guidance provided by these requirements. Therefore, as the Draft DAP compromises the consolidation of retail activity in the Village Centre and thereby undermines its viability, it should be rejected as contrary to</p>	<p>Primacy of Busselton and Dunsborough</p> <p>The longstanding and recently reaffirmed strategic planning direction as set out in the City’s draft <i>Local Planning Strategy</i> and <i>Local Commercial Planning Strategy</i> reinforces the primacy of Busselton as the City Centre for the whole of our district and provider of the greatest range of higher order retail and commercial goods, services and employment. The strategic direction for Dunsborough is for it to be the major town principally servicing the western part of the City. A fundamental strategy for Busselton in particular is to stimulate redevelopment and consolidate intensive commercial development, especially key retail anchors such as Discount Department Stores (DDS), in the existing area zoned ‘Business’ within the City Centre. There are currently two proposals before the City for the development of Discount Department Stores in Busselton, one being for Lot 17 West Street and the other for the Busselton Central Shopping Centre.</p> <p>The allowable retail floorspace within the ‘Business’ and ‘Special Purpose’ land use designations on the endorsed Vasse DGP is set at 4,650m² NLA. This is a broad strategy to guide the provision of retail facilities for the residential population at Vasse without detracting from the primacy of Busselton and Dunsborough as the principal commercial centres of the City.</p> <p>The endorsed DAP for the planned, new Vasse Village Centre (provided as Attachment F) supports this premise by limiting the amount of land available for retail uses to the extent that higher order uses such as a DDS are unable to establish within the Village Centre. This is achieved by spatially restraining retail development by specifying where shop uses are</p>	
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	<p>the objectives of SPP6.1.</p> <p>1.2 Vasse Development Guide Plan</p> <p>1.2.1 Zoning and Land Use</p> <p>The Vasse Development Guide Plan (DGP) was endorsed by the Western Australian Planning Commission (WAPC) on 8 October 2004 as part of the wider rezoning of the land to the 'Vasse Development' and 'Deferred Vasse Development' zones. The DGP has been periodically modified, with the most recent Modification No.6 (Revision P) being endorsed by the WAPC on 24 July 2014.</p> <p>The DGP depicts Vasse as a series of residential villages, a light industrial area and a centrally located Village Centre. The Village Centre is designated as 'Vasse Village Centre Special Purpose Zone'. Previous iterations of the DGP showed the Village Centre as an area zoned 'Business' and 'Restricted Business' located west of the Buayanyup Drain Reserve on Bussell Hwy. This location was modified to the current Special Purpose zone as part of DGP Modification No.4 (Revision K) endorsed 16 July 2010, with the removal of the proposed hospital from the core of the settlement.</p> <p>The Vasse Hamlet was originally zoned 'Business' in the DGP, before being modified to 'Vasse Townsite Special Purpose Zone' as part of DGP Modification No.5 (Revision M) endorsed 10 August 2012. The DGP designation clearly shows the Hamlet as subordinate in the overall hierarchy, with the zoning reflecting existing low-key commercial uses, rather than any denoting any significant expansion, and the Village Centre being the focus of retail and commercial activity.</p> <p>The commercial planning for Vasse is predicated on the success of the Village Centre, which requires the consolidation of all retail and commercial activity, particularly at the establishment phase. Progressive modifications to the DGP have reflected this approach by contracting the 'Business' and 'Restricted Business' land use designations within the DGP and consolidating all retail activity within the Village Centre. The forthcoming DGP Amendment associated with the Dawson Residential Village is the culmination of this approach, involving the removal of the</p>	<p>allowed and where they are not. Shop uses are only allowed in the areas identified on the Village Centre DAP as 'Type 1 – Large Format with Liner Buildings' and 'Type 2 – Main Street Retail'. The areas allocated for shop retail are sufficient to accommodate a full line supermarket of around 3,000m² and a range of supporting specialty shops.</p> <p>The establishment of a new, full line supermarket at Vasse is likely to be a strong attractor for residents in Abbey and Broadwater who might normally shop in Busselton. It is also likely to attract residents from the western part of the City who might normally shop in Dunsborough. Therefore the Vasse Village Centre is likely to have some impact on both Busselton and Dunsborough, but not sufficient to undermine the primacy of those two centres.</p> <p>Expansion of commercial opportunities at Vasse would be more likely to have a significant impact on the primacy of Busselton and Dunsborough if the planning framework was altered to permit the development of a DDS. Residents living in the western part of the City would be more likely to shop at Vasse rather than Dunsborough or Busselton. A DDS at Vasse would most likely have a negative impact on the current proposals for the development of the two DDS in Busselton and would discourage the development of a small DDS in Dunsborough indefinitely.</p> <p>An increase in the retail floorspace at Vasse by 1,150m² (with that allowance being within the townsite) will not enable a DDS to develop at Vasse. Land ownership is fragmented, as is the distribution of the retail floorspace on both sides of Bussell Highway and lot specific allocations proposed by the DAP. This will also restrict the ability to develop a second supermarket at Vasse.</p>	
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		<p>remaining 'Business' and 'Restricted Business' land use designations west of Buayanyup Drain.</p> <p>1.2.2 Retail Floorspace</p> <p>Planning Policy Statement No.3 of the DGP prescribes a total 4,650sqm NLA of retail floorspace for the Business and Special Purpose land use designations within the DGP area. This retail floorspace has been <u>fully allocated</u> through the endorsed Village Centre DAP in the form of a large supermarket of approximately 3,000sqm NLA of retail floorspace, supported by a range of specialty shops comprising the balance of the 4,650sqm retail allocation.</p> <p>Planning Policy Statement No.3 also requires that "total retail floorspace within the Special Purpose land use designation shall not exceed the total floor space allocated to non-retail uses so that retail becomes an ancillary and not the predominant land use within the designated Special Purpose areas." Recent amendments to the DGP have used the Special Purpose designation as a means "(t)o provide a zone capable of accommodating a land use or combination of land uses which do not fall within the objectives of other zones or reserves and which, by their nature or location, require specific consideration." While the Village Centre Special Purpose zone is a special case, comprising the neighbourhood centre for Vasse, the Draft Hamlet DAP should comply with the requirement of Planning Policy Statement No.3 with any retail allocation being a subordinate and ancillary use, not exceeding the sum of existing approvals.</p> <p>The City has consistently rejected requests by the successive developers of the Vasse Estate to consider an increase in the retail allocation at Vasse, on the basis that this will compromise the viability of the Busselton Town Centre. The City's consideration and advertising of the Draft DAP represents a fundamental and unprecedented change to this long-standing position, proposing an almost 25% increase in retail floorspace within the DGP area and without direct consultation with the Vasse Estate developers. As the purpose of these planning instruments is to guide long term planning and provide certainty for development and investment, we strongly object to this modification in the absence of a compelling retail assessment and the consolidation of this additional</p>	<p>Should redevelopment occur within the townsite for retail purposes, it is likely that such uses would provide some of the convenience needs of residents in and around Vasse, but not sufficient to have a long term impact on Busselton and Dunsborough.</p> <p>Impact on the Vasse Village Centre Mainstreet</p> <p>The key concern raised in the submission on behalf of the developer of the Vasse Estate is that any shop retail activity allowed to develop within the Vasse townsite will jeopardise the successful establishment and sustainability of the planned, new Vasse Village Centre mainstreet.</p> <p>A key anchor for the Vasse Village Centre will be a full line supermarket. Advice received from the developer of the Vasse Estate is that Coles is anticipated to open in 2016 (although the City is yet to receive a development application). The supermarket will have direct frontage to the mainstreet with a design response to that context.</p> <p>Supermarkets play a pivotal role in influencing mainstreet success by working in concert with other land uses and urban spaces to generate pedestrian flows of central importance to the vitality, and therefore the viability of a mainstreet. The establishment of the supermarket as a mainstreet tenant at the Vasse will be a significant attractor and supporter of a range of specialty shops and related commercial activity that will contribute to the broader evolution of the village centre and the success of its mainstreet. In this regard, the Village Centre will have a significant 'pull away' effect from the Vasse townsite.</p>	
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		<p>retail in the Village Centre mainstreet, where programmed retail uses are already near capacity based on the restrictive retail cap established in the DGP.</p> <p>1.3 Local Commercial Planning Strategy (City of Busselton, February 2011)</p> <p>In considering the potential impact that development of a second retail centre will have on the Vasse Village Centre, it is useful to reflect on the City's longstanding position to limit retail floorspace at Vasse to the 4,650sqm prescribed in the DGP and documented in the City's Local Commercial Planning Strategy (LCPS).</p> <p>The LCPS allocates retail floorspace of 41,173sqm to the Busselton Town Centre and 4,650sqm to Vasse (consistent with the DGP allocation). This represents a ratio of almost 9:1 retail floorspace in favour of the Busselton Town Centre. Based on this ratio, the City has consistently rejected requests to consider an increase to the retail allocation at the Vasse Estate on the basis that this will compromise the viability of the Busselton Town Centre.</p> <p>By comparison the City is now considering a 1,150sqm retail allocation for the Hamlet, which translates to a ratio of 4:1 retail floorspace in favour of the Village Centre. Applying the City's current logic, the development of the Hamlet as a second retail centre will have a demonstrably greater impact on the viability of the Village Centre. This impact will be further exacerbated as the Hamlet is only 150 metres away from the entrance to the Village Centre on Bussell Hwy, which experiences significantly greater traffic volumes and passing trade than will be found on Napoleon Promenade.</p> <p>If the Draft DAP is to be given serious consideration, then this must occur as the result of a comprehensive, independent review of the distribution and allocation of retail floorspace at Vasse as a whole. The review should be directed at determining the long term interest of the community and whether this is better served by continuing to consolidate retail activity at the Village Centre consistent with SPP6.1 and the DGP, rather than dispersing activity into an additional, competing location.</p>	<p>A related concern raised is that land within the Vasse townsite could be assembled to enable the establishment of a second supermarket in direct competition to the Vasse Village Centre. Even under a scenario where land assemblage into single ownership was possible (although considered by officers to be unlikely) the DAP splits the retail allocation either side of Bussell Highway (519m² to the east and 631m² to the west). Typically the floorspace required for the smallest sized supermarket (such as an IGA Express) is in the range of 900m² to 1,000m². In other words, the DAP will not facilitate the development of a second supermarket in Vasse.</p> <p>Without a key anchor, officers consider that investment decisions to establish new retail and commercial uses are more likely to be made in favour of the Village Centre rather than the townsite. It is also likely that should a level of retail development occur in the townsite in the short term (within the next 5 years and assuming a supermarket opens in Vasse in that timeframe) there is likely to be some effect on the Village Centre mainstreet, and assumptions can be made about the extent of that effect. On balance, officers are of the view that a mixed use outcome in the townsite is warranted (for reasons set out in the next section of this report) and that the Village Centre mainstreet will establish successfully and remain sustainable and viable.</p> <p>The planning framework specifies a population of 5,000 at Vasse, however that is likely to be exceeded. The Vasse Village Centre DAP allows for a residential density of R-AC3 (as does the draft townsite DAP), planning for the residential areas of Vasse is, and is likely to continue to deliver more medium density development and the City's draft Local Planning Strategy identifies future growth areas at Vasse East,</p>	
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	<p>1.4 Amendment No.140 (Town Planning Scheme No.20)</p> <p>Amendment No.140 was lodged under Town Planning Scheme No.20 to facilitate the rezoning of the Vasse Hamlet to the ‘Vasse Development’ zone. Amendment No.140 was gazetted on 15 May 2012. Prior to its rezoning, the Scheme zoning of the Vasse Hamlet accurately reflected its historic land use and approvals, with Lot 19 zoned ‘Restricted Business’, Lots 3, 4, 21, 8 and 9 zoned ‘Industry’ and the rest of the land zoned ‘Residential R15’.</p> <p>The rezoning was predicated on an Indicative Land Use Concept Plan (Concept Plan) that “provides the foundation (to) guide future detailed planning and development”. The Concept Plan is a significantly more modest and well-considered proposal for development of the Hamlet than the Draft DAP (noting however that there are still concerns regarding the retail allocation and the overall scale of development proposed in the Concept Plan). The Concept Plan depicts a centralised retail/commercial core on Bussell Hwy with integrated access and parking, supported by a continuation of the existing residential land-uses characteristic of the existing precinct. The Draft DAP is a significant departure from the Concept Plan in terms of its land-use, form and scale, the quantum of proposed retail and its design philosophy and elements.</p> <p>Relevant to this submission, the Amendment Report also refers to:</p> <ol style="list-style-type: none"> 1. The intention of <u>complementing</u> the future Village Centre. How this is to be achieved is not stated and it is evident from the scale of the proposal in the Draft DAP that the intention is now to directly compete with the Village Centre (see discussion at Section 2.1 below). Furthermore, as the success of the Village Centre relies on consolidating as many offerings as possible to achieve a critical mass of activity, there are no additional commercial activities that can be undertaken at the Hamlet that will not directly reduce this critical mass to the detriment of the Village Centre’s viability. The only complementary activity would be residential; and 2. The intent of the Amendment being to facilitate “individual landowners to progress with subdivision and/or development applications”. This highlights a key issue for consideration of the Draft 	<p>Vasse South and Abbey South for which Vasse would be the service centre (medium term urban growth areas identified as 11, 12, and 10 respectively on Attachment D).</p> <p>Separate commercial analyses were included in the Vasse Village Centre DAP and the Vasse townsite DAP that estimated retail demand in comparison with the shop retail cap on the Vasse DGP. Findings suggested that even if the Village Centre retail area was fully developed and operating today (and the same for the Vasse townsite), there would be a shortfall and that shortfall will increase in the future. This would suggest that there is capacity for the townsite to account for some of the shortfall.</p> <p>Impact on the Vasse Townsite</p> <p>Landownership within the DAP area is fragmented (9 different landowners own 14 lots). Given this, there is no certainty around when, or if, redevelopment might occur, the extent of any redevelopment and/or the land uses that might result. Fragmented landownership has the potential to reduce rather than enhance opportunities for redevelopment and this demonstrated by the fact that there has been little or no change within the townsite for many years.</p> <p>The impact of not allowing some retail and flexibility in land uses within the DAP area is likely to be that the impetus for redevelopment within the townsite will be stifled. It is fair to say that the townsite is in need of some level of revitalisation and activation and allowing shops to develop would be an important component.</p> <p>Redevelopment and revitalisation would deliver improvements to the streetscape and character of the townsite (particularly when the section of Bussell</p>	
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		<p>DAP, being the failure of the Amendment to establish any guiding principles or mechanisms to coordinate future development of the Hamlet. The Draft DAP similarly fails to provide the necessary coordinating mechanisms, meaning that critical considerations such as coordinated access and parking, the upgrade of Bussell Hwy and built form development controls are not addressed. The ‘Detailed Area Plan Design Principles’ are not sufficient mechanisms to secure these outcomes.</p> <p>1.5 Vasse Village Centre Detailed Area Plan Stage One (October 2014)</p> <p>The DAP for the Village Centre was endorsed by the WAPC on 16 July 2014, with the most recent amendment approved by Council 29 December 2014. The DAP has been subject to intensive planning and consideration to ensure it will result in a viable and sustainable retail centre, as well as a sought after place in its own right as an exemplar of a south-west township. This is achieved by a series of measures including, but not limited to:</p> <ol style="list-style-type: none"> 1. Clear objectives, given effect by a suite of detailed Thoroughfare, Public Domain and Built Form / Land Use typologies, to ensure objectives are translated into on ground outcomes; 2. Planning Policy Statements setting out requirements for design guidelines, easements, management plans and landscaping requirements (amongst other things) to ensure that all aspects of planning and delivery of the centre are addressed through the planning framework; 3. Detailed plans demonstrating the coordination of the different typologies, in particular the management of parking and access; 4. Supporting data demonstrating that parking for the centre correlates to development potential; 5. Prescriptive land use controls ensuring compliance with the DGP retail cap, and ensuring that retail activity is centralised in the key main street area (between Bussell Hwy and the roundabout within the Village Centre); and 6. Credible retail sustainability modeling demonstrating the retail capacity of the centre in the local and regional context. <p>The planning framework set out in the Village Centre DAP is a highly</p>	<p>Highway within the townsite eventually undergoes ‘downgrading/upgrading’ works as described in the following section of this report). Officers view this as being complementary to the Vasse Village Centre and would be a positive contribution to the overall presentation of urban development at Vasse.</p> <p>Bussell Highway ‘Downgrade/Upgrade’</p> <p>Two submissions suggested that the draft DAP is deficient as it does not address responsibilities for funding the downgrade/upgrade works for Bussell Highway within the Vasse townsite and contains no binding requirements for landowner/developer contributions.</p> <p>The western termination of the Busselton Bypass occurs at the intersection with Bussell Highway at Vasse. The Bypass is planned to extend around Vasse Newtown (becoming part of the Vasse-Dunsborough Link Road), thus providing an alternative route for regional, heavy haulage and through traffic so that the existing Bussell Highway alignment can be used as an internal subdivision road to service Vasse. A new connection between the Bypass extension and Bussell Highway will be realised via the ‘western link road’ that will form the western boundary of the Vasse Light Industrial Area. The portion of Bussell Highway within the Vasse townsite (i.e. between Orlando Boulevard and Kaloorup Road) will be downgraded from highway status once the Bypass extension is completed (anticipated in 2016) to cater for local traffic only.</p> <p>The City holds a bank guarantee for \$975,000 for outstanding works in relation to the Bussell Highway downgrade/upgrade. The works include: land acquisition and transfer costs for road widening to the front of Lots 21 & 4 Bussell Highway; undergrounding</p>	
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	<p>organised and prescriptive set of controls that ensure that the best possible outcome will be achieved, <u>and can be enforced</u> by the City in the assessment of development applications.</p> <p>2.0 APPLICANT SUBMISSION</p> <p>This part of the submission looks specifically at deficiencies and discrepancies in the Planning Report and Commercial Assessment submitted in support of the Draft DAP.</p> <p>2.1 Detailed Area Plan Submission – Vasse Hamlet (RPS, November 2014)</p> <p>The Draft DAP Report clearly demonstrates the Hamlet functioning in direct commercial competition with the Village Centre. This is stated explicitly at p.8 of the submission, which states “the Vasse Hamlet will concentrate activities and amenities within one location providing the daily needs for the community to which it serves. It will be the central focal point where all amenities create an area of vibrancy and community focus”. The proposal to “concentrate activities and amenities within one location” runs contrary to the express function of the Village Centre and a decade of planning to consolidate activity in a dedicated and sustainable single location.</p> <p>Section 4.1.2 of the Report goes on to describe the range of land uses proposed, being “retail, commercial, medical and ancillary uses such as a café, restaurants, butcher, bakery, clothing store, hairdresser, office premises, newsagency and/or post office.” This range of land-uses directly replicates services proposed in the Village Centre, and that are critical for its establishment and ongoing success.¹ These uses are facilitated by Condition 4 of the Draft DAP that prescribes the permissibility of uses in accordance with the ‘Business’ zone detailed at Table 1 of the Scheme. The range of permissible uses proposed in the Draft DAP is greater and more flexible than the approved Village Centre, which is obviously inappropriate given the Hamlet’s subordinate role in</p>	<p>of existing overhead power; service relocations generally; drainage works; street lighting and construction of the Kaloorup Road/Bussell Highway/Newtown Close intersection (new roundabout). The developer has responsibility for completing these works.</p> <p>Works have recently commenced on the construction of the new roundabout intersection between Orlando Boulevard, Bussell Highway and Napoleon Promenade, anticipated for completion by mid-2015. Napoleon Promenade will be the main street through the proposed Vasse Village Centre and will form the neighbourhood distributor through Dawson Village to connect with the north-south industrial road on the eastern boundary of the Light Industrial Area. There are also likely to be other changes to Bussell Highway at its intersections with Kaloorup Road/Newtown Close and Vasse-Yallingup Siding. Draft plans previously prepared for the downgrade/upgrade works will require reviewing in response to the above.</p> <p>The Vasse Developer Contributions and Staging Plan (DCSP) does not currently include the Vasse townsite lots. There is a clear nexus between future redevelopment opportunities that will be facilitated by the DAP and benefits to land adjoining this section of Bussell Highway, once the upgrade works are completed. The DCSP has recently been revised (and adopted by the Council for advertising on 25 March 2015) to, amongst other things, include the Vasse townsite lots. However, given the small number of landowners and the inherent uncertainty over the timing and form of any redevelopment, the value of</p>	
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		<p>the local commercial hierarchy.</p> <p>Given the established primacy of the Village Centre in the local commercial hierarchy, land-use in the Vasse Hamlet should not be permitted to replicate or compete with the range of land-uses programmed for the Village Centre. Allowable land-use within the Hamlet should be limited to a continuation of the existing approvals and residential activity. This can be achieved by modifying the Draft DAP to:</p> <ol style="list-style-type: none"> 1. Limit any proposed retail allocation to the quantum of floorspace of existing retail approvals for the subject land; 2. Restrict the potential for retail/commercial/non-residential use to lots for which there is a current approval for such uses – this applies to Lot 19 Bussell Hwy; Lot 21 on the eastern side of Bussell Hwy; and potentially Lots 8 and 9 Dowell Rd; 3. With respect to the lots detailed at point 2 above, amend the list of permissible uses at Condition 4 of the Draft DAP to exclude retail and higher order commercial uses, including but not limited to ‘shop’, ‘medical centre’, ‘pharmacy’ and ‘tavern’, that should be located within the Village Centre; and 4. Retain the residential use for the balance of lots in the Hamlet – this applies to Lot 22 Newtown Close; Lots 2, 21, 74 and 75 on the western wide of Bussell Hwy; and Lots 51, 50, 2, 3 and 4 on the eastern side of Bussell Hwy. <p>2.2 Vasse Hamlet Commercial Analysis (Hames Sharley, September 2010)</p> <p>The Vasse Hamlet Commercial Analysis (Commercial Analysis) was prepared in support of Amendment No.140 and the Draft DAP. The City’s assessing officer advises that the City does not support the Analysis and it no longer forms part of the formal supporting documentation for the Draft DAP. However, both Amendment No.140 and the Draft DAP have clearly been developed having regard for the findings of the Analysis, and the document therefore remains a relevant consideration in considering the deficiencies of the current application.</p> <p>The Analysis is a flawed basis for establishing a second main street centre at Vasse for the reasons detailed below:</p>	<p>any contributions collected towards the Bussell Highway downgrade/upgrade works will be relatively low. Contributions towards funding improvements to the distributor road network and footpath and cycle networks will be required in accordance with the City’s <i>Local Planning Policy 6E Roads, Footpaths and Cycle Network Upgrading Contributions</i>.</p>	
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		<ol style="list-style-type: none"> 1. The Commercial Analysis fails to consider the planning framework that establishes the primacy of the Village Centre as the retail centre at Vasse, or to address the social and economic impacts of a second main street on the viability of the Village Centre. Instead the Analysis is a standard retail catchment assessment which presumes equitable access to market share between the Village Centre and the Hamlet, despite the commercial hierarchy and expectations established in the DGP and the LCPS; 2. The Analysis provides no basis for additional retail at the Hamlet, assuming instead that it will comprise part of the 4,650sqm retail allocation in the DGP, and that this floorspace cap will “increase in the future with appropriate justification”. As established at Section 1.2.2 of this submission, the existing retail floorspace <u>has already been allocated</u> in the Village Centre. It should therefore be a mandatory precondition to consideration of the Draft DAP that suitable retail justification is provided to justify any retail increase and allocation to the Hamlet (which increase we strenuously object to); 3. As a basis for development of the Hamlet, the Analysis presumes the “development of the Hamlet in the short term represents a logical and practical progression....occurring approximately five years earlier than the Village Centre”. This is demonstrably incorrect, as trading in Stage One of the Village Centre is scheduled to commence in December 2016, which undermines the retail demand assessment on which the Analysis is based; and 4. Figure 6 ‘Assumed Market Shares of the Trade Area’ of the Analysis shows the clear aspiration for the Hamlet to attract a comparable market share to the Village Centre – 25% and 30% respectively – despite numerous statements in the Draft DAP Report and the Commercial Analysis that the Hamlet will ‘complement’ the Village Centre. The clear intention is for the Hamlet to operate in direct competition contrary to the established planning framework and the successful development of the Village Centre. <p>In light of the deficiencies of the Commercial Analysis and its rejection by the City, it follows that there is no quantified basis to support the request for retail and the establishment of a second retail centre. A proper retail</p>		
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	<p>assessment must be a mandatory pre-condition for any consideration of additional retail being provided at the Vasse Hamlet demonstrating that its development will not detract from the viability and successful establishment of the Village Centre.</p> <p>3.0 COMMERCIAL CONSIDERATIONS</p> <p>3.1 Retail Considerations</p> <p>The long-term success of the Vasse Estate relies on the vitality created by a sustainable retail centre. While the retail component is not the only aspect of the centre critical to its success, it will generate the visitation and trade to underpin the non-retail aspects of the centre, and transform the settlement as a whole into something more than a residential development, as envisaged in SPP6.1.</p> <p>The success of the Village Centre relies on providing a critical mass of diverse uses and activities that will attract traders and shoppers. To preserve this critical mass requires the consolidation of as much activity as possible in the Village Centre, particularly retail and ancillary commercial uses. Land uses within the Village Centre have been carefully programmed within the scope of the existing 4,650sqm retail cap to ensure a full range of goods and services can be provided to residents and visitors. The loss of any of these uses to the Hamlet fragments the offer provided in the Village Centre to its long-term detriment.</p> <p>In considering the current proposal Council should therefore consider the following factors:</p> <ol style="list-style-type: none"> 1. The development of a second retail main street will have a significant impact on the establishment, sales, performance, and function of the Village Centre; the size, location and function of which has been clearly established and agreed with the City and the WAPC over the course of almost two decades of planning via SPP6.1, the DGP and the LCPS; 2. The developers of the Vasse Estate have invested considerable resources into the preparation and establishment of the Village Centre and the township as a whole (elaborated at Section 3.2 below). This has been done in the full knowledge of the retail floorspace allocation, market capacity, function and competitive environment at Vasse 		
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		<p>ensured by the Scheme, DGP and LCPS. This certainty is fundamentally compromised by the Draft DAP;</p> <ol style="list-style-type: none"> 3. The current retail allocation of 4,650sqm facilitates the development of a full line supermarket operator, supporting a series of specialty shops and related commercial activities, attracting customers from within a four to five kilometre radius. Retail modeling undertaken by the developers of the Vasse Estate in the planning stages of the Village Centre indicated that the Centre is expected to capture approximately 65% of the total convenience retail spend of its 5km catchment, with the balance of trade going to the Busselton Town Centre and Dunsborough; 4. The Hamlet proposal is comparable to smaller local centres located along the coast that range between 500sqm – 1,000sqm of floorspace across 5-10 shops with a convenience based offer, including delicatessens, newsagencies, takeaway and hairdressers servicing a 1km radius. All of these uses directly compete with the offer in the Village Centre and draw away both trade and tenants from the Village; 5. Given the central location of both centres within the settlement it is evident that they will directly compete for trade from the same geographic catchment to the detriment of the Village Centre; 6. It is a well-established commercial fact that successful centres consolidate, rather than disperse activity. Successful centres generally share a strong physical and visual relationship between all aspects of the centre, minimising trading fronts and channeling pedestrian movement past as many businesses as possible. The introduction of a substantial secondary centre in such close proximity will fragment customer movements and dilute the available retail opportunities for the Village Centre; 7. There is a legitimate concern that once the proposed 1,150sqm of retail floorspace is allocated that future amendment to the DAP may consolidate this allocation to facilitate the retail development of a single site. This raises the prospect the Hamlet might be able to accommodate a supermarket tenant in direct competition to the efforts being made to find an anchor tenant to underpin the future success of the Village Centre; 8. The failure to deliver <u>and sustain</u> a successful full-line supermarket in the Village Centre will also diminish the chances of successfully attracting and maintaining the attendant specialty shops that require a 		
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		<p>major supermarket to drive trade and viability. The duplication of specialty shops within the Hamlet will also create unnecessary competition amongst what are typically marginal retail uses. The failure to attract and sustain such tenancies will diminish the attractiveness and potential success of the Centre and the liveability of the area as a whole;</p> <p>9. The full development of the Village Centre as the key focus for employment and community activity at Vasse relies on the establishment of a solid basis of retail activity. This is critically important at the establishment phase as the centre tries to attract tenants and establish itself as a viable retail destination for local residents. If the time taken for the Village Centre to establish and reach maturity as a retail centre is delayed by a competing centre, the development of higher order and value-added commercial activity, such as professional services, offices, medical, hospitality and tourism uses will also be postponed, impacting on the employment self-sufficiency at Vasse;</p> <p>10. The underperformance of both centres in the scenarios described above will encourage residents to drive to more successful retail centres at Busselton and Dunsborough for day to day amenities and services, contrary to the stated intent of SPP6.1 and the DGP;</p> <p>11. Presuming that the Village Centre overcomes these difficulties and becomes the pre-eminent retail centre at Vasse as has been planned for, there is then a significant question over the long-term viability of the Hamlet main street. There is no evident benefit to establish a secondary centre that will consistently underperform, demanding lower rents and land values, whilst compromising the ability of the primary centre to achieve its full potential. The alternative is to control and program the uses in the Hamlet as proposed at Section 2.1 of this submission; and</p> <p>12. The design of the Village Centre meets the City’s express requirement that it be developed as a main street rather than in a ‘big box’ style with internalised tenancies. This has been achieved at considerable cost, as main street development is more expensive to execute than an internalised shopping arcade. The developers have also worked extensively with the future supermarket owner to ensure a proper design response to the main street context;</p>		
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		<p>As demonstrated above, the development of a second retail centre, 150 metres away from the designated Village Centre, and the arbitrary 25% increase of the retail floorspace provided for in the DGP, are direct threats to the Village Centre’s successful establishment and its ability to attract investment and patronage, and should be refused.</p> <p>3.2 Developer Betterment Contributions</p> <p>Over the last decade the developers of the Vasse Estate have invested significant time and resources towards the establishment of community, recreation, infrastructure, major roads and education facilities at Vasse. The Village Centre itself is the subject of extensive planning and investment over many years to ensure its future success and the fulfillment of the long-standing expectations of SPP6.1 and the DGP. This scale of investment has been made possible by the certainty provided in the DGP regarding retail floorspace and land-use, which underpin the success of the Village Centre. This certainty as the basis for investment will be compromised if Council considers approval of the Draft DAP in its current form.</p> <p>A summary of the developer’s contributions and commitments (over and above contributions required via the DGP) is provided below:</p> <p>1. Village Stage One Betterment</p> <ul style="list-style-type: none"> (i) <u>Public Art</u> –\$80,000 for the purchase of 6.5m high sculpture of the early explorer Timothy Vasse by Russell Sheridan, to be erected in the Village Centre; (ii) <u>Village Mainstreet</u> – \$800,000 towards enhancement over and above standard requirements, including paved on-street carbays, exposed aggregate footpaths and pedestrian crossings, mature tree planting for verges and medians, raised red asphalt feature road surface in central village area, rain gardens for nutrient stripping, limestone caprock raised median island, Vasse style bench seating and bins, mature Norfolk Pines in roundabouts with up-lighting, free Wi-Fi mesh for the mainstreet, feature bridge across Buayanyup Drain and re-location of power transformers and switchgear sites off the mainstreet to improve aesthetics; 		
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		<p>(iii) <u>Piazza</u> – Mainstreet betterment includes the development of a paved and covered piazza with a landscaped pedestrian link through to the Rails to Trails corridor, public toilets and covered bike storage. The direct connection from Rails to Trails to the Napoleon Promenade shopping precinct will fully landscaped and the public space near Napoleon Promenade further enhanced with public art, building treatments using local materials, creative architecture and covered laneway, to create a unique alfresco piazza experience; and</p> <p>(iv) <u>Rails to Trails</u> – The Rails to Trails corridor is expected to become one of Australia’s iconic walk trails and will be jointly used by tourists and the local community as it links schools, the Napoleon Promenade shopping precinct, the Dawson Active Recreation area and the Industrial Area to the residential cells. The developer has allocated a \$350,000 landscaping budget for the trailhead entry, conforming to National Trust guidance on signage, shelters, seating, picnic tables, paths and tree species.</p> <p>2. Infrastructure Betterment for Vasse</p> <p>(i) <u>Busselton Bypass Extension</u> – Contribution of 23.7ha of land free of cost plus a significant cash contribution to the \$16m Bypass around Vasse;</p> <p>(ii) <u>Napoleon Promenade & Orlando Boulevard roundabout intersection with Bussell Highway</u> – \$2.3 million to connect the existing Birchfields residents onto Bussell Highway and into the new Napoleon Promenade mainstreet shopping area;</p> <p>(iii) <u>Service Extensions</u> – Ongoing budget for the extension of sewer, power, water, gas & NBN throughout the Vasse development, making these services easily accessible for existing residential, business and educational uses to connect into.</p> <p>(iv) <u>Dawson Active Recreation Precinct</u> – Ongoing budget to work with Council to supply additional land to enhance the capability of this precinct and bring the construction program forward 2 years for the first stage of ovals, change rooms and carparking facilities.</p> <p>A critical deficiency of the Draft DAP is that it establishes no mechanism</p>		
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	<p>or strategy for public betterment. At the very least the Draft DAP should set out a mechanism for the coordinated upgrade of Bussell Hwy, to a main street standard comparable to Napoleon Promenade, including street tree planting and beautification. Any development of the Hamlet must be contingent on a proper contribution to the public domain, over and above obligations in the ‘Major Road Contribution Plan’ and the ‘Vasse Newtown Developer Contributions and Staging Plan’ set out in the DGP. The requirement for betterment is particularly important to maintain the recognised quality and character of the settlement that has been achieved through the extensive investment in the Vasse Estate detailed above.</p> <p>The present proposal provides the Hamlet landowners with significant commercial benefit far outweighing a reciprocal contribution to the wider amenity of the settlement. This is an inequitable outcome given the extent of contribution made by the developers of the Vasse Estate to this community, and from which the applicant’s gain significant leverage.</p> <p>4.0 DESIGN CONSIDERATIONS</p> <p>In addition to these commercial considerations the design elements of the Draft DAP also require further consideration if Council considers providing approval. These include:</p> <ol style="list-style-type: none"> 1. The scale of development is not appropriate to its context or to the role of the Hamlet in the overall planning and commercial hierarchy at Vasse. The 3-4 storey buildings confuse the legibility of the settlement by sending the wrong visual clues to visitors about the location of the centre. By comparison, building heights in the endorsed Village Centre DAP range between 1 – 3 storeys, reflecting a more realistic, and less opportunistic, appraisal of development potential. Overall scale should be reduced; 2. Legibility is further compromised by the scale of the proposed ‘main street’, which at approximately 125 metres is half the size of the 250 metre retail main street on Napoleon Promenade (between Bussell Hwy and the roundabout within the Village Centre). This extent is significantly greater than that depicted in the Indicative Concept Plan provided with Amendment No.140; 3. The Draft DAP enables multiple points of access to and from Bussell Hwy, 		
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		<p>which is not appropriate given the current and anticipated volumes (even when Bussell Hwy's role is downgraded), particularly if the Hamlet was to be developed to the full retail and residential capacity proposed in the Draft DAP. Other than the statement at Condition 10 of the Draft DAP recommending consolidation of access as part of 'significant redevelopment', no proper consideration is given to a consolidated access and parking strategy, and there is no enforceable mechanism to coordinate individual landowners;</p> <ol style="list-style-type: none"> 4. The Draft DAP requires that parking, access and upgrades to the pedestrian network will be dealt with on an ad-hoc basis via individual development applications. This will inevitably result in piecemeal development and a sub-optimal outcome for residents and users. This is in contrast to the Village Centre where such matters have been thoroughly considered via the approved DAP with a clear strategy for implementation at the subdivision and development stages; 5. Given the amount of retail, commercial and residential use proposed, the scale of development (up to 4 storeys) and the size of the existing lots, it is unlikely that the necessary carparking can be accommodated, particularly if there is no opportunity to coordinate this over multiple landholdings. This demonstrates that the Draft DAP does not have proper regard to facilitating an appropriate and desirable final development outcome, but is an ambit claim to increase land value; 6. The lack of a consolidated access and parking strategy compromises the ability of Bussell Hwy to function in a 'main street' capacity as envisaged by the Draft DAP, and therefore undermines the premise on which development of the Hamlet is predicated; 7. Despite generic commentary about intended design outcomes, there is no mechanism for enforcing design objectives, or guidelines to provide appropriate guidance. This compares unfavourably with the endorsed Village Centre DAP that contains extensive statutory guidance and controls relating to built form (including plot ratio and building height) and public realm controls, which enable a high degree of certainty regarding land use and built form outcomes. Such controls are critically important given that development in the Hamlet will be undertaken on an ad-hoc basis by individual landowners; 8. The anticipated design outcomes due to this lack of design control will be exacerbated by the fact that there is no mechanism for the coordinated development of the Hamlet; 		
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	<p>9. No clear strategy is established to deal with the interface between future commercial development and the adjoining residential areas east and west of the Hamlet. The Draft DAP defers this consideration to the Residential Design Codes (R-Codes), which only deals with setbacks, privacy and solar access. No consideration is given to managing impacts associated with the loading and unloading of goods, or shortcutting through the development (despite assurances within the DAP report); and</p> <p>10. The City’s consideration of highway retail at the Hamlet is in direct contradiction to its previously expressed position regarding approvals for the Village Centre, whereby the majority of retail activity was not permitted direct frontage to the Highway or the Bypass extension. The benefits of securing passing trade are well established. Even when downgraded Bussell Hwy will continue to provide an important connecting function for movement within Vasse. At the time of planning for the Village Centre, uncertainty regarding the timing for completion of the Bypass extension and therefore the ability to plan with certainty for development along Bussell Hwy, precluded the development of a main street centre along Bussell Hwy, prompting the decision to relocate the Centre to its current location, over which the developers had complete control. This decision has proved to be a sound one, enabling the development of the Village Centre to be independently progressed and operational by December 2016 to service the growing residential population at Vasse. The City should maintain a consistent position regarding the modest scale and limited function of commercial land-use adjacent Bussell Hwy and reject the proposal in its current form.</p> <p>The Draft DAP defers consideration of these significant matters and does not establish any mechanisms to guarantee a successful and predictable outcome. This is in stark contrast to the DAP’s approved for the Birchfields and Dawson residential villages and the Village Centre, where matters such as built form, parking, access and landscaping are dealt with extensively, and clear measures established to ensure the best possible outcomes can be achieved. The time for these matters to be considered and addressed is as part of the DAP consideration process and the Draft DAP should not be approved until these matters are satisfactorily resolved.</p> <p>5.0 CONCLUSION</p>		
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		<p>For the reasons set above it is clear that the development of a second retail centre will compromise the establishment and viability of the long planned for Village Centre, and this represents a negative social and economic outcome for the residents of the Vasse Estate.</p> <p>The DGP and the LCPS establish the long-standing planning for the development of a retail centre at Vasse. The retail main street proposed in the Draft DAP is not consistent with this planning framework, and represents an ad hoc and opportunistic proposal to capitalise on the work undertaken by the developers of the Vasse Estate.</p> <p>If serious consideration is to be given to additional retail floorspace allocation at Vasse, this should be undertaken in response to a wide ranging retail assessment that considers the broader social and economic impacts on Vasse in its entirety, including potential impacts on the viability of the Village Centre.</p> <p>The requirement for such a review is particularly important given the size of the retail increase proposed in the Draft DAP, and the City's long-standing position that no further retail expansion will be considered. The review should include targeted consultation with affected landowners, specifically our client, to ensure that their considered feedback forms part of Council's consideration of any proposal for an increase in the retail allocations within the DGP area.</p> <p>In the absence of this review, any proposed increase in retail floorspace should be allocated to the Village Centre and not the Hamlet.</p> <p>In conclusion we recommended that:</p> <ol style="list-style-type: none"> 1. The Draft DAP should be rejected or deferred until: <ol style="list-style-type: none"> a) A comprehensive, independent review of the distribution and allocation of retail floorspace within the DGP area is undertaken. This review should consider the long term retail / commercial requirements necessary to sustainably support the Vasse community, and how this will be improved by the development of a separate retail centre rather than continuing the current policy of consolidating commercial activity in the Village Centre; and/or b) The Vasse Village Centre has had an opportunity to establish and mature, and the purchasing power of the Vasse residential catchment 		
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		<p>has increased to a level that can sustainably support an additional, competing centre without compromising the successful operation of the Village Centre.</p> <p>2. If Council considers approval of the Draft DAP – to which we strongly object - then this should be contingent on:</p> <p>a) The provision of an independent supporting retail analysis demonstrating that additional retail at the Vasse Hamlet will not detract from the viability and successful establishment of the Village Centre.</p> <p>b) The Draft DAP being modified by:</p> <ul style="list-style-type: none"> (i) Limiting any proposed retail allocation to the quantum of floorspace of existing retail approvals for the subject land; (ii) Restricting the potential for retail/commercial/non-residential use to lots for which there is a current approval for such uses; (iii) With respect to the lots detailed at point ii. above, amending the list of permissible uses at Condition 4 to exclude retail and higher order commercial uses, including but not limited to ‘shop’, ‘medical centre’, ‘pharmacy’ and ‘tavern’, that should be located within the Village Centre; and (iv) Retaining the residential use for the balance of lots in the Hamlet. <p>c) Further consideration / information being provided to demonstrate:</p> <ul style="list-style-type: none"> (i) A strategy for the coordination of parking and access within the Hamlet that will not result in unacceptable impacts on the operation of Bussell Hwy and the amenity of surrounding residents; (ii) A coherent and <u>enforceable</u> strategy for the upgrading of the affected section of Bussell Hwy in line with the statements made in the Planning Report to the equivalent standard of the Napoleon Promenade main street; (iii) Clearly articulated and <u>enforceable</u> design controls to ensure a predictable and high quality built form outcome; and (iv) Reduction of the proposed building heights and residential density to a scale that is more consistent with surrounding development and appropriate to the lower order role of the Hamlet in the overall residential and commercial hierarchy of Vasse. 		
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		<p>3. That before the Draft DAP is approved that the Vasse DGP be amended to reflect final decisions regarding retail floorspace allocation to avoid our client's existing retail entitlement of 4,650sqm being eroded.</p>		
9.	<p>Peter Ciemitis 5/116 Central Avenue Inglewood WA 6052</p>	<p>Objection – the draft DAP fails to address many issues of implementation (particularly Bussell Highway) potentially leaving a significant financial burden with the City and ratepayers. Although the DAP makes cursory reference to some of the matters typically considered in activity centre planning, it appears to address these through a statement of broad principles with little substantiation relating to the ability to achieve these principles. The DAP report fails to -</p> <ol style="list-style-type: none"> 1. demonstrate how coordinated shared access across properties will be achieved, the location of shared or co-located car parking or any exact crossover locations. The report omits reference to responsibilities and timing for the construction of access and parking. 2. provide detail in relation to the upgrade of Bussell Highway to a mainstreet standard and fails to demonstrate whether an appropriate profile can be achieved without widening the existing road reserve. The DAP identifies deficiencies regarding street drainage but does not illustrate how these will be addressed. 3. provide an indicative development plan demonstrating how the DAP principles will be achieved given the complexities of tenure, cadastre and uncertainty of funding. 4. address responsibilities, timing and funding for the upgrade of Bussell Highway and contains no binding requirements for specific contributions. 5. require full guidelines for built form, dealing with floor levels, setbacks, articulation, openings to the street, weather etc. 6. require a landscaping strategy, including funding and responsibilities. 7. the curation of land uses to achieve an appropriate mix. This is particularly relevant given that Bussell Highway will most likely attract 'secondary rent uses' (the majority of primary retail uses will most likely be attracted to Napoleon Boulevard) and may need to consider a complementary range of activities. 8. acknowledge the context of the proposal, particularly in relation to the Vasse Village Centre by the Perron Group, its approved DAP, its impending construction and its relationship thereto. 	<p>The western termination of the Busselton Bypass occurs at the intersection with Bussell Highway at Vasse. The Bypass is planned to extend around Vasse Newtown (becoming part of the Vasse-Dunsborough Link Road), thus providing an alternative route for regional, heavy haulage and through traffic so that the existing Bussell Highway alignment can be used as an internal subdivision road to service Vasse. A new connection between the Bypass extension and Bussell Highway will be realised via the 'western link road' that will form the western boundary of the Vasse Light Industrial Area. The portion of Bussell Highway within the Vasse townsite (i.e. between Orlando Boulevard and Kaloorup Road) will be downgraded from highway status once the Bypass extension is completed (anticipated in 2016) to cater for local traffic only.</p> <p>The City holds a bank guarantee for \$975,000 for outstanding works in relation to the Bussell Highway downgrade/upgrade. The works include: land acquisition and transfer costs for road widening to the front of Lots 21 & 4 Bussell Highway; undergrounding of existing overhead power; service relocations generally; drainage works; street lighting and construction of the Kaloorup Road/Bussell Highway/Newtown Close intersection (new roundabout). The developer has responsibility for completing these works.</p> <p>Works have recently commenced on the construction of the new roundabout intersection between Orlando Boulevard, Bussell Highway and Napoleon Promenade, anticipated for completion by mid-2015. Napoleon</p>	<p>That the submission be noted and no change made to the DAP.</p>

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	<p>The DAP addresses very little or in many cases, none of these issues, and the proposal's pursuit of commercial uplift without the resolution of these matters is premature until they are resolved. In my experience the design and implementation of activity centre projects are already complex matters even when there is the luxury of a single developer involved. These problems become compounded in the presence of multiple ownerships and require full detail up-front, rather than broad, non-binding statements of principle. It appears that the DAP has focussed primarily on pursuing the landowners benefit of achieving commercial uplift (the capture or retail floorspace planned for the Vasse Village Centre), but with no significant reciprocal contribution to the proper planning of the centre, or to the community in the form of placemaking, streetscape or the functional upgrading of Bussell Highway.</p>	<p>Promenade will be the main street through the proposed Vasse Village Centre and will form the neighbourhood distributor through Dawson Village to connect with the north-south industrial road on the eastern boundary of the Light Industrial Area. There are also likely to be other changes to Bussell Highway at its intersections with Kaloorup Road/Newtown Close and Vasse-Yallingup Siding. Draft plans previously prepared for the downgrade/upgrade works will require reviewing in response to the above.</p> <p>The Vasse Developer Contributions and Staging Plan (DCSP) does not currently include the Vasse townsite lots. There is a clear nexus between future redevelopment opportunities that will be facilitated by the DAP and benefits to land adjoining this section of Bussell Highway, once the upgrade works are completed. The DCSP has recently been revised (and adopted by the Council for advertising on 25 March 2015) to, amongst other things, include the Vasse townsite lots. However, given the small number of landowners and the inherent uncertainty over the timing and form of any redevelopment, the value of any contributions collected towards the Bussell Highway downgrade/upgrade works will be relatively low. Contributions towards funding improvements to the distributor road network and footpath and cycle networks will be required in accordance with the City's <i>Local Planning Policy 6E Roads, Footpaths and Cycle Network Upgrading Contributions</i>.</p> <p>In terms of the other matters raised in the submission, lot ownership within the townsite is fragmented (9 individual landowners) and as such there is no certainty on when, or even if, redevelopment will occur, the extent of any redevelopment and/or the land uses that might result. A likely scenario is that the City might receive individual development applications</p>	
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			at various points in the future on an ad hoc basis, therefore a DAP that incorporates the scope of coordination suggested in the submission would be unworkable.	
10.	J Gibson 12 Arnup Drive Vasse WA 6280	Objection to the proposed secondary access point in front of this property. Numerous conversations and meetings have occurred between the submitter and the City about the situation with access to the shops over the last 3 – 5 years. A bollard was placed to stop cars going through, however bikes, motorbikes and pedestrians still use it and damage still occurs. The proposed access would compound an existing dangerous right angle bend in Arnup Drive that does not have signage to warn drivers to slow down.	Noted. Lot 2 is in the same ownership as adjoining Lots 50 and 51 Bussell Highway. Consideration can therefore be given to relocating the secondary access point away from Lot 2 to the southern corner of Lot 51.	That the submission be noted and the DAP modified by relocating the secondary access point from Arnup Drive to Lot 51.
11.	K Boucher 5 Newtown Close Vasse WA 6280 And on behalf of – I & C McSwain 11 Newtown Close Vasse WA 6280 R Rice 3 Newtown Close Vasse WA 6280 N Bornatici 9 Newtown Close Vasse WA 6280 G Dawson	The proposal would impact on the quality of life that we currently enjoy as residents of Newtown Close. Our concerns are as follows – 1. Noise – we currently enjoy a peaceful lifestyle which would be severely disrupted by potential future land uses. The proposal will allow further development applications that may lead to the development of businesses that would back onto private residences. 2. Visual – the general amenity of the area would be greatly decreased for residents with adjoining properties, depending on how the site is developed, what type of land uses occur and the imposition of any setbacks (buffers). 3. Security – residents are concerned that there is the potential for adjoining properties to be at a higher risk of break-ins and antisocial activity. Affected residents would have no objection to the DAP if it could include a condition requiring the construction of a suitable solid high wall between private residences and the adjoining site, at the cost of the developer.	The planning framework for Vasse, commencing with the adoption of the Development Guide Plan in 2004, addressed the townsite by designating the lots within the DAP area ‘Business’ zone and subsequently to ‘Special Purpose’ with land uses to be in accordance with a Detailed Area Plan (via Amendment 140 and corresponding revisions to the DGP). Amendment 140 included an indicative land use concept plan that illustrated the potential redevelopment of the townsite for residential, commercial and retail purposes. The planning framework has carried an expectation that further development and/or redevelopment of the townsite could occur. Consultation with landowners adjoining the DAP area during the advertising of Amendment 140 did not reveal any concerns. It is acknowledged that should any redevelopment occur within the DAP area, there will be some level of change to the current amenity for some of the landowners within the townsite. In response the DAP includes a condition requiring equivalent setbacks	That the submission be noted and no change be made to the DAP.

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	<p>7 Newtown Close Vasse WA 6280</p>		<p>within the DAP area to the setbacks applicable to adjoining residential development to assist with amenity. Clause 11.3 of the City’s Local Planning Scheme 21 sets out a range of matters that should be given due regard in considering any future application for planning consent within the DAP area including, but not limited to:</p> <ul style="list-style-type: none"> • The compatibility of a use or development with its setting; • Any social issues that have an effect on the amenity of the locality; • The preservation of the amenity of the locality; • The relationship of the proposal to development on adjoining land including the likely effect of the height, bulk, scale, orientation and appearance of the proposal; • The amount of traffic likely to be generated; and • Any relevant submissions received on the application. 	
<p>12.</p>	<p>Halsall & Associates on behalf of the owners of Lots 74 & 75 Bussell Highway Vasse WA 6280</p>	<p>Objection to the proposed Detailed Area Plan based on the designation of these lots being ‘Residential Interface’ with no opportunity for retail or commercial development. It is acknowledged that there was a concept plan prepared as part of Scheme Amendment 140 which rezoned the subject area to ‘Vasse Development Zone’. The concept plan identifies seven (7) properties in total with retail and commercial opportunities of which Lots 74 and 75 are not included. Subsequently the proposed draft DAP shows a total of nine (9) properties with retail and commercial opportunities with Lots 74 and 75 the only properties with direct frontage to Bussell Highway without this opportunity. Clearly, the draft DAP has been modified to what was previously expressed in the draft concept plan to include more retail frontage to the Main Street. We would therefore be seeking a similar amendment to include Lots 74 and 75 as ‘Main Street Retail and Commercial’ on the draft DAP for the reasons outlined in detail below. Bussell Highway is the Main Street of the Vasse Townsite and therefore retail</p>	<p>Consultation with landowners at the time Amendment 140 and the modified DGP was advertised did not result in submissions from the landowners.</p> <p>A key principle of main street design is similar forms of development fronting each other across a street to provide compatibility and legible streetscapes. Allowing a commercial element on Lot 74 would be contrary to this principle as it has frontage to Kaloorup Oval which is Reserved for Recreation under Local Planning Scheme 21.</p> <p>The commercial analysis by Hames Sharley provided in support of Amendment 140 and the indicative land use concept plan stated that 1,300m² GLA of retail (shop) floorspace would be sustainable in the townsite</p>	<p>That the submission be noted and the reference to the retail allocation for Lot 22 be removed from condition 3 of the DAP.</p>

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	<p>and mixed use opportunities should be maximised in this location. It would therefore be logical to extend the mix-use opportunities across the full extent of lots with direct frontage to Bussell Highway and this would therefore include Lots 74 and 75. This would also provide opportunities for a more effective and clear designation of the Main Street as Lot 74 is located at the bend in Bussell Highway where it straightens along the proposed retail and commercial area. This will provide for the southern anchor point for traffic accessing the Main Street from the south.</p> <p>Requirement 35 of Element 7 – Activity Centres and Employment of Liveable Neighbourhoods states:</p> <p><i>“In most situations, changes of use of significant development intensity should be made at the mid-line of a street block, rather than at a street frontage. Similar forms of development should front each other across a street to provide compatibility and legible streetscapes.”</i></p> <p>It is considered that this is an important consideration in the draft DAP and future design of the town site. Currently the change of development intensity being from mixed-use to pure residential is located at the street frontage of Bussell Highway and it is considered that this change will have considerable impact on the future streetscape of this area. To comply with this requirement of Liveable Neighbourhoods the mix-use component should be extended to the western boundary of Lot 74 which forms the mid-line of the street block, with the adjoining lot having primary frontage to Newtown Close and therefore providing a clear distinction between land uses. It is considered that the current land use arrangement will have a considerable impact on the streetscape of the southern end of the Main Street. To put this into perspective the residential component on Lots 74 and 75 are required to have a primary street setback of a minimum 2m. In contrast the mixed use lots adjoining will have a nil setback to Bussell Highway. Given the orientation of the lots and the proposed bulk and scale of the mixed use development, this will not only impact on the streetscape but also create issues with solar access particularly on the ground floor. By extending the mixed use component across the full frontage of Lots 74 and 75, these issues can be adequately addressed as the setbacks of each building will be the same. Further the streetscape, bulk and scale of the buildings will be similar when driving along the main street from both directions.</p> <p>Requirement 35 also states that similar forms of development should front one</p>	<p>main street.</p>	
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	<p>another so as to provide for compatible and legible streetscape. Lot 75 has full frontage to Lot 51 opposite which will have an alternative form of development under the current draft DAP. This would appear to be contrary the requirements of Liveable Neighbourhoods.</p> <p>If Council are concerned with the interface between Lot 74 and the adjoining residential area, this can be adequately dealt with through the development process. The interface between the two properties will remain as residential similar to all other properties adjoining this area. Further it is likely that the adjoining lots will be developed at a significantly higher density through the DAP process given their proximity to the Main Street and the requirements of Liveable Neighbourhoods in this regard.</p> <p>The mix-use component will provide opportunities to further activate the open space adjacent to Lot 74. In addition, the residential component above the retail and commercial opportunities will still provide for passive surveillance of the open space outside of business hours.</p> <p>The draft DAP currently allocates 437m² of retail floorspace to Lots 2, 21 and 22. Given that Lot 22 has no frontage to Bussell Highway, it is considered that this should have no retail floorspace allocated to it as this would be contrary to the Main Street principles as outlined in the Consultant’s report. This is similar to the approach for Lots 8 and 9 who have not been included as they do not have direct frontage to Bussell Highway. On this basis, the retail floorspace component for Lot 22 can be distributed to Lots 74 and 75 who have direct frontage to Bussell Highway and will therefore better contribute to the viability of the Main Street.</p> <p>Further the Vasse Newtown Commercial Analysis prepared by Hames Sharley in 2011 to support Amendment 140 and the preparation of a Concept Plan states that 1,300m² of retail floorspace would be sustainable within the Main Street. Only 1,150m² has been allocated as part of the proposed Draft Detailed Area Plan. On this basis and in addition to the floorspace described in the previous paragraph, there is also an additional 150m² available that could also be sustainably allocated to Lots 74 and 75.</p> <p>Our client’s intentions for their respective properties has always been to provide for mixed use development that would contribute to the viability of the Main Street. Providing a range of land use options will also improve the viability of development on the site itself to ensure that the development is of a high standard and acceptable for the Main Street. It will also provide greater flexibility in the building design to ensure that it provides a clear entry statement from the south that acts as a point of interest for people accessing</p>		
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		the Main Street. It is considered that the original intention of this area as a 'special use' under the DGP was to capitalise on the location and in particular the frontage to Bussell Highway for retail land uses. The proposed modifications would maximise these opportunities whilst maintaining the sustainable thresholds identified by Hames Sharley.		
13.	LW & EA Shepherdson Lots 8 & 9 Dowell Road & Lot 21 Bussell Highway Vasse WA 6280	<p>Objection.</p> <p>1. Retail or business space for Lot 21 should be around 1,000m². More recognition and planning consideration must be given to pre-existing, long term use of the site and the combined size of our lots.</p> <p>2. The land was purchased in 2000 with Lot 21 zoned 'Industrial' and Lots 8 & 9 zoned 'Residential' with non-conforming use rights for the latter as they had been used for industrial purposes. We understand that the zoning was later changed to 'Development Zone'.</p> <p>3. The Vasse structure plan (2003) zoned the existing town site 'Business' meaning shops and retail. Considerable retail space has been allowed in an adjoining area at the expense of the town site 'Business' zone.</p>	<p>It is likely that the existing industrial activities will continue to operate on these lots indefinitely and possibly irrespective of the opportunities afforded by the DAP.</p> <p>The proposition that the land currently utilised for a transport depot/building supplies outlet and/or the combined area of the landholdings should be automatically translated into calculations for retail (shop) floorspace is not supported by officers.</p>	<p>That the submission be noted and no change be made to the DAP.</p>