

IMPROVEMENT PLAN NO. 39

LISSIMAN STREET PRECINCT



WESTERN AUSTRALIAN PLANNING COMMISSION

JULY 2014

File Ref: RLS 0315

IMPROVEMENT PLAN NO. 39

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1.0 Introduction

- 1.1 Under the provisions of Part 8 of the *Planning and Development Act 2005*, (the Act) the Western Australian Planning Commission (Commission) is authorised to certify and recommend to the Minister for Planning that an Improvement Plan should be prepared for the purpose of advancing the planning, development and use of any land within the Perth metropolitan region.
- 1.2 The Improvement Plan provisions of the Act provide for the Commission, with the approval of the Governor, to —
- (a) Plan, replan, design, redesign, consolidate, re-subdivide, clear, develop, reconstruct or rehabilitate land held by it under the Act or enter into agreement with any owner of land not held by it within the Improvement Plan area;
 - (b) Provide for the land to be used for such purposes as may be appropriate or necessary;
 - (c) Make necessary changes to land acquired or held by it under the Act;
 - (d) Manage the tenure or ownership of the land or any improvements to that land held by it under the Act or enter into agreement with other owners of land within the Improvement Plan area for the same purposes;
 - (e) Enter into agreement for the purchase, surrender, exchange, vesting, allocation or other disposal of land, including the adjustment of boundaries;
 - (f) Recover costs in implementing the agreement with any owner of land within the Improvement Plan area; or
 - (g) Do any act, matter or thing for the purpose of carrying out any agreement entered into with other land owners.
- 1.3 For the purpose of advancing the development of land in accordance with an improvement plan the Commission, with the approval of the Governor, may —
- (a) construct, repair, rehabilitate or improve buildings, works, improvements or facilities on land acquired or held by it under this Act; and
 - (b) return, sell, lease, exchange or otherwise dispose of —
 - (i) any buildings, works, improvements or facilities and the land appurtenant to the buildings, works, improvements or facilities; and
 - (ii) any land acquired by the Commission under this Act.

to any person or public authority upon such terms and conditions as the Commission with the approval of the Governor thinks fit; and

- (c) in respect of land included in an improvement plan but not acquired or held by it under the Act, enter into an agreement with any owner of the land relating to —
 - (i) the planning, replanning, design, redesign, consolidation, re-subdivision, clearing, development, reconstruction or rehabilitation of the land; and
 - (ii) the construction, repair, rehabilitation or improvement of any buildings, works, services, improvements or facilities on the land; and
 - (iii) the sale, purchase, exchange, surrender, vesting, allocation or other disposal of the land, the adjustment or alteration of the boundaries of the land, the pooling of the lands of several owners, the adjustment of rights between owners of the land or other persons interested in the land whether by payments of money or transfers or exchanges of land or otherwise, the valuation of the land and the provision of land for any public open space, public work or any other public purpose; and
 - (iv) the payment, satisfaction or recovery of costs incurred in implementing the agreement; and
 - (v) such other acts, matters or things as are or may be necessary to give effect to the improvement plan; and
- (d) do any act, matter or thing for the purpose of carrying out any agreement entered into under paragraph (c).

1.4 Improvement Plan No. 39 is enacted under these provisions to advance planning and development of land within the Lissiman Street Precinct conferring on the Commission the authority to undertake the necessary tasks to plan for and progress the project on behalf of the Western Australian State Government.

1.5 Improvement Plan No. 39 applies to the area depicted on the attached Department of Planning Plan Numbered 3.2580 as bound by Lissiman Street, Fremantle Road, Albany Highway and Dorothy Street in Gosnells.

2.0 Background

2.1 The Gosnells Town Centre (GTC) has a rich history and began as a centre for the local citrus growing district. However, as a result of decades of insufficient investment in infrastructure, the character and heritage of the town had been severely eroded by the mid-1990s. In 1998, as a result of detailed research identifying strong community support, the Local Government embarked upon a revitalisation scheme for the town centre. In 1999 *"The Revitalisation of the Gosnells Town Centre"* document, a concept plan of action for the Gosnells Town Centre, was adopted by the Local Government.

2.2 Since 1999 the urban structure of the GTC has been substantially changed with the addition of a key street to improve access within the centre. The new east-west "Main Street" was constructed with an accompanying level crossing to facilitate more convenient access between Albany Highway and the primary Gosnells' residential catchment to the west. Past improvements also

include road works, streetscape upgrades and the inclusion of extensive public artworks embedded into the urban fabric of the town centre.

- 2.3 A critical component of the GTC urban revitalisation program has been the relocation of the Gosnells train station to the "Main Street" level crossing to create a more spatially focussed town centre. In doing so, an opportunity has been created to develop a vibrant, compact and liveable community based on Transit Orientated Development (TOD) principles.
- 2.4 The Lissiman Street Precinct falls within the 'Gosnells Town Centre' and is subject to the provisions of the Local Government's '*Local Planning Policy 5.2 Gosnells Town Centre Development*' (LPP 5.2). LPP 5.2 seeks to consolidate and enhance Gosnells' built form and complement the civic improvements already undertaken by the Local Government within the precinct. The policy provides a set of objectives, controls and detailed examples of desirable building forms intended to facilitate vibrant, active and sustainable development patterns. Coupled with the introduction of new design guidelines, a focus has been restored in the GTC on development of suitable scale and form providing pedestrian-friendly environments and development which enhances and provides passive surveillance to public spaces . The combined value of investment in public infrastructure in the GTC has been estimated at \$30 million.
- 2.5 In addition, LPP 5.2 provides a number of incentives to encourage owners to develop their landholdings in a manner consistent with the Local Government's vision for the Gosnells town centre. However, landowners of key strategic sites within the Lissiman Street Precinct have been reluctant to take advantage of these development opportunities and have allowed their properties to deteriorate to an unacceptable condition. As a consequence, the overall streetscape character of the Lissiman Street Precinct has declined to a point where it is having a detrimental impact on the physical and social amenity of the GTC.
- 2.6 The Commission in conjunction with the Local Government aims to provide a long term solution through Improvement Plan No. 39 to achieve the community's vision for the GTC through the co-ordination of redevelopment in this key strategic area.

3.0 Purpose

- 3.1 The purpose of Improvement Plan No. 39 is to:
 - a) Facilitate all necessary steps to advance the planning, development and use of land within the Lissiman Street Precinct, as provided for under Part 8 of the Act; and
 - b) Facilitate the transfer of key landholdings to the Commission and ultimately to the relevant Local or State Authority; and
 - c) Facilitate land exchanges as required to achieve project objectives; and
 - d) Facilitate the development of the land by way of a Joint Venture between government agencies (state and/or local) and/or private land developers; and

- e) Enable the development of land within the Lissiman Street Precinct in accordance with Clause 6.2 Special Control Areas - Gosnells Town Centre, of the City of Gosnell's Town Planning Scheme No. 6 (as amended).

3.2 The objectives of the Improvement Plan are:

- a) To facilitate the development of the Lissiman Street Precinct in a coordinated manner, recognising its significance as a Transit Orientated Development (TOD);
- b) To provide a strategy for the integrated development of public and private land to facilitate the creation of a safe, vibrant mixed use centre based on 'main street' design principles;
- c) To enable the purchase of private landholdings by the Western Australian Planning Commission, as funded by appropriate Local and/or State government agencies, to facilitate development of land in accordance with Clause 6.2 Special Control Areas - Gosnells Town Centre, of the City of Gosnell's Town Planning Scheme No. 6 (as amended);
- d) To support the sale and development of government land to achieve high quality development outcomes in accordance with the vision for the GTC and Clause 6.2 Special Control Areas - Gosnells Town Centre, of the City of Gosnell's Town Planning Scheme No. 6 (as amended);
- e) To facilitate private investment, which may include partnering with State and/or Local Government, to enable development in accordance with the vision for the GTC and Clause 6.2 Special Control Areas - Gosnells Town Centre, of the City of Gosnell's Town Planning Scheme No. 6 (as amended).
- f) To facilitate the provision of an effective, efficient, integrated and safe transport network accessible to pedestrians, cyclists, public transport users and motorists;
- g) To facilitate the development of a diverse range of land uses that have high levels of amenity;
- h) To facilitate the development of a range of commercial uses that will contribute towards economic development, local employment and the viability of the area as a commercial centre servicing residents, visitors and the local workforce;
- i) To facilitate the conservation and appropriate use of natural resources including (but not limited to) energy, water and land to enhance the sustainable management of finite resources.

4.0 Scheme Provisions

An Improvement Scheme in accordance with Section 122A of the *Planning and Development Act 2005* is not required as the statutory provisions for the Lissiman Street Precinct are adequately addressed through Clause 6.2 Special Control Areas - Gosnells Town Centre of the City of Gosnell's Town Planning Scheme No. 6 and associated policy.

5.0 Improvement Plan Area

Improvement Plan No. 39 incorporates the subject area depicted on the attached Department of Planning Plan Numbered 3.2580.

6.0 Affected Local Governments

The City of Gosnells will be affected by Improvement Plan No. 39.

7.0 Procedural Steps and Programming

7.1 The Commission and the Local Government are authorised to progress the detailed planning, design and feasibility assessment of the Lissiman Street Precinct. At the same time, the Commission is putting in place the following procedural steps to ensure implementation timeframes can be met:

- *Improvement Plan* - Improvement Plan No. 39 (this Improvement Plan) will act as a strategic planning and development instrument for delivery of the Lissiman Street Precinct.
- *Statutory Approvals* - The Commission and Local Government will ensure that necessary approvals relating to land acquisition, management and development are processed and issued in a timely manner. The Commission will work closely with key statutory agencies and regulatory authorities to ensure that this occurs.

8.0 Process for Making or Amending an Improvement Plan

- a) Commission resolution to establish an Improvement Plan;
- b) Commission to certify in writing to the Minister for Planning that the land should be the subject of an Improvement Plan;
- c) If the Minister accepts the recommendation, the Minister is to forward the recommendation to the Governor for acceptance;
- d) An Improvement Plan comes into force on the day on which the notice of acceptance of the recommendation by the Governor and a summary of the Improvement Plan, is published in the *Gazette*; and
- e) The Commission may amend or revoke an Improvement Plan by way of the same processes enacted to make an Improvement Plan.

**WESTERN AUSTRALIAN PLANNING COMMISSION
IMPROVEMENT PLAN NO. 39
CERTIFICATE AND RECOMMENDATION**

PURSUANT TO PART 8 OF THE PLANNING AND DEVELOPMENT ACT 2005 IT IS HEREBY

CERTIFIED THAT FOR THE PURPOSE OF ADVANCING THE PLANNING, DEVELOPMENT AND USE OF ALL THAT LAND WITHIN THE LISSIMAN STREET PRECINCT ('THE LAND') SHOULD BE REPLANNED, REDESIGNED, DEVELOPED AND RE-SUBDIVIDED AND PROVISION SHOULD BE MADE FOR IT TO BE USED FOR SUCH PURPOSES AS MAY BE APPROPRIATE; AND

RECOMMENDED TO THE MINISTER FOR PLANNING AND HIS EXCELLENCY THE GOVERNOR THAT THE LAND SHOULD BE SO DEALT WITH AND USED AND MADE THE SUBJECT OF IMPROVEMENT PLAN NO. 39 AS DEPICTED ON DEPARTMENT OF PLANNING PLAN NUMBERED 3.2580 ANNEXED HERETO.

THIS CERTIFICATE AND RECOMMENDATION IS GIVEN IN ACCORDANCE WITH A RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION PASSED ON THE 28th DAY OF JANUARY 2014.

THE COMMON SEAL OF THE WESTERN AUSTRALIAN PLANNING COMMISSION WAS HEREUNTO AFFIXED IN THE PRESENCE OF:



CHAIRPERSON



A/ SECRETARY



16 SEPT 2014

DATE

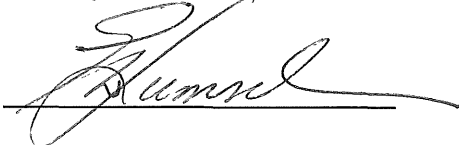
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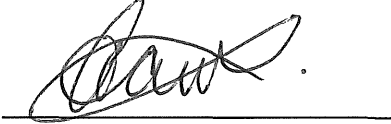
CERTIFICATE

This Improvement Plan is accompanied by a Certificate given in accordance with Part 8 of the Planning and Development Act 2005. It has been endorsed by the Western Australian Planning Commission for submission to the Minister for Planning.

The Common Seal of the Western Australian Planning Commission was hereunto affixed
In the presence of;



CHAIRPERSON



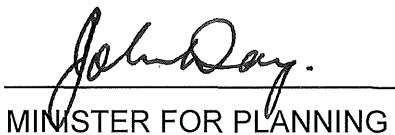
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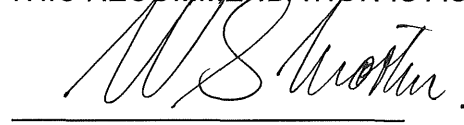


THIS RECOMMENDATION IS ACCEPTED:


MINISTER FOR PLANNING

8.10.2014
DATE

THIS RECOMMENDATION IS ACCEPTED:


GOVERNOR
Administrator

14. Oct 2014
DATE

WESTERN AUSTRALIAN PLANNING COMMISSION
IMPROVEMENT PLAN NO. 39
CERTIFICATE AND RECOMMENDATION

PURSUANT TO PART 8 OF THE PLANNING AND DEVELOPMENT ACT 2005 IT IS HEREBY

CERTIFIED THAT FOR THE PURPOSE OF ADVANCING THE PLANNING, DEVELOPMENT AND USE OF ALL THAT LAND WITHIN THE LISSIMAN STREET PRECINCT ('THE LAND') SHOULD BE REPLANNED, REDESIGNED, DEVELOPED AND RE-SUBDIVIDED AND PROVISION SHOULD BE MADE FOR IT TO BE USED FOR SUCH PURPOSES AS MAY BE APPROPRIATE; AND

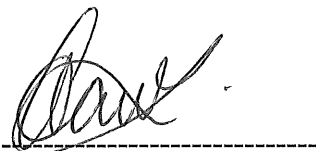
RECOMMENDED TO THE MINISTER FOR PLANNING AND HIS EXCELLENCY THE GOVERNOR THAT THE LAND SHOULD BE SO DEALT WITH AND USED AND MADE THE SUBJECT OF IMPROVEMENT PLAN NO. 39 AS DEPICTED ON DEPARTMENT OF PLANNING PLAN NUMBERED 3.2580 ANNEXED HERETO.

THIS CERTIFICATE AND RECOMMENDATION IS GIVEN IN ACCORDANCE WITH A RESOLUTION OF THE WESTERN AUSTRALIAN PLANNING COMMISSION PASSED ON THE 22nd JULY 2014.

THE COMMON SEAL OF THE WESTERN AUSTRALIAN PLANNING COMMISSION WAS HEREUNTO AFFIXED IN THE PRESENCE OF:



CHAIRPERSON



SECRETARY

18/9/2014
DATE



