Town Planning Scheme No.2

Amendment No.191

to implement the Rockingham Strategic Centre Precinct Structure Plan and set out the accompanying land use and development requirements.

city of Rockingham

where the coast comes to life

PLANNING AND DEVELOPMENT ACT 2005

RESOLUTION TO PREPARE AMENDMENT TO LOCAL PLANNING SCHEME

CITY OF ROCKINGHAM

TOWN PLANNING SCHEME No.2 AMENDMENT No.191

RESOLVED THAT the Local Government pursuant to section 75 of the *Planning and Development Act* 2005, amend the above Local Planning Scheme by:

1. Rezone the following landholdings (as shown on the amending map) on the scheme map:

    1.1 Rezone the landholdings generally bounded by Ennis Ave, Hurrell Way (east) Morgan St, Crocker St, and Dixon Road, Rockingham from "Light Industry" to "Strategic Centre" zone.

    1.2 Rezone the landholdings within the Rockingham Strategic Centre from Primary Centre City Centre; Primary Centre Waterfront Village; Primary Centre Urban Village; Primary Centre City Living; Primary Centre Campus and Primary Centre Urban Living zones" to the "Strategic Centre" zone.

    1.3 Rezone the landholdings generally bounded by Goddard Street, Lot 503 on DP 56108, Lot 1519 Read Street, Diamantina Way, Leighton Street, Success Drive and Marks Place, Rockingham from "Residential" (R20 and R40) to "Strategic Centre" Zone.

    1.4 Rezone the landholdings generally bounded by Houston Street, Langley Street, Quin Street, Thorpe Street, Florence Street, Esplanade, Samuel Street, Harrison Street, William Street, Langley Street, McLean Street, Christison Way, Gregson Street Rockingham from "Residential" (R20, R30 and R40) to "Strategic Centre" Zone.

    1.5 Rezone Lot 503 on DP 56108, Lot 1519 Read Street, Lot 502 on DP 56108, Lot 1515 Dixon Road, portion of Lot 501 Patterson Road, Rockingham from "Development" Zone to "Strategic Centre" Zone.

    1.6 Rename 'Primary Centre Boundary' to 'Strategic Centre boundary' and realign with *P1 - Rockingham Strategic Centre Precinct Structure Plan area*.

    1.7 Include an Additional Use No.33 (Transport Depot as an 'A' use) for Lot 1306 Dixon Road, Rockingham.

    1.8 Transfer Lot 2478 on DP 11644, Lots 537, 538 and 539 on DP 403599, Lots 2342 and 2343 on DP 11194, Lot 2324 on DP 47285, Lot 2340 on DP 11195, Lot 2476 on DP 11685 from "Primary Centre Urban Living" Zone to "Public Open Space" Reserve. Transfer Lot 1595 on DP 18938, Lot 1601 on DP 17757 and Lot 1589 on DP 218674 from "Primary Centre City Centre" to "Public Open Space" Reserve. Transfer Lot 500 on DP 74005, Lot 1573 on DP 188766 and Lot 1549 on DP 187366 from "Primary Centre Waterfront Village" to "Public Open Space" Reserve. Transfer Lot 1604 on DP 192812, Lot 500 on DP 55836, Lot 5 on DP 7887 and Lot 551 on DP 405284 from "Primary Centre Campus" to "Public Purposes" Reserve.

    1.9 Delete any references/legend references to Primary Centre City Centre; Primary Centre Waterfront Village; Primary Centre Urban Village; Primary Centre City Living; Primary Centre Campus; Primary Centre Urban Living zones to be replaced with Strategic Centre or deleted where no longer relevant.

2. Amend the scheme text as follows:

    2.1 In clause 3.1.1, delete the following zones:

    - Primary Centre City Centre
    - Primary Centre Waterfront Village

- Primary Centre Urban Village
- Primary Centre City Living
- Primary Centre Campus
- Primary Centre Urban Living

And insert the “Strategic Centre” zone.

2.2 Amend clause 3.2.2 to amend ‘IP’ to ‘I’ use and amend annotations in Table 1: Zoning Table accordingly.

2.3 Amend clause 3.2.4 to insert new subclause (d) as follows:

“or
(d) have due regard to any of the following plans that apply to the land -

(i) a structure plan;
(ii) an activity centre plan;
(iii) a local development plan; and/or
(iv) precinct local development plan.

2.4 Amend Table 1: Zoning Table as follows:

Delete reference to the following zones and corresponding use class annotations (X, D, A, P, I):

- Primary Centre City Centre
- Primary Centre Waterfront Village
- Primary Centre Urban Village
- Primary Centre City Living
- Primary Centre Campus
- Primary Centre Urban Living

Insert an additional Zone in the Table 1: Zoning Table “Strategic Centre” and include the following annotation for corresponding Use Class permissibility’s:

“Subject to Clause 27 of the deemed provisions, use class permissibility shall be determined in accordance with Table 1(a): Rockingham Strategic Centre Zoning Table, Clause 4.23, Table 4 (1) and the provisions of the relevant Precinct Structure Plan”.

2.5 Insert an additional Table 1(a): Rockingham Strategic Centre Zoning Table under Table No. 1 – Zoning Table

Table 1(a) Rockingham Strategic Centre Zoning Table

USE AND DEVELOPMENT CLASS	ROCKINGHAM STRATEGIC CENTRE SUB ZONES				
	Mixed Use	Commercial	Residential	Private Clubs, Institutions and Place of Worship	Service Commercial
	M	C	R	PC	S
RESIDENTIAL USES					
Bed and Breakfast	X	X	D	X	X
Caretaker's Dwelling	X	X	X	I	I
Holiday Accommodation	D	X	D	X	X
Holiday House	X	X	D	X	X
Hotel	D	A	X	X	X
Motel	D	A	X	X	X
Nursing Home	D	X	A	X	X
Residential:					
(a) Single House	X	X	D	X	X
(b) Grouped Dwelling	D	X	D	X	X
Multiple Dwelling	D	D	D	X	X
Serviced Apartment	D	D	A	X	X
COMMERCIAL USES					
Amusement Parlour	A	D	X	X	X
Art Gallery	D	D	X	D	X
Betting Agency	A	D	X	X	X
Brewery	A	D	X	X	X
Bulky Goods Showroom	X	D	X	X	D
Child Care Premises	D	D	A	D	X
Cinema/Theatre	D	D	X	X	X

USE AND DEVELOPMENT CLASS	ROCKINGHAM STRATEGIC CENTRE SUB ZONES				
	Mixed Use	Commercial	Residential	Private Clubs, Institutions and Place of Worship	Service Commercial
	M	C	R	PC	S
Club Premises	D	D	X	X	X
Convenience Store	D	D	X	D	D
Consulting Rooms	D	D	X	D	D
Fast Food Outlet/ Lunch Bar	D	D	X	X	X
Funeral Parlour	X	D	X	X	D
Garden Centre	X	X	X	X	D
Home Business	D	X	D	X	X
Home Occupation	D	X	D	X	X
Home Office	P	X	P	X	X
Home Store	A	X	A	X	X
Liquor Store – Large	A	A	X	X	D
Liquor Store – Small	D	D	X	X	X
Market	D	D	X	X	D
Medical Centre	D	D	X	D	D
Motor Vehicle Wash	X	D	X	X	D
Night Club	A	X	X	X	X
Office	D	D	X	I	D
Reception Centre	D	D	X	X	X
Recreation – Private	D	D	X	D	D
Restaurant/Café	D	D	X	X	X
Restricted Premises	X	A	X	X	X
Service Station	X	D	X	X	D

USE AND DEVELOPMENT CLASS	ROCKINGHAM STRATEGIC CENTRE SUB ZONES				
	Mixed Use	Commercial	Residential	Private Clubs, Institutions and Place of Worship	Service Commercial
	M	C	R	PC	S
Shop	D	P	X	I	X
Small Bar	D	D	X	D	X
Tavern	D	D	X	D	X
Veterinary Centre	A	D	X	X	D
Warehouse/Storage	X	X	X	X	D
INDUSTRIAL USES					
Commercial Vehicle Parking	X	X	X	X	D
Motor Vehicle, Boat or Caravan Sale	X	D	X	X	D
Motor Vehicle Repair	X	X	X	X	D
Trade Display	X	X	X	X	D
Trade Supplies	X	X	X	X	D
Veterinary Hospital	X	X	X	X	D
UTILITIES /COMMUNITY					
Carpark	D	D	X	D	D
Civic Use	D	D	A	D	D
Community Purpose	D	D	D	D	D
Educational Establishment	D	D	X	P	X
Exhibition Centre	D	D	X	D	X
Hospital	D	D	X	A	X
Place of Worship	A	A	A	D	D
Public Utility	D	D	D	D	D
Telecommunications/	D	D	D	D	D

USE AND DEVELOPMENT CLASS	ROCKINGHAM STRATEGIC CENTRE SUB ZONES				
	Mixed Use	Commercial	Residential	Private Clubs, Institutions and Place of Worship	Service Commercial
	M	C	R	PC	S
Infrastructure					

2.6 Amend clause 4.1.3 (a) and (b) as follows:

(a) In order to encourage residential development within the Strategic Centre Zone and District Town Centre Zone, the Local Government may exercise its discretion in respect of the standard Residential Design Code provisions.

(b) Use of discretionary power by the Local Government in relation to the standard provisions of the R-Codes for residential development in the Strategic Centre Zone and District Town Centre Zone, is detailed in clause 4.5.5.

2.7 Amend clause 4.3 and rename from “Primary Centre” to “Strategic Centre Zone”.

2.8 Delete existing clause 4.3.1 text and insert the following text:

“Operation
Sets out requirements relating to development that are additional to those set out in the R-Codes, the precinct structure plan, precinct local development plans, local development plans and applicable State or local planning policies.

2.9 Delete existing clause 4.3.2 (a)-(p) “Objectives of the Primary Centre Zone” text and insert new subclause 4.3.2 Objectives of the Strategic Centre Zone

- To designate land for future use and development in the Rockingham Strategic Centre.
- To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.
- To satisfy the guiding objectives of the WAPC endorsed Rockingham Strategic Centre Precinct (Structure) Plan in regard to:
  (a) Urban Ecology
  (b) Urban Structure
  (c) Public Realm
  (d) Movement
  (e) Land Use
  (f) Built Form

2.10 Amend clause 4.3.3 (a) to “the objectives of the Strategic Centre Zone.”

Amend clause 4.3.3 (b) to “the provisions of the Rockingham Strategic Centre Precinct (Structure) Plan”.

Amend clause 4.3.3 (c) to “the objectives of the Zone set out in Table 1 (a) in which the development is proposed.”

Insert new sub clause 4.3.3 (d) to “any additional development requirements set out in Table 4 (1);

(e) any other relevant planning document.

Delete subclauses 4.3.3 (g), (i), (k), (m) and (o);

Retain subclause (q) and renumber to (f).

2.11 Amend clause 4.3.4 (a) to “the objectives of the Strategic Centre Zone.”

Amend clause 4.3.4 (b) to “the provisions of the Rockingham Strategic Centre Precinct (Structure) Plan”.

Amend clause 4.3.4 (c) "any additional subdivision requirements set out in Table 4;"

(d) any other relevant planning document.

Delete subclauses 4.3.4 (e), (f), (g), (h) and (i);

Retain subclause (j) and renumber to (e).

2.12 Delete clause 4.3.5 Subdivision - Need for an Integrated Development Guide Plan.

2.13 Delete clause 4.3.6 Policies for Sectors.

2.14 Delete clause 4.3A Primary Centre City Centre Zone.

2.15 Delete clause 4.3B Primary Centre Waterfront Village Zone.

2.16 Delete clause 4.3C Primary Centre Urban Village Zone.

2.17 Delete clause 4.3D Primary Centre City Living Zone.

2.18 Delete clause 4.3E Primary Centre Campus Zone.

2.19 Delete clause 4.3F Primary Centre Urban Living Zone.

2.20 Amend clause 4.15.1.1 to as follows:

"Where land is proposed to be developed in the Strategic Centre Zone, or the District Town Centre Zone for a purpose specified in Table No.3, the minimum number of carparking bays required, and the maximum number of carparking bays allowable, for the proposed development is to be determined in accordance with Table No.3 and the applicable precinct structure plan."

2.21 Delete clause 4.15.1.2.

2.22 Amend clause 4.15.1.3 to as follows:

"Where land is proposed to be developed in any zones other than the Strategic Centre Zone or the District Town Centre Zone for a purpose specified in Table No.2, the minimum number of carparking bays required for the development is to be determined in accordance with Table No.2."

2.23 Amend clause 4.15.1.4 to as follows:

"Where land is proposed to be developed in any zone other than the Strategic Centre Zone or the District Town Centre Zone for a purpose which is not specified in Table No.2;

The local government is to determine the minimum number of carparking bays required for the development having regard to:

(i) the nature of the proposed development;
(ii) the number of employees likely to be employed on the site;
(iii) the anticipated demand for parking; and
(iv) the orderly and proper planning of the locality.

2.24 Delete clause 4.15.2 Provision of Parking in the Primary Centre Waterfront Village Zone.

2.25 Delate clause 4.15.6.2

2.26 Amend Tables 2, 3 and 4 Carparking as follows:

(i) Add updated annotation in reference to Table 2, as follows:
** Refer to Table No.3 for recommended carparking provision within the Strategic Centre and District Town Centre zones.*

(ii) Amend Table 3 heading to:
MINIMUM REQUIREMENTS AND MAXIMUM ALLOWANCES - STRATEGIC CENTRE ZONE & DISTRICT TOWN CENTRE ZONE

(iii) Delete Table 4: CARPARKING STANDARDS WITHIN THE PRIMARY CENTRE WATERFRONT VILLAGE.

2.27 Insert new clause 4.23 Additional site and development requirements for areas covered by structure plan, activity centre plan, precinct local development plan or local development plan.

(1) Table 4 (1) sets out requirements relating to development that are included in structure plans, activity centre plans, precinct local development plans and local development plans that apply in the scheme area.

(2) The specific development standards set out under this Clause and the associated Table 4 (1) prevail to the extent of any inconsistencies with any other standard or provision of the Scheme.

The Table sets out requirements relating to development that are included in structure plans, activity centre plans and local development plans that apply in the Scheme area.

No.	Description of Land	Requirement
1.	Rockingham Strategic Centre, as defined in the Rockingham Strategic Centre Precinct Structure Plan and as shown on the Scheme Map.	(1) Subdivision and development of land is to be generally in accordance with an approved structure plan with residential densities as set out in P1 – Rockingham Strategic Centre Precinct Structure Plan - Residential Density Plan. (2) A minimum building height of two (2) storeys applies to all land, the subject of Rockingham Precinct Structure Plan except for development proposals for interim uses on designated sites within PLDP 1 and PLDP 2 of the Rockingham Strategic Centre Precinct Structure Plan.

2.28 Amend Schedule No.1 General Interpretations, as follows:

(i) Delete the following interpretations:
Centre Plan
Development Policy Plan (City Centre Sector)
Development Policy Plan (Campus Sector)
Development Policy Plan (Eastern Sector)
Development Policy Plan (Northern Waterfront Sector)
Development Policy Plan (Smart Village South Sector Sector)
Development Policy Plan (Southern Gateway and Rockingham Station Sectors)
Development Policy Plan (Waterfront Village Sector)
Primary Centre

(ii) insert the following:

Activity centre means -
(a) an area of land identified in accordance with a State planning policy as an activity centre; or

(b) an area of land identified by the Commission as an activity centre;

Amenity means - all those factors which combine to form the character of an area and include the present and likely future amenity;

Rockingham Strategic Centre Precinct Structure Plan means - the Precinct Structure Plan for Rockingham Strategic Centre approved by the Western Australian Planning Commission under Part 5 of the Deemed Provisions.

Strategic Centre means - that portion of the Scheme Area shown and designated on the Scheme Maps as the "Strategic Centre" and which the Rockingham Strategic Centre Precinct Structure Plan applies.

2.29 Amend Schedule No.1 Land Use Interpretations, as follows:

(i) insert the following:

Holiday House	means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.
Home Office	means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupations - (a) is solely within the dwelling; and (b) does not entail clients or customers travelling to and from the dwelling; and (c) does not involve the display of a sign on the premises; and does not require any change to the external appearance of the dwelling.

2.30 Amend Schedule, 'Schedule No.2 - Additional Uses':

(i) delete Additional Use No. 6 and

(ii) insert Additional Use No. 33 as follows:

No.	Site Description	Additional Use	Special Conditions
A33	Lot 1306 Dixon Road, Rockingham	Transport Depot as a 'A'	

And amending the scheme map accordingly.

2.31 Amend Schedule No.11 Development Contribution Plan No.2, Clause 4(2) to:

(i) delete:

(a) Primary Centre City Centre zone;
(b) Primary Centre Waterfront Village zone;
(c) Primary Centre Urban Village zone;
(d) Primary Centre City Living zone;

And insert

(a) Strategic Centre zone; and following subclauses, accordingly.

(ii) Delete PLAN NO.8 CARPARKING AREAS FOR PRIMARY CENTRE WATERFRONT VILLAGE ZONE

2.32 Any other scheme text references to Primary Centre City Centre; Primary Centre Waterfront Village; Primary Centre Urban Village; Primary Centre City Living; Primary Centre Campus; Primary Centre Urban Living zones to be replaced with Strategic Centre zone or deleted where appropriate.

The amendment is a Complex Amendment under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

Dated this_____day of_____2022

_____
(Chief Executive Officer)

SCHEME AMENDMENT REPORT

LOCAL AUTHORITY	:	City of Rockingham
DESCRIPTION OF TOWN PLANNING SCHEME	:	Town Planning Scheme No.2
TYPE OF SCHEME	:	District Zoning Scheme
SERIAL NO. OF AMENDMENT	:	Amendment No.191
PROPOSAL	:	To implement the Rockingham Strategic Centre Precinct Structure Plan and set out the accompanying land use and development requirements
CLASSIFICATION	:	Complex Amendment

1. INTRODUCTION

The purpose of Amendment No. 191 to Town Planning Scheme No. 2 (TPS2) is to implement the Rockingham Precinct Structure Plan (RPSP) (RPSP- Appendix 1) by consolidating the existing 'Primary Centre' zones into a single 'Strategic Centre' zone consistent with the revised RPSP area (and boundary) and introducing key development control provisions into the Scheme which are supplemented by the RPSP provisions. It is intended that the TPS No. 2 and RPSP provisions will provide a robust and coherent framework for the future planning and development of the Rockingham Strategic Centre.

The growth and development of the Rockingham Strategic Centre (RSC) has been guided by State Government endorsed planning framework's since the early 1970's. The RSC is one of ten strategic centres within Perth and Peel Metropolitan area which, according to State Government policy, will be '*multi-purpose centres that provide the full range of economic and community services necessary for the communities in their catchments'*. Its role is not only to provide services and amenities to the City's diverse and rapidly growing population, but also to provide a full range of economic and community services to support the South Metropolitan Peel Sub-region. Capital City' is the only 'higher' order Centre within the activity centre hierarchy, comprising of Perth, West Perth, Northbridge and East Perth localities.

The existing *Rockingham Strategic Regional Centre – Centre Plan, 2009* (The Centre Plan) was approved in 2009. The City has reviewed the planning framework for the RSC to develop a more contemporary framework that is aligned with the latest State planning framework including draft State Planning Policy (SPP) 4.2 - Activity Centres for Perth and Peel and SPP 7.2 - Precinct Design (SPP 7.2). This Amendment is intended to facilitate a new local planning framework driven by a new accompanying precinct structure plan (RPSP), prepared in line with the requirements of draft SPP 4.2 and SPP 7.2. The accompanying RPSP will guide future subdivision and development and will bring together the following elements that make up a centre: (i) urban ecology (ii) urban structure (iii) public realm (iv) movement (v) land use, and (vi) built form that responds to community expectations, forecast population growth, supports economic investment and employment self-sufficiency.

With this contemporary approach and the introduction of the RPSP provisions, many of TPS2's provisions as they relate to the 'Primary Centre' zones are now redundant. This Amendment will update the standards for land use permissibility within the RPSP boundary and ensure that there are no existing TPS2 provisions (including development requirements) that are in conflict with the intent and provisions of the RPSP or those introduced as 'Deemed Provisions' under the Planning and Development (Local Planning Schemes) Regulations 2015 (the LPS Regulations).

The Amendment is to be read in conjunction with the RPSP (Appendix 1), which provides the rationale and a plan for the coordination of the future subdivision, zoning and development of the RSC, regarding such matters as:

- character area statements;
- land use;
- built form;
- movement and access;
- public realm;
- provision of public benefits in return for additional development potential; and
- monitoring and review.

The Amendment also facilitates a refinement of the RPSP boundary (and area) informed by the accompanying RPSP with the incorporation of adjacent residential areas and a portion of the Dixon Road 'Light Industrial' and 'Development' zones into the 'Strategic Centre' zone which more readily reflects the existing and envisaged future strategic development of the RSC. The amendment also denotes the appropriate reservation of existing Crown reserves within the RPSP area, not previously shown in TPS 2.

1.1 Amendment Area

The proposed amendment relates to the area covered by the proposed RPSP (Appendix 1), as shown on Figure 1.

The RSC is located about 38 km southwest of central Perth within the City of Rockingham. The City Centre core of the RSC lies about 2 km south east of the historic Rockingham Beach settlement, and the Rockingham Foreshore. The RSC is proposed to be reduced to approximately 533 hectares and extends from the Rockingham Station precinct to the Rockingham Foreshore and includes:

- the area designated 'City Centre' in TPS2, as well as the Rockingham Waterfront Village, the joint campus of Murdoch University and South Metropolitan TAFE;
- a portion of the Dixon Road commercial and light industrial area, regional recreation reserves; and
- some additional (limited) residential zoned pockets, south-west of Florence Street, Quin Street, Gregson Street and north-west of Houston Street ('Waterfront Village' locality) and south of Goddard Street and north-west of Leghorn Street and Chalgrove Avenue ('City Park' locality).

Land in proximity to the intersection of Ennis Avenue and Patterson Road is proposed to be removed from the RPSP boundary.

Figure 1 - RPSP Site Plan

1.2 Background

Rockingham has been the highest-order centre in the south-west corridor of the Perth Metropolitan Region since the State Government's Corridor Plan was released in 1970. Although now referred to as a 'Strategic Centre' under draft SPP 4.2, the RSC has had other classifications including Sub-Regional Centre and Strategic Regional Centre. However, the role and primary function of the centre within the sub region has remained unchanged.

Since the early 1980's, the growth and development of the RSC has been guided by State Government endorsed planning frameworks, the current document being the Centre Plan.

In 2006, the City commissioned a review of the preceding City Centre Development Policy Plan ('DPP') following the finalisation of the Perth to Mandurah railway alignment which resulted in the removal of the proposed 'Rockingham spur' in favour of the Rockingham Station being located outside of the DPP area, at the intersection of Ennis Avenue and Rae Road (current location). In response, the State Government agreed to investigate a high frequency, dedicated public transport connection linking key locations with the Rockingham Station (Rockingham City Centre Transit System' or 'RCCTS'). A Taskforce made recommendations on the alignment of the public transport connection and the preferred mode of transport. The preferred alignment connected the Rockingham Station with the City Centre core (containing the Rockingham Shopping Centre and Civic/Justice uses), Murdoch University campus and the broader Dixon Road education precinct and Rockingham Beach.

In response, the 2006 review sought to produce a new planning framework for an extended RSC area to cover the full extent of the area to be serviced by the RCCTS. The new planning envelope covered almost 600 hectares between the Rockingham Station and Rockingham Beach. The Centre Plan set out a broad planning framework and provided general direction for the detailed planning investigations to follow which included the preparation of Development Policy Plans for each Sector, which provided further detailed design guidance. These elements combine to form the current local planning framework for the RSC.

The Centre Plan developed the following 'Vision' to guide planning and development of the Centre: "The vision is for a modern, distinctly coastal centre offering a wide range of mixed uses including retail, commercial, office, civic, residential, education and recreation within an accessible and highly inter-connected, urban-scaled townscape, comprising a major activity centre and related urban village based on 'Main Street' principles."

Building on this vision and the work undertaken in developing the Centre Plan, the City commenced a review of its planning framework for the RSC in 2020. The outcomes of this review determined that the most appropriate course of action was to establish a more contemporary planning framework, culminating in the preparation of a precinct structure plan (referred to as the RPSP).

2. PLANNING CONTEXT

For the purposes of this Amendment, this section focuses on the State and local planning frameworks relevant to the planning and development of the RSC and this amendment.

2.1 State and Regional Planning Context

This section focuses on those State planning level documents and instruments relevant to the planning and development of the RSC and the South Metropolitan Peel sub-region.

The Commission's State Planning Policy 1 (SPP 1) State Planning Framework Policy brings together existing State and regional policies, strategies, plans and guidelines within a central State Planning Framework. It sets the context for decision-making on land use and development in Western Australia. Relevant planning instruments (provisions) which comprise the State Planning Framework and include:

- The *Planning and Development Act 2005* (PD Act) and associated Planning (LPS) Regulations;
- Metropolitan Region Scheme;
- Regional and Sub-regional strategies (including South Metropolitan Sub-Region Framework);
- State Planning Policies (including draft SPP 4.2 Activity Centres, SPP 7.0 Design of the Built Environment, SPP 7.2: Precinct Design) and accompanying Guidelines;
- WAPC Operational policies; and
- WAPC Position statements.

WA Planning Reform

In August 2019, the State Government released its *Action Plan for Reform of the Western Australian Planning System* which has subsequently been implemented via a program of legislative, regulatory and policy changes creating a more robust planning system. Proposed amendments to legislation are also intended to support the State's economic recovery from the COVID-19 pandemic. A priority has been establishment of a new development application process for significant projects. Other initiatives include exemptions from planning approval for certain land uses, and greater certainty of approval process for certain planning instruments across local government.

Currently, the Phase 2 Action Plan for Planning reform Call for Submissions presents some 24 proposals for changes that could be made to the WA planning system together with a request for other new ideas and priorities.

SPP 4.2 governs decision-making for the planning and development of activity centres in the Metropolitan (Perth), Peel (and now extended to Greater Bunbury). Accompanying draft Implementation Guidelines address such matters as defining activity centre boundaries. These draft Guidelines are to be read in conjunction with draft *SPP 7.1 Neighbourhood Design*, *SPP 7.2 Precinct Design and SPP 7.3 Residential Design Codes Volume 1: Single house and (draft Medium Density)* and *Volume 2: Apartments*.

Under SPP 7.2 Precinct Design, activity centres are a type of precinct, so activity centre plans will be replaced by precinct structure plans which must be prepared for Strategic, Secondary, District and Specialised centres. Under draft SPP 4.2 the Rockingham City Centre is identified as a Strategic Centre. It is acknowledged that as the City undertakes its review of the RSC planning framework including this amendment that that consideration will need to be given to any changes to relevant State Planning Polices and statutory provisions prior to finalisation.

Metropolitan Region Scheme (MRS)

The Centre Plan envelope extends over three zones, comprising: 'Central City Area' (Council Avenue to Dixon and Patterson Roads); 'Urban' (north of Patterson Road, west of Read Street and south of Council Avenue); and 'Industrial' (north of Dixon Road). Relevant reserved lands include: 'Parks and Recreation' (Rockingham Beach foreshore); 'Railways' (between Dixon and Patterson Roads); 'Primary Regional Roads' (Ennis Avenue); and 'Other Regional Roads' (Patterson Road, Read Street and Rae Road).

The TPS2 mirrors the current MRS zoning and reservations, with a majority of the RSC is zoned 'Primary Centre' zone in the MRS. Some minor rationalisation of the MRS 'Central City Area' zone will be required to make consistent with the proposed extent of Strategic Centre zoning.

South Metropolitan Sub-Regional Planning Framework

The RSC is situated within the South Metropolitan Sub-Regional Planning Framework area, which supports a coordinated approach to urban consolidation. The framework identifies Rockingham as the 'Major Centre' of the south-western sector.

A key objective of the Framework is to promote employment opportunities and increase the number of people who live and work within the sub-region, with a focus on attracting strategic economic and employment land uses within strategic centres such as RSC. Employment self-sufficiency targets in the framework area are projected to increase. In the south-west sector, the aspirational increase is from 65 per cent to 83 per cent. The framework proposals and outcomes have been considered in the preparation of the draft RSC local planning framework.

State Planning Policy 4.2 - Activity Centres for Perth and Peel (SPP 4.2 and draft SPP 4.2)

This State Planning Policy was adopted under Part 3 of the *Planning and Development Act 2005,* in 2010 and is currently under review. SPP 4.2 governs decision-making for the planning and development of activity centres and applies to precinct structure plans for activity centres and subdivision and development applications for major developments within the Activity Centre.

A final draft SPP 4.2 (2020) was released for public consultation until 12 February 2021 and it is envisaged that the final SPP 4.2 will be endorsed late 2022. The draft SPP 4.2 (as advertised) is more aligned with current State Planning Policies, particularly the Design WA policy suite.

Accompanying draft SPP 4.2 Guidelines have been prepared which provide explanatory detail to assist the implementation of SPP 4.2. These Guidelines explain the intent and interpretation of SPP 4.2 and are to be used in the preparation or review of region planning schemes, regional or sub-regional strategies or frameworks, local planning strategies and schemes, precinct structure plans, standard structure plans, development applications and other planning instruments such as local planning policies and any amendments to these documents.

Rockingham City Centre's designation within the centres hierarchy remains unchanged and is classified as Rockingham Strategic Centre in both the current and draft versions of the policy. The draft SPP 4.2 states that:

"*Strategic centres are the main regional activity centres. They are multipurpose centres that provide a diversity of uses. These centres provide the full range of economic and community services necessary for the communities in their catchments. These centres are expected to service substantial populations, providing health, community and social services, be integrated with public transport and provide opportunities for business agglomeration. Access is a priority for these centres.*"
SPP 4.2 requires the City of Rockingham to prepare and maintain an endorsed activity centre structure plan to guide development within the RSC. Consistent with the regional context of the Rockingham Activity Centre, and in satisfaction of the requirements of SPP 4.2, the City has completed a major two-stage review. The purpose of the review was to update the planning framework for the Centre and to prepare a contemporary overall Precinct Structure Plan to guide the future development of public and private property within the consolidated centre.

With regards to its alignment with SPP 4.2, the review highlighted that the existing Centre Plan had already set up a framework in which the RSC was functioning as the primary employment, entertainment, and community hub in the broader City of Rockingham/ Kwinana area.

It was identified though, that employment was still a primary issue. As such, key focus areas of the RPSP have been:

- Exploration for how major development sites, particularly in the 'City Centre' locality can be unlocked to stimulate development and promote short-medium term economic activation. This has incorporated consideration for both interim uses, and the role of Precinct Local Development Plans as a tool to provide greater flexibility for proponents.
- Alignment with the City of Rockingham Needs Assessment prepared in 2022. This has included consideration for an appropriate land use mix that will help stimulate development of employment generating land.
- A review of the RCCTS, which is proposed as a Tier 2 transport system, that will better connect key activity areas in the Centre linking local residents to local jobs.

State Planning Policy 7.0 - Design of the Built Environment

SPP 7.0 is the foundation of the Design WA initiative and became operational following publication in the Government Gazette on 24 May 2019.

It is the lead policy that elevates the importance of design quality across the whole built environment in Western Australia. It seeks to deliver the broad economic, environmental, social, and cultural benefits that derive from good design outcomes.

The policy includes 10 principles of good design, which are the foundation of the policy framework and are 'Context and Character, Landscape quality, Built form and scale, Functionality and build quality, Sustainability, Amenity, Legibility, Safety, Community and Amenity'. SPP 7.0 establishes the overarching framework for good design practice in planning and has directly informed preparation of SPP 7.2.

State Planning Policy 7.2 - Precinct Design

SPP 7.2 was released in its final form in December 2020. The overall policy intent is to enable the ten principles of good design (identified in SPP 7.0) to be applied to precinct planning, ensuring that good design quality and built form outcomes can be achieved.
SPP 7.2 comprises two key parts:

(1) ***SPP 7.2: Precinct Design*****:** the lead policy to guide the preparation and evaluation of planning proposals for areas that require a high level of planning and design focus due to their complexity. It identifies how the policy can be applied, including guidance on desired objectives and outcomes.

(2) ***SPP 7.2: Precinct Design Guidelines*****:** is built upon the 10 Design Principles contained in SPP 7.0. It defines the different precinct types and identifies six design elements to guide precinct design, being:

(i) Design Element 1: Urban Ecology
(ii) Design Element 2: Urban Structure
(iii) Design Element 3: Public Realm
(iv) Design Element 4: Movement
(v) Design Element 5: Land Use
(vi) Design Element 6: Built Form

Each design element is supported by objectives and design considerations which provide guidance on how to prepare a Precinct Structure Plan.

The City has reviewed the planning framework for the RSC to develop a more contemporary framework that is aligned with the latest State planning framework including draft State Planning Policy (SPP) 4.2 - Activity Centres for Perth and Peel and SPP 7.2 - Precinct Design. This Amendment is intended to facilitate a new local planning framework driven by a new accompanying precinct structure plan (RPSP)

in line with the requirements of SPP 4.2 and SPP 7.2. The accompanying RPSP will guide future subdivision and development and will bring together the six design elements contained in the Precinct Design Guidelines.

The RSC boundary has defined with guidance provided in section 4.1 of the draft SPP 4.2 Guidelines and factors set out in SPP 7.2 Design Guidelines.

State Planning Policy 7.3 - Residential Design Codes (Volumes 1,2 - Apartments) and Draft Medium Density Code (Volume 1)

The R-Codes control the design of most residential development throughout Western Australia. The R-Codes aim to address emerging design trends, promote sustainability, improve clarity and highlight assessment pathways to facilitate better outcomes for residents. They are also used for the assessment of residential subdivision proposals and should be read with Development Control Policy 2.2 Residential Subdivision for this purpose. The R-Codes are introduced by reference into a local scheme and it is a requirement for all residential development to comply with the R-Codes. The R-Codes outline standards for residential development in Western Australia; and, with the exception of precinct-specific circumstances (i.e. RPSP), they form the basis for the design and assessment of most residential development in Western Australia.

The R-Codes are applied to the RPSP in the following ways.

R-Codes Volume 1 applies for all single house(s) and grouped dwellings; and multiple dwellings in areas coded less than R40.

R-Codes Volume 2 applies for multiple dwellings in areas coded R40 or greater; within mixed use development and activity centres. Acceptable Outcome provisions of the R-Codes that are amended or replaced by the RPSP are done so in accordance with Part 1 of the RPSP or in an accompanying PLDP.

Development Control Policy 1.6 Planning to Support Transit Use and Transit Oriented Development

The purpose of Development Control Policy 1.6 (DC1.6) is to set out a position for planning and development around transport infrastructure, primarily aimed at improving access and increasing public transport demand. DC1.6 applies to 'transit-oriented precincts' within 800 metres of high frequency heavy rail or major bus transfer stations and within 400 metres of high frequency bus stops.

The RPSP is very well served by public transport, including bus routes that service the centre and the adjacent Rockingham Train Station. The proposed RCCTS would expand the local network further, ensuring that, the entire area subject to the proposed amendment is therefore a transit-oriented precinct (as defined in the policy). The RPSP and amendment have therefore been prepared with regard to the recommendations of the policy to ensure that transport infrastructure is supported by suitable levels of population and activity.

2.2 Local Planning Context and RSC Review

The City's local planning framework comprises all strategic, statutory and policy planning documents which collectively outline the planning for the RSC area and include TPS2 (as well as LPS Regulations Deemed Provisions), RSC - Centre plan, centre plan sector policies, and other relevant Local Planning Policies.

As part of review process the City has examined the composition and content and local planning framework, which includes local planning scheme provisions/zoning, the existing Centre Plan and the local planning policies for the various individual sectors.

The review has result in the preparation of the RPSP which is intended to replace the current Centre Plan under the guidance provided by SPP 7.2 and the accompanying Precinct Design Guidelines.

Town Planning Scheme No. 2

In general terms, TPS2 sets out the way land is to be used and developed within the Scheme. TPS2 was gazetted on the 19 November 2004, predating the LPS Regulations. Over 190 amendments to TPS2 have been initiated to keep the local scheme current and facilitate land use and development within the scheme area.

In September 2017, TPS2 was amended for consistency with the LPS Regulations, by deleting clauses that were superseded by the Deemed Provisions. TPS2 has successfully coordinated the development of the RSC and there is confidence that the current framework is sound, subject to the proposed changes set out as proposed within Amendment No.191.

The future Local Planning Strategy, when approved, will inform the preparation of a new Scheme. It is envisaged that the LSP will reaffirm the role and function of the RSC and set out the implementation considerations for the activity centre. The preparation of the new Scheme will provide a further opportunity to 'fine tune' the provisions related to the RPSP, if required.

TPS2 under clause 1.6 sets out the objectives of the Scheme with General Objectives (clause 1.6.1) and Specific Objectives (clause1.6.2). It is noted that these objectives are, by their nature broad and generic, acknowledging that objectives are set out under Part 3 for each of the Centre zone designations along with the Primary Centre in totality. This amendment seeks to replace the Objectives with a single set relating to the RSC with other precinct-based objectives being contained in the Precinct Structure Plan.

Table 1: Zoning Table of TPS2 sets out the use class permissibility's of each zone. This Amendment seeks to consolidate these zones into a single 'Strategic Centre' zone and provide land use guidance, by sub-zone basis, in a separate Zoning Table (Table 1a), with additional guidance contained within the RPSP. Additional land uses are also defined and included to align with the Deemed Provisions and a change is proposed to be made to the existing land use permissibility for a 'Night Club', 'Service Station' and other land uses.

In recognition of the potential land use conflicts associated with Night Clubs, in September 2013 Council resolved to adopt Final Approval of Amendment No.134 which, in part, prohibited the 'Night Club' use within majority of 'Primary Centre' zones including within the 'Waterfront Village' locality. The change to the 'Night Club' permissibility has been carefully considered upon review of the planning framework and the City's desired outcomes for the RSC, which identify an appetite to attract land uses with a high number of people, that have the potential to activate the RSC through the day and night.

The antisocial aspects arising from Night Clubs, which prompted Amendment No.134 are considered to be a matter of night club management and policing and not a land use issue, given that Strategic Centres such as Rockingham should reasonably accommodate such activities in appropriate locations (i.e., 'Waterfront Village' and 'City Centre' localities).

Part 4 - General Development Requirements of TPS2 sets out for each Zone the objectives, applicability of the R-Codes (including minimum residential density), special considerations applicable for development and subdivision applications for each zone.

As part of the preparation of this Amendment consideration has been given regarding consistency (and potential conflicts) of Scheme provisions to those development requirements set out in the RPSP and accompanying design guidance. Also, the Model Provision of the LPS Regulations sets out that items to be included in Part 4 General Development Requirements, which include how the R- Codes are to be read into Schemes.

This Amendment seeks to streamline scheme provisions consistent with the approach in the model provisions in the LPS Regulations.

Changes to the relevant Schedules within TPS2 are necessary due to the intended changes within the local planning framework for the 'Strategic Centre'.

3. PROPOSED SCHEME AMENDMENT

The purpose of Amendment No. 191 is to implement the RPSP by consolidating the existing (six) 'Primary Centre' zones, into a single 'Strategic Centre' zone, consistent with the 'Central City Area' zoning under the Metropolitan Region Scheme and the revised RPSP area (and boundary) as well as introducing key development control provisions into the Scheme. Changes to TPS2 are required to allow the Precinct Structure Plan to be implemented for the study area to be treated as a cohesive planning precinct. The final RSCPSP will take effect upon the final gazettal of proposed Amendment No.191 to TPS2.

3.1 Application of Amendment Provisions

The provisions of the proposed amendment apply to all development throughout the RPSP Area. A map of the area proposed to form the RPSP Area is at Figure 1.

The provisions of TPS2 are to be read in conjunction with the RPSP (and any relevant precinct local development plan (PLDP). The RPSP is consistent with the 'Manner and Form' guidelines and comprises:

- Part One: Implementation Section;
- Part Two: Explanatory Section; and
- Appendices.

The provisions of Part One of the RPSP are to be given due regard in determining development applications. Part Two of the RPSP functions as a strategic guide to the Scheme and may provide additional context for applying discretion for development in the precinct.

The RPSP forms the principal planning and urban design guidance document for the RSC. Any proposed variations prepared for Precinct/Local Development Plans and development applications for sites within the Centre's boundaries will be required to be assessed against the design principles of relevant State Planning Policies and the objectives and development standards set out in the RPSP. This is in addition to the planning considerations set out in the TPS2 and any other local planning policies.

Land use permissibility within the RPSP shall be determined in accordance with Table 1 and new 1(a) of TPS2. Land use permissibility within the RPSP is guided on a sub-zone basis, divided into five sub-zones as identified on the RPSP Map provided in Appendix 1:

- Sub-Zone M- Mixed Use;
- Sub-Zone C - Commercial;
- Sub-Zone R - Residential;
- Sub-Zone PC - Private Clubs, Institutions and Place of Worship; and
- Sub-Zone S - Service Commercial.

This approach ensures that the Strategic Centre zone can easily be rationalised into the future Town Planning Scheme.

3.2 Application of the R Codes

R-Codes Volume 1 applies for all single house(s) and grouped dwellings; and multiple dwellings in residential zoned areas. Deemed-to-comply provisions of the R-Codes Volume 1 that are amended or replaced by the RPSP are done so in accordance with Part 7 of that policy, and are as follows:

- Street Setback (sub-clauses 5.1.2);
- Lot boundary Setback (sub-clauses 5.1.3);
- Open Space Provision (sub-clause 5.1.5);
- Building Height (sub-clauses 5.1.6);
- Setback of Garages and Carports (sub-clauses 5.2.1);
- Landscaping (sub-clauses 5.3.2); and
- Vehicular Access (sub-clauses 5.3.5).

R-Codes Volume 2 applies for multiple dwellings in areas coded R40 or greater; within mixed use development (R-ACO) and activity centres. Acceptable Outcome provisions of the R-Codes Volume 2 that are amended or replaced by the RPSP are done so in accordance with Part 1.2 of that policy, and are as follows:

- Section 2.2 - Building Height
- Section 2.3 - Street Setbacks
- Section 2.4 - Side and rear setbacks
- Section 2.5 – Plot Ratio
- Section 3.8 - Vehicle Access
- Section 3.6 - Public Domain Interface
- Section 3.9 - Car and Bicycle Parking

4 PLANNING JUSTIFICATION

It is necessary to review the existing planning framework for the RSC, to better align with recent changes to the State planning framework including SPP 4.2 and SPP 7.2. In this regard, the draft RPSP has primarily been a review of the existing Centre Plan, focussing on refinement rather than a complete re-design. In a number of cases, the proposed planning framework has removed potential redevelopment impediments in an effort to promote investment.

4.1 Centre Plan Review

In terms of expectations of the existing State planning framework, the City has worked closely with the Department of Planning Lands and Heritage to gauge an early understanding of what design elements of the RPSP would require further detailed investigations and refinement, having consideration for the contents and structure of the current framework (namely the Centre Plan).

This assessment of the existing Centre Plan was undertaken against the design elements of SPP 7.2, focussing on their respective objectives and outputs. The table below provides a high-level summary of this gap analysis, which identified that the design elements would require varying levels of intervention.

Given the maturity of the RSC, elements such as Land Use and Movement were not identified as requiring wholesale change. Other design elements such a, Urban Structure, Public Realm, and Built Form required more detailed refinement, whilst Urban Ecology required new work and studies to be undertaken as it had not been addressed in the Centre Plan.

DESIGN ELEMENT	AMOUNT OF UPDATE NEEDED		
	MINIMAL	MODERATE	HIGH
Urban Ecology			✓
Urban Structure		✓	
Public Realm		✓	
Movement	✓		
Land Use	✓		
Built Form		✓	

All six design elements of SPP 7.2 were reviewed and considered during the preparation of the draft RPSP.

4.2 Stakeholder Engagement and design Review

A number of workshops were primarily held throughout June and July 2021. These workshops were held to seek input from the local community and enable the stakeholders to engage with the Project Team and to test elements of the Centre Plan. The feedback by the Project Team was sought on the character of the area, the built form (size, shape and orientation of a building) and land uses (types of activity on a site or within a building), and how these would influence the vision.

Various methods of engagement to date include:

- Letters to landowners within the RSC;
- City website updates including social and print media platforms;
- Social Pinpoint Online Mapping Tool;
- Online surveys;
- Community and Business Workshops;
- Individual meetings with Government agencies and key stakeholders comprising DPLH, Development WA, Public Transport Authority, Department of Transport, Kwinana Industries Council, and Rockingham Kwinana Chamber of Commerce.
- Individual meetings with major landowners including Vicinity Centres (Rockingham Centre);
- Individual meetings with major education establishments including Murdoch University and South Metropolitan TAFE;
- A total of three Councillor Engagement Sessions occurred on 9 February 2021, 28 September 2021 and 8 February 2022; and
- City of Rockingham staff workshops.

Feedback received as part of the early stakeholder engagement process assisted the Project Team in understanding the views of the community and helped shape future urban design concepts for the draft RPSP. The Phase 1 Engagement Outcomes Report was made available to the public on the City's website.

4.3 Rockingham Precinct Structure Plan (RPSP)

RPSP Vision

Rockingham leverages off its unique *coastal atmosphere to establish a green and walkable centre that offers a diversity of uses and building types, celebrates local culture, and promotes a relaxed lifestyle. It is a regional employment destination that connects its distinct activity hubs via high-frequency public transport.*

As the primary centre in one of Western Australia's fastest growing regions, the RSC fulfils a critical role as a major destination for housing, employment, and entertainment.

Both its planning framework and physical form have been established over many years. Each period of development has brought its own contributions which have influenced this rich tapestry of urban life. The character of the RSC's is varied, and reflective of many distinct patterns of development.

Three primary urban interventions had set the course for the RSC, these include:

- Initial establishment of the historic town centre along the foreshore (circa 1950s);
- Development of the new shopping centre in the 1970s; and
- Establishment of Rockingham Station in the early 2000s.

These interventions have shaped the RSC's physical layout, influencing not only why people come to the RSC, but also how they may move throughout to access these three key areas.

Looking to the future, the RPSP is underpinned by three core principles: Celebrate; Connect; Enable.

Celebrate – Explores how the RPSP can embrace the welcoming ambiance of coastal life in the design of streets and public spaces. It focuses on celebrating the proud legacy of the Rockingham Foreshore as the preeminent coastal location in the sub-region. However, there is also an eye to the past, with an acknowledgement that Aboriginal stories and heritage could be better reflected to improve sense of place and belonging throughout the RSC.

Connect – The primary focus of the RPSP from a connectivity perspective is to reduce car dependency for local trips. The approach to achieving this is multi-faceted. Many of the RSC's streets are wide and have been designed for the car. It separates neighbourhoods and limits safety and permeability for active transport. The RPSP promotes a City-wide focus on green streets and links, which is just one way in which existing streets / crossings can be designed beyond car movement. It is acknowledged too that the City is large and linking its key nodes just through active transport has limitations.

As such, establishment of the RCCTS will bring Rockingham's station, city centre and waterfront together in a sustainable, accessible and reliable way.

Enable – Despite its maturity, the RSC still has enormous potential with major development opportunities existing in many of its localities, namely the city centre and waterfront. The RPSP focuses on ways to unlock the precinct by stimulating urban development in these areas, which will be necessary to support the larger population of residents and workers that is envisioned. Refer accompanying RPSP documentation (advertised concurrently) for further details regarding the PSP and its implementation.

Redefining the Precinct Boundary

SPP 7.2 provides guidance on how a precinct boundary should be defined, Appendix 2 (of SPP7.2) highlights a number of considerations. Those relevant to the RSC are summarised below:

- Higher Order Strategic Directions.
- Legislative Boundaries.
- Existing Land Use Pattern and Zoning.
- Existing Urban Structure.
- Existing Built Form Characteristics.
- Physical Characteristics / Features.
- Transport Infrastructure.
- Servicing Infrastructure.

The RSC is a mature centre, and as a result, its boundary has evolved over time and the planning framework has been developed to align with this. In defining the boundary for a Precinct Structure Plan, however, SPP 7.2 is clear that it should be focused on areas where built form guidance and/or significant change is proposed. The RPSP more readily reflects the existing and envisaged future strategic development of the RSC and Amendment No.191 facilitates a refinement of the RSC area (and boundary).

The final RPSP will supersede the existing Centre Plan, bringing together a consolidated planning framework for the RSC and into conformity with the State's contemporary state planning framework

4.4 Planning Justification

It is considered appropriate and justified for the Amendment No. 191 to be granted final approval on the following basis:

- The Amendment intends to update new statement of aims particularly in the role, form and function of the RSC within the local government area and the sub region.
- The Amendment will facilitate the creation of a more contemporary planning instrument with greater consistency in both format/structure and terminology with the Deemed provisions and the Model Scheme Provisions and assist with the implementation of a new Precinct Structure Plan.
- The Amendment prescribes a more simplified range of zone designations, consistent set of use classes and accompanying use class definitions which is consistent current priority to streamline schemes as part of the State's planning reform agenda, as facilitated by the Model Provisions.
- The Amendment sets out clearly TPS No.2 relationship to SPP 7.3 R - Codes and any other applicable State Planning Policies that relate to the RSC.
- Updated enabling provisions in TPS 2 scheme text to ensure legible and coherent implementation of the RSC Precinct Structure Plan including development and process requirements.
- Sets out the relationship status of the RPSP with TPS 2 and the local planning framework is clearly expressed and conforms with SPP 7.2 manner and form.
- Ensures that no existing TPS 2 provisions (including development requirements) are in conflict with the intent and provisions of the RSC Precinct Structure Plan or those introduced as Deemed Provisions under the Regulations.
- Ensure existing TPS land use and general definitions are updated and Model Provisions as they relate to the implementation of the RPSP.

4.5 Amendment Type

The amendment is considered a complex amendment for the following reasons:

The land the subject of the amendment is not addressed by an adopted Local Planning Strategy; and

(i) The amendment relates to development that is of a scale; or

(ii) will have an impact, that is significant relative to development in the locality; and

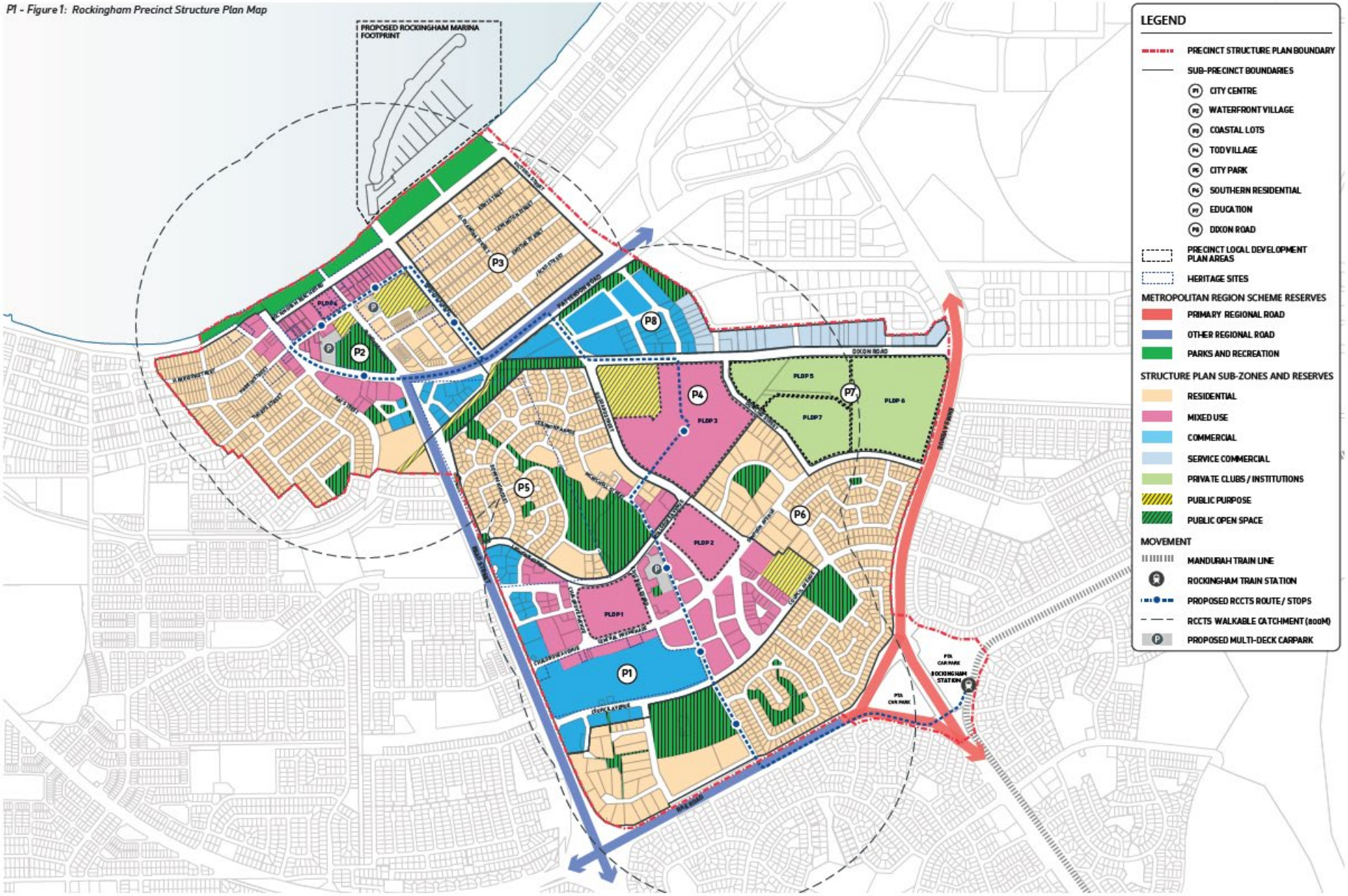
(iii) the amendment is not a standard or basic amendment.

5. CONCLUSION

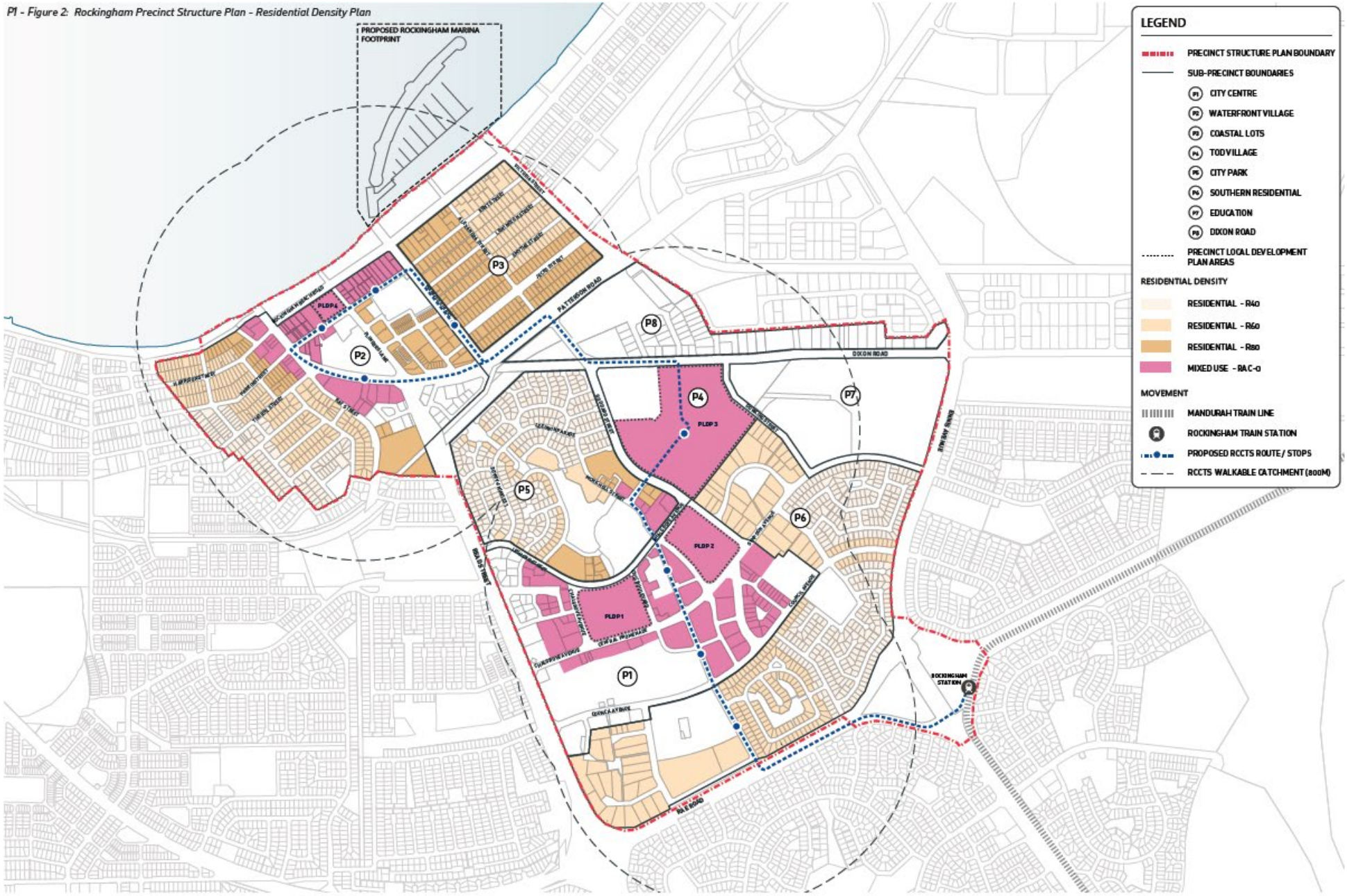
The City of Rockingham requests that the Western Australian Planning Commission and the Minister for Planning favourably consider the proposals described in this report and grant final approval to Amendment No.191, considered to be a 'Complex' amendment for the purpose of the LPS Regulations.

APPENDICES
Appendix 1 - *Rockingham Precinct Structure Plan (RPSCP)*
Appendix 2 - *Rockingham Precinct Structure Plan - Residential Density Plan*

Appendix 1 - *Rockingham Precinct Structure Plan (RPSP)*



Appendix 2 - *Rockingham Precinct Structure Plan - Residential Density Plan*



PLANNING AND DEVELOPMENT ACT 2005

CITY OF ROCKINGHAM

TOWN PLANNING SCHEME No.2 AMENDMENT No.191

RESOLVED THAT the Local Government pursuant to section 75 of the *Planning and Development Act* 2005, amend the above Local Planning Scheme by:

1. Rezone the following landholdings (as shown on the amending map) on the scheme map:

    1.1 Rezone the landholdings generally bounded by Ennis Ave, Hurrell Way (east) Morgan St, Crocker St, and Dixon Road, Rockingham from "Light Industry" to "Strategic Centre" zone.

    1.2 Rezone the landholdings within the Rockingham Strategic Centre from Primary Centre City Centre; Primary Centre Waterfront Village; Primary Centre Urban Village; Primary Centre City Living; Primary Centre Campus and Primary Centre Urban Living zones" to the "Strategic Centre" zone.

    1.3 Rezone the landholdings generally bounded by Goddard Street, Lot 503 on DP 56108, Lot 1519 Read Street, Diamantina Way, Leighton Street, Success Drive and Marks Place, Rockingham from "Residential" (R20 and R40) to "Strategic Centre" Zone.

    1.4 Rezone the landholdings generally bounded by Houston Street, Langley Street, Quin Street, Thorpe Street, Florence Street, Esplanade, Samuel Street, Harrison Street, William Street, Langley Street, McLean Street, Christison Way, Gregson Street Rockingham from "Residential" (R20, R30 and R40) to "Strategic Centre" Zone.

    1.5 Rezone Lot 503 on DP 56108, Lot 1519 Read Street, Lot 502 on DP 56108, Lot 1515 Dixon Road, portion of Lot 501 Patterson Road, Rockingham from "Development" Zone to "Strategic Centre" Zone.

    1.6 Rename 'Primary Centre Boundary' to 'Strategic Centre boundary' and realign with *P1 - Rockingham Strategic Centre Precinct Structure Plan area*.

    1.7 Include an Additional Use No.33 (Transport Depot as an 'A' use) for Lot 1306 Dixon Road, Rockingham.

    1.8 Transfer Lot 2478 on DP 11644, Lots 537, 538 and 539 on DP 403599, Lots 2342 and 2343 on DP 11194, Lot 2324 on DP 47285, Lot 2340 on DP 11195, Lot 2476 on DP 11685 from "Primary Centre Urban Living" Zone to "Public Open Space" Reserve. Transfer Lot 1595 on DP 18938, Lot 1601 on DP 17757 and Lot 1589 on DP 218674 from "Primary Centre City Centre" to "Public Open Space" Reserve. Transfer Lot 500 on DP 74005, Lot 1573 on DP 188766 and Lot 1549 on DP 187366 from "Primary Centre Waterfront Village" to "Public Open Space" Reserve. Transfer Lot 1604 on DP 192812, Lot 500 on DP 55836, Lot 5 on DP 7887 and Lot 551 on DP 405284 from "Primary Centre Campus" to "Public Purposes" Reserve.

    1.9 Delete any references/legend references to Primary Centre City Centre; Primary Centre Waterfront Village; Primary Centre Urban Village; Primary Centre City Living; Primary Centre Campus; Primary Centre Urban Living zones to be replaced with Strategic Centre or deleted where no longer relevant.

2. Amend the scheme text as follows:

    2.1 In clause 3.1.1, delete the following zones:

    - Primary Centre City Centre
    - Primary Centre Waterfront Village
    - Primary Centre Urban Village
    - Primary Centre City Living

- Primary Centre Campus
- Primary Centre Urban Living

And insert the “Strategic Centre” zone.

2.2 Amend clause 3.2.2 to amend ‘IP’ to ‘I’ use and amend annotations in Table 1: Zoning Table accordingly.

2.3 Amend clause 3.2.4 to insert new subclause (d) as follows:

“or
(d) have due regard to any of the following plans that apply to the land -

(i) a structure plan;
(ii) an activity centre plan;
(iii) a local development plan; and/or
(iv) precinct local development plan.

2.4 Amend Table 1: Zoning Table as follows:

Delete reference to the following zones and corresponding use class annotations (X, D, A, P, I):

- Primary Centre City Centre
- Primary Centre Waterfront Village
- Primary Centre Urban Village
- Primary Centre City Living
- Primary Centre Campus
- Primary Centre Urban Living

Insert an additional Zone in the Table 1: Zoning Table “Strategic Centre” and include the following annotation for corresponding Use Class permissibility’s:

“Subject to Clause 27 of the deemed provisions, use class permissibility shall be determined in accordance with Table 1(a): Rockingham Strategic Centre Zoning Table, Clause 4.23, Table 4 (1) and the provisions of the relevant Precinct Structure Plan”.

2.5 Insert an additional Table 1(a): Rockingham Strategic Centre Zoning Table under Table No. 1 – Zoning Table

Table 1(a) Rockingham Strategic Centre Zoning Table

USE AND DEVELOPMENT CLASS	ROCKINGHAM STRATEGIC CENTRE SUB ZONES				
	Mixed Use	Commercial	Residential	Private Clubs, Institutions and Place of Worship	Service Commercial
	M	C	R	PC	S
RESIDENTIAL USES					
Bed and Breakfast	X	X	D	X	X
Caretaker's Dwelling	X	X	X	I	I
Holiday Accommodation	D	X	D	X	X
Holiday House	X	X	D	X	X
Hotel	D	A	X	X	X
Motel	D	A	X	X	X
Nursing Home	D	X	A	X	X
Residential:					
(a) Single House	X	X	D	X	X
(b) Grouped Dwelling	D	X	D	X	X
Multiple Dwelling	D	D	D	X	X
Serviced Apartment	D	D	A	X	X
COMMERCIAL USES					
Amusement Parlour	A	D	X	X	X
Art Gallery	D	D	X	D	X
Betting Agency	A	D	X	X	X
Brewery	A	D	X	X	X
Bulky Goods Showroom	X	D	X	X	D
Child Care Premises	D	D	A	D	X
Cinema/Theatre	D	D	X	X	X

USE AND DEVELOPMENT CLASS	ROCKINGHAM STRATEGIC CENTRE SUB ZONES				
	Mixed Use	Commercial	Residential	Private Clubs, Institutions and Place of Worship	Service Commercial
	M	C	R	PC	S
Club Premises	D	D	X	X	X
Convenience Store	D	D	X	D	D
Consulting Rooms	D	D	X	D	D
Fast Food Outlet/ Lunch Bar	D	D	X	X	X
Funeral Parlour	X	D	X	X	D
Garden Centre	X	X	X	X	D
Home Business	D	X	D	X	X
Home Occupation	D	X	D	X	X
Home Office	P	X	P	X	X
Home Store	A	X	A	X	X
Liquor Store – Large	A	A	X	X	D
Liquor Store – Small	D	D	X	X	X
Market	D	D	X	X	D
Medical Centre	D	D	X	D	D
Motor Vehicle Wash	X	D	X	X	D
Night Club	A	X	X	X	X
Office	D	D	X	I	D
Reception Centre	D	D	X	X	X
Recreation – Private	D	D	X	D	D
Restaurant/Café	D	D	X	X	X
Restricted Premises	X	A	X	X	X
Service Station	X	D	X	X	D

USE AND DEVELOPMENT CLASS	ROCKINGHAM STRATEGIC CENTRE SUB ZONES				
	Mixed Use	Commercial	Residential	Private Clubs, Institutions and Place of Worship	Service Commercial
	M	C	R	PC	S
Shop	D	P	X	I	X
Small Bar	D	D	X	D	X
Tavern	D	D	X	D	X
Veterinary Centre	A	D	X	X	D
Warehouse/Storage	X	X	X	X	D
INDUSTRIAL USES					
Commercial Vehicle Parking	X	X	X	X	D
Motor Vehicle, Boat or Caravan Sale	X	D	X	X	D
Motor Vehicle Repair	X	X	X	X	D
Trade Display	X	X	X	X	D
Trade Supplies	X	X	X	X	D
Veterinary Hospital	X	X	X	X	D
UTILITIES /COMMUNITY					
Carpark	D	D	X	D	D
Civic Use	D	D	A	D	D
Community Purpose	D	D	D	D	D
Educational Establishment	D	D	X	P	X
Exhibition Centre	D	D	X	D	X
Hospital	D	D	X	A	X
Place of Worship	A	A	A	D	D
Public Utility	D	D	D	D	D
Telecommunications/	D	D	D	D	D

USE AND DEVELOPMENT CLASS	ROCKINGHAM STRATEGIC CENTRE SUB ZONES				
	Mixed Use	Commercial	Residential	Private Clubs, Institutions and Place of Worship	Service Commercial
	M	C	R	PC	S
Infrastructure					

2.6 Amend clause 4.1.3 (a) and (b) as follows:

(a) In order to encourage residential development within the Strategic Centre Zone and District Town Centre Zone, the Local Government may exercise its discretion in respect of the standard Residential Design Code provisions.

(b) Use of discretionary power by the Local Government in relation to the standard provisions of the R-Codes for residential development in the Strategic Centre Zone and District Town Centre Zone, is detailed in clause 4.5.5.

2.7 Amend clause 4.3 and rename from “Primary Centre” to “Strategic Centre Zone”.

2.8 Delete existing clause 4.3.1 text and insert the following text:

“Operation
Sets out requirements relating to development that are additional to those set out in the R-Codes, the precinct structure plan, precinct local development plans, local development plans and applicable State or local planning policies.

2.9 Delete existing clause 4.3.2 (a)-(p) “Objectives of the Primary Centre Zone” text and insert new subclause 4.3.2 Objectives of the Strategic Centre Zone

- To designate land for future use and development in the Rockingham Strategic Centre.
- To provide a basis for future detailed planning in accordance with the structure planning provisions of this Scheme or the Activity Centres State Planning Policy.
- To satisfy the guiding objectives of the WAPC endorsed Rockingham Strategic Centre Precinct (Structure) Plan in regard to:
  (g) Urban Ecology
  (h) Urban Structure
  (i) Public Realm
  (j) Movement
  (k) Land Use
  (l) Built Form

2.10 Amend clause 4.3.3 (a) to “the objectives of the Strategic Centre Zone.”

Amend clause 4.3.3 (b) to “the provisions of the Rockingham Strategic Centre Precinct (Structure) Plan”.

Amend clause 4.3.3 (c) to “the objectives of the Zone set out in Table 1 (a) in which the development is proposed.”

Insert new sub clause 4.3.3 (d) to “any additional development requirements set out in Table 4 (1);

(e) any other relevant planning document.

Delete subclauses 4.3.3 (g), (i), (k), (m) and (o);

Retain subclause (q) and renumber to (f).

2.11 Amend clause 4.3.4 (a) to “the objectives of the Strategic Centre Zone.”

Amend clause 4.3.4 (b) to “the provisions of the Rockingham Strategic Centre Precinct (Structure) Plan”.

Amend clause 4.3.4 (c) "any additional subdivision requirements set out in Table 4;"

(d) any other relevant planning document.

Delete subclauses 4.3.4 (e), (f), (g), (h) and (i);

Retain subclause (j) and renumber to (e).

2.12 Delete clause 4.3.5 Subdivision - Need for an Integrated Development Guide Plan.

2.13 Delete clause 4.3.6 Policies for Sectors.

2.14 Delete clause 4.3A Primary Centre City Centre Zone.

2.15 Delete clause 4.3B Primary Centre Waterfront Village Zone.

2.16 Delete clause 4.3C Primary Centre Urban Village Zone.

2.17 Delete clause 4.3D Primary Centre City Living Zone.

2.18 Delete clause 4.3E Primary Centre Campus Zone.

2.19 Delete clause 4.3F Primary Centre Urban Living Zone.

2.20 Amend clause 4.15.1.1 to as follows:

"Where land is proposed to be developed in the Strategic Centre Zone, or the District Town Centre Zone for a purpose specified in Table No.3, the minimum number of carparking bays required, and the maximum number of carparking bays allowable, for the proposed development is to be determined in accordance with Table No.3 and the applicable precinct structure plan."

2.21 Delete clause 4.15.1.2.

2.22 Amend clause 4.15.1.3 to as follows:

"Where land is proposed to be developed in any zones other than the Strategic Centre Zone or the District Town Centre Zone for a purpose specified in Table No.2, the minimum number of carparking bays required for the development is to be determined in accordance with Table No.2."

2.23 Amend clause 4.15.1.4 to as follows:

"Where land is proposed to be developed in any zone other than the Strategic Centre Zone or the District Town Centre Zone for a purpose which is not specified in Table No.2;

The local government is to determine the minimum number of carparking bays required for the development having regard to:

(i) the nature of the proposed development;
(ii) the number of employees likely to be employed on the site;
(iii) the anticipated demand for parking; and
(iv) the orderly and proper planning of the locality.

2.24 Delete clause 4.15.2 Provision of Parking in the Primary Centre Waterfront Village Zone.

2.25 Delate clause 4.15.6.2

2.26 Amend Tables 2, 3 and 4 Carparking as follows:

(i) Add updated annotation in reference to Table 2, as follows:
** Refer to Table No.3 for recommended carparking provision within the Strategic Centre and District Town Centre zones.*

(ii) Amend Table 3 heading to:
MINIMUM REQUIREMENTS AND MAXIMUM ALLOWANCES - STRATEGIC CENTRE ZONE & DISTRICT TOWN CENTRE ZONE

(iii) Delete Table 4: CARPARKING STANDARDS WITHIN THE PRIMARY CENTRE WATERFRONT VILLAGE.

2.27 Insert new clause 4.23 Additional site and development requirements for areas covered by structure plan, activity centre plan, precinct local development plan or local development plan.

(1) Table 4 (1) sets out requirements relating to development that are included in structure plans, activity centre plans, precinct local development plans and local development plans that apply in the scheme area.

(2) The specific development standards set out under this Clause and the associated Table 4 (1) prevail to the extent of any inconsistencies with any other standard or provision of the Scheme.

The Table sets out requirements relating to development that are included in structure plans, activity centre plans and local development plans that apply in the Scheme area.

No.	Description of Land	Requirement
1.	Rockingham Strategic Centre, as defined in the Rockingham Strategic Centre Precinct Structure Plan and as shown on the Scheme Map.	(3) Subdivision and development of land is to be generally in accordance with an approved structure plan with residential densities as set out in P1 – Rockingham Strategic Centre Precinct Structure Plan - Residential Density Plan. (4) A minimum building height of two (2) storeys applies to all land, the subject of Rockingham Precinct Structure Plan except for development proposals for interim uses on designated sites within PLDP 1 and PLDP 2 of the Rockingham Strategic Centre Precinct Structure Plan.

2.28 Amend Schedule No.1 General Interpretations, as follows:

(i) Delete the following interpretations:
Centre Plan
Development Policy Plan (City Centre Sector)
Development Policy Plan (Campus Sector)
Development Policy Plan (Eastern Sector)
Development Policy Plan (Northern Waterfront Sector)
Development Policy Plan (Smart Village South Sector Sector)
Development Policy Plan (Southern Gateway and Rockingham Station Sectors)
Development Policy Plan (Waterfront Village Sector)
Primary Centre

(ii) insert the following:

Activity centre means -
(a) an area of land identified in accordance with a State planning policy as an activity centre; or

(b) an area of land identified by the Commission as an activity centre;

Amenity means - all those factors which combine to form the character of an area and include the present and likely future amenity;

Rockingham Strategic Centre Precinct Structure Plan means - the Precinct Structure Plan for Rockingham Strategic Centre approved by the Western Australian Planning Commission under Part 5 of the Deemed Provisions.

Strategic Centre means - that portion of the Scheme Area shown and designated on the Scheme Maps as the "Strategic Centre" and which the Rockingham Strategic Centre Precinct Structure Plan applies.

2.29 Amend Schedule No.1 Land Use Interpretations, as follows:

(i) insert the following:

Holiday House	means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.
Home Office	means a dwelling used by an occupier of the dwelling to carry out a home occupation if the carrying out of the occupations - (a) is solely within the dwelling; and (b) does not entail clients or customers travelling to and from the dwelling; and (c) does not involve the display of a sign on the premises; and does not require any change to the external appearance of the dwelling.

2.30 Amend Schedule, 'Schedule No.2 - Additional Uses':

(iii) delete Additional Use No. 6 and

(iv) insert Additional Use No. 33 as follows:

No.	Site Description	Additional Use	Special Conditions
A33	Lot 1306 Dixon Road, Rockingham	Transport Depot as a 'A'	

And amending the scheme map accordingly.

2.31 Amend Schedule No.11 Development Contribution Plan No.2, Clause 4(2) to:

(ii) delete:

(a) Primary Centre City Centre zone;
(b) Primary Centre Waterfront Village zone;
(c) Primary Centre Urban Village zone;
(d) Primary Centre City Living zone;

And insert

(a) Strategic Centre zone; and following subclauses, accordingly.

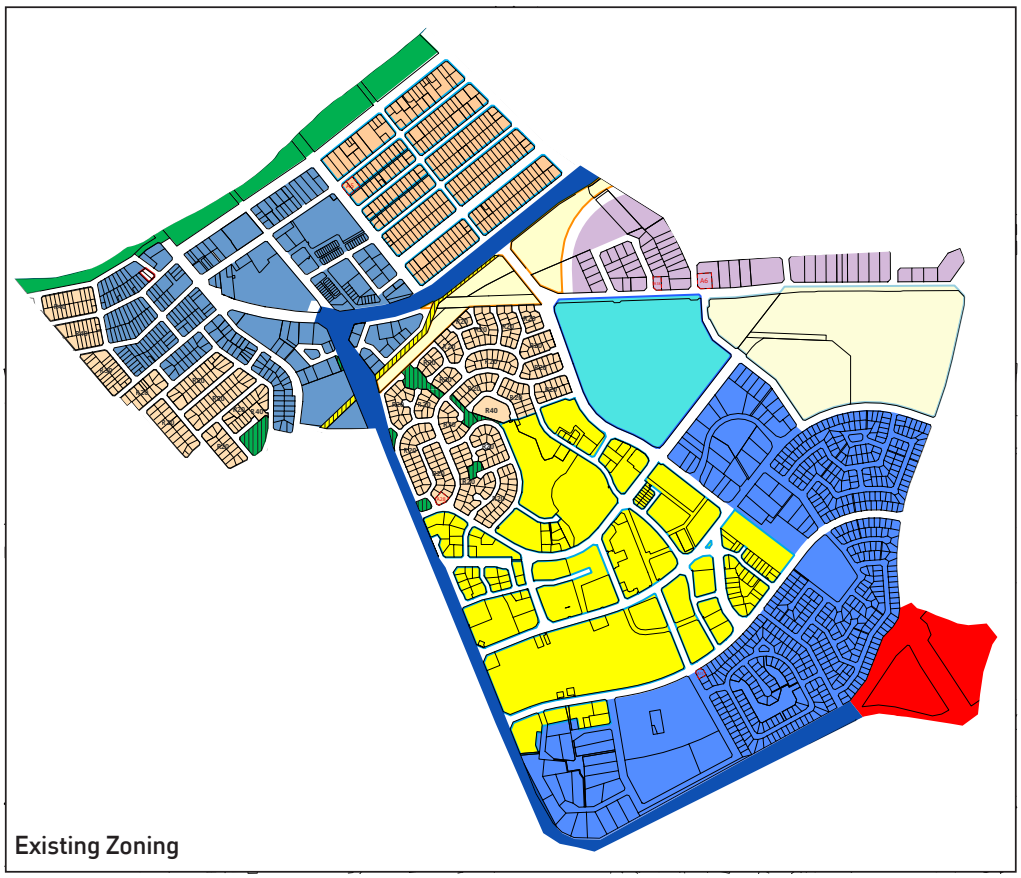
(ii) Delete PLAN NO.8 CARPARKING AREAS FOR PRIMARY CENTRE WATERFRONT VILLAGE ZONE

2.32 Any other scheme text references to Primary Centre City Centre; Primary Centre Waterfront Village; Primary Centre Urban Village; Primary Centre City Living; Primary Centre Campus; Primary Centre Urban Living zones to be replaced with Strategic Centre zone or deleted where appropriate.

The amendment is a Complex Amendment under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.

City of Rockingham Local Planning Scheme No. 2

Amendment No. 191



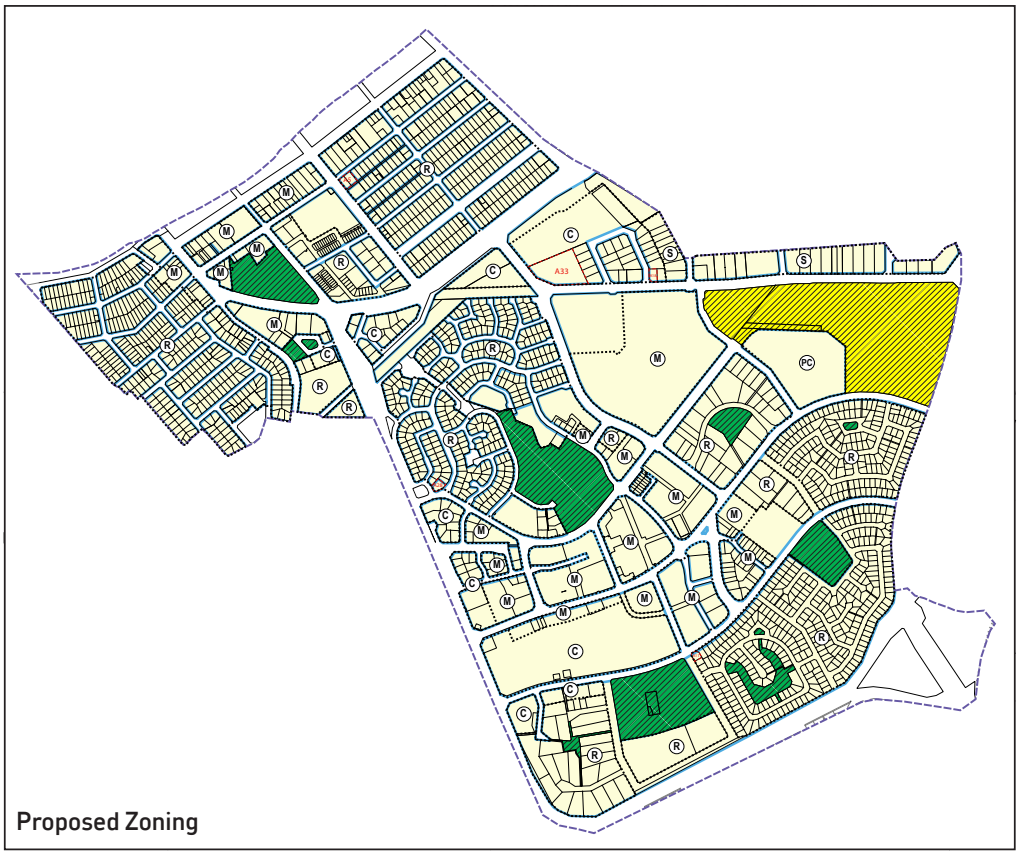
Existing Zoning

MRS RESERVES

- PRIMARY REGIONAL ROADS
- OTHER REGIONAL ROADS
- PARKS AND RECREATION

TPS2 ZONES / RESERVES

- PRIMARY CENTRE CAMPUS
- PRIMARY CENTRE CITY CENTRE
- PRIMARY CENTRE CITY LIVING
- PRIMARY CENTRE URBAN LIVING
- PRIMARY CENTRE URBAN VILLAGE
- PRIMARY CENTRE WATERFRONT VILLAGE
- DEVELOPMENT
- LIGHT INDUSTRY
- RESIDENTIAL
- PUBLIC OPEN SPACE
- PUBLIC PURPOSES
- SPECIAL USE
- ADDITIONAL USE



Proposed Zoning

TPS2 ZONES / RESERVES

- STRATEGIC CENTRE
- PUBLIC OPEN SPACE
- PUBLIC PURPOSES
- ADDITIONAL USE

RPSP SUB-ZONES

- (R) RESIDENTIAL
- (M) MIXED USE
- (C) COMMERCIAL
- (S) SERVICE COMMERCIAL
- (PC) PRIVATE CLUBS / INSTITUTIONS AND PLACES OF WORSHIP
- STRATEGIC CENTRE BOUNDARY

COUNCIL ADOPTION

This Complex Amendment was adopted by resolution of the Council of the City of Rockingham at the Ordinary meeting of the Council held on the 28th day of June, 2022.

_____
Mayor

_____
Chief Executive Officer

COUNCIL RESOLUTION TO ADVERTISE

by resolution of the Council of the City of Rockingham at the Ordinary meeting of the Council held on the 28th day of June, 2022, proceed to advertise this Amendment.

_____
Mayor

_____
Chief Executive Officer

COUNCIL RECOMMENDATION

This Amendment is recommended for support by resolution of the City of Rockingham at the Ordinary meeting of the Council held on the _____day of _____, 20__ and the Common Seal of the City of Rockingham was hereunto affixed by the authority of a resolution of the Council in the presence of:

_____
Mayor

_____
Chief Executive Officer

WAPC ENDORSEMENT (r.63)

_____

DELEGATED under S 16 of the
Planning and Development Act 2005

_____

Date

APPROVAL GRANTED

_____

Minister for Planning

_____

Date