

Amendment 21 to Local Planning Scheme 21 - Schedule of Modifications following Advertising

Amendment 21 As Advertised –

No.	PARTICULARS OF LAND	LAND USES PERMITTED/SPECIFIED	CONDITIONS
A64	Pt Lot 17 West Street, West Busselton	Discount Department Store	<ol style="list-style-type: none"> 1. The additional use specified shall be deemed to be a “D” use for the purposes of Part 4 of the Scheme. 2. Development shall be in accordance with a Land Use Concept Plan adopted by the Council. 3. The additional use specified shall comprise a single discount department store with a gross leasable floor area of not less than 5,000m² and not more than 8,000m². For the purpose of this clause only ‘Discount Department Store’ means a premises wherein a substantial range of consumer goods are kept in a substantial number of different departments and offered for sale by a single retailer but does not include a supermarket nor a supermarket component’ and ‘Supermarket’ means premises used to sell a range of food and household convenience goods by retail but does not include a discount department store, showroom or takeaway food outlet.

Modifications Recommended –

a) Amend Schedule 2 - ‘Additional Uses’ in respect of ‘Additional Use 64’ to read as follows -

No.	PARTICULARS OF LAND	LAND USES PERMITTED/SPECIFIED	CONDITIONS
A64	Lots 181 and 182 West Street, West Busselton	Discount Department Store Supermarket	<ol style="list-style-type: none"> 1. The additional use specified shall be deemed to be a “D” use for the purposes of Part 4 of the Scheme. 2. Development shall be in accordance with a Land Use Concept Plan adopted by the Council. 3. The additional use specified shall comprise a single discount department store with a gross leasable floor area of not less than 5,000m² and not more than 8,000m². For the purpose of Additional Use 64 ‘Discount Department Store’ means a premises wherein a substantial range of consumer goods are

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			<p>kept in a substantial number of different departments and offered for sale by a single retailer but does not include a supermarket nor a supermarket component’.</p> <p>4. The additional use specified shall comprise a single supermarket with a net lettable area of not less than 1,495m² and not more than 1,800m². For the purpose of Additional Use 64 ‘<i>Supermarket</i>’ means premises used to sell a range of food and household convenience goods by retail; and may also include up to a maximum 10% of floorspace used to sell a broader range of goods and/or merchandise by retail; but does not include a discount department store, showroom or takeaway food outlet.</p>
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b) Amend the boundary of Additional Use 64 to Lots 181 and 182 West Street, West Busselton but excluding the battleaxe access legs.

c) Delete ‘Research and Development Facility’ from Schedule 1 – ‘Interpretations’.

c) Amend Schedule 3 – ‘Special Provision Areas’ in respect of ‘Special Provision Area 48’ by inserting the following special provision –

5. For the purpose of Special Provision Area 48 ‘Research and Development Facility’ means a building or buildings predominantly used for tertiary industrial activity involved in the research and development of goods and services, and may include small manufacturing that is directly associated with, and ancillary to, the predominant use’.

Reasons –

The changes proposed to Amendment 21 would have the effect of –

1. Legitimising the land uses at West Street i.e. Kmart would be wholly contained within the boundary of A64 and the validity of approvals for both Kmart and Aldi would be confirmed.
2. Introducing limits on the scale and number of discount department store and supermarket premises on the West Street site (with minor scope for expansion).
3. Supporting the strategic planning direction that new, or significantly expanded, supermarket and discount department store development should occur in town/city centre locations.

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4. Correcting an anomaly in LPS21 whereby 'Research and Development Facility' is defined in Schedule 1 – 'Interpretations' but is not listed in Table 1 – Zoning Table.