



Policy Type:	Administrative
Date Adopted:	28 September 2012

Policy No:	SRS 236
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Legal (Parent):
1. Planning and Development Act 2005

Legal (Subsidiary):
1. Town Planning Scheme No 40 – Subclause 2.7.12.

ADOPTED POLICY

Title:	MARKET CITY
Objective:	<ol style="list-style-type: none"> 1. To facilitate development of the Market City site whilst protecting the amenity of nearby residential properties. 2. To ensure that development within the Market City site has regard to noise, odour, emissions, traffic and visual impact on the surrounding locality. 3. To provide greater certainty and efficiency in the development of the Market City site. 4. To provide for the staged development of the Market City site in a manner which preserves the amenity of the surrounding locality at each stage. 5. To encourage sustainable development principles within the Market City site.

1. Application of Policy

This Policy applies to all development within the Market City site, that being 280 Bannister Road (Lot 1002), Canning Vale.

2. Provisions

In considering any development applications within the Market City Site the City shall have regard to the following provisions:

2.1 Land Uses

- a) Potential high impact land uses which can generate excessive levels of noise, emissions, odour or significant traffic shall be situated more than 50m from the abutting railway reserve and not operate between the hours of 10:00pm and 7:00am.
- b) Land uses are to be limited to the following within 50m of the boundary with the abutting Railway Reserve:
 1. Warehouse (P)
 2. Showroom (P)
 3. Light Industry (P)
 4. Service Industry (P)
 5. Educational Establishment (AA)
 6. Public Utility (P)
 7. Community Purpose (AA)
 8. Office (incidental) (IP)
 9. Health Centre (AA)
 10. Lunch Bar (AA)



Variations to the above requirements will only be considered where:

- a) Consultation with nearby landowners is undertaken; and
- b) The applicant has clearly demonstrated that the proposal will not adversely impact upon the amenity of nearby residential properties, including the submission of a satisfactory acoustic assessment.

2.1. Buffer

- a) A 5.0m wide landscaping strip (including an earth bund) is to be provided along the full extent of the boundary with the Railway Reserve prior to any subdivision or development application within 50m of the boundary with the Railway Reserve.
- b) Proposed development within 50m of the boundary with the Railway Reserve is to face away from the Railway Reserve and incorporate minimal openings or noise generating external uses (such as loading and service areas) facing the boundary with the Railway Reserve.
- c) Building facades facing the Railway Reserve are to be textured or painted to the satisfaction of the City.
- d) Compressors and air-conditioning units are to be located away from the boundary with the Railway Reserve and should be situated on the north side of any buildings proposed within close proximity (50m) to the Railway Reserve.
- e) All buildings within 50m of the Railway Reserve are to be limited to 25m in height unless the City undertakes relevant consultation procedures and is satisfied that any buildings higher than 25m are unlikely to adversely impact upon nearby residential landowners.

2.3. Car Parking

- a) Any development application lodged with the City is to demonstrate that sufficient car parking is provided on the Market City site to accommodate the proposed development based on the relevant standards as set out under the City's current local planning scheme.

2.4. Sustainable Development

- a) Consideration should be given to sustainable development principles for all new proposals within the Market City site including noise control, the use of solar power, rain water and grey water collection, efficient street lighting and recycling.

3. Consultation

- a) The City shall consult surrounding landowners if it considers that any development application is outside of the terms of this Policy, other relevant adopted policies or the requirements of the City's current local planning scheme.
- b) Should a development application comply with the terms of this Policy, other relevant adopted policies, requirements of the City's current local planning scheme and in the opinion of the City is unlikely to adversely impact upon the amenity of surrounding landowners, no public consultation will be undertaken.

4. Delegation

- a) Where a proposal deviates from the requirements of the Policy and/or objections are received from nearby residential landowners, the application will be determined by Council.