City of Rockingham

MINUTES

Planning Services
Standing Committee Meeting

Held on

Wednesday 19 October 2011

4:05pm

Council Boardroom
Council Administration Building
Civic Boulevard, Rockingham
City of Rockingham
Planning Services Standing Committee Meeting
4:05pm Wednesday 19 October 2011

CONTENTS

1. Declaration of Opening
2. Election of Presiding Member/Chairperson
3. Record of Attendance/Apologies/Approved Leave of Absence
4. Responses to Previous Public Questions Taken on Notice
5. Public Question Time
6. Confirmation of Minutes of the Previous Meeting
7. Matters Arising from the Previous Minutes
8. Announcement by the Presiding Person without Discussion
9. Declaration of Member’s and Officer’s Interest
10. Petitions/Deputations/Presentations/Submissions
11. Matters for which the Meeting may be Closed
12. Bulletin Items
13. Agenda Items – Planning Services Standing Committee

Strategic Planning and Environment
- SPE-027/11 Baldivis South District Structure Plan Update
- SPE-028/11 Proposed Structure Plan & Lifting of Urban Deferment
- SPE-029/11 Proposed Modification to Structure Plan – ‘Harrington Waters’ Estate
- SPE-030/11 Tender T11/12-20 - Karnup District Water Management Strategy

Statutory Planning
- SP-052/11 Schedule of Fees: Built Strata Subdivision
- SP-053/11 Final Approval - Amendment No.111 - Modifications to Development Areas
- SP-054/11 Proposed Road Closure

Director Planning and Development
- DPD-006/11 Proposed Scheme Amendment No.113 to Town Planning Scheme No.2
- DPD-007/11 Proposed Amendment to Planning Policy No.3.2.5 - Waterfront Village Sector
- DPD-008/11 Proposed Planning Policy No.3.2.2 - Development Policy Plan Smart Village Sector
- DPD-009/11 Offer to Purchase City Owned Land
<table>
<thead>
<tr>
<th></th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>14.</td>
<td>Reports of Councillors</td>
<td>100</td>
</tr>
<tr>
<td>15.</td>
<td>Addendum Agenda</td>
<td>100</td>
</tr>
<tr>
<td>16.</td>
<td>Motions of which Previous Notice has been given</td>
<td>100</td>
</tr>
<tr>
<td>17.</td>
<td>Notices of Motion for Consideration at the Following Meeting</td>
<td>100</td>
</tr>
<tr>
<td>18.</td>
<td>Urgent Business Approved by the Person Presiding or by Decision of the Committee</td>
<td>100</td>
</tr>
<tr>
<td>19.</td>
<td>Matters Behind Closed Doors</td>
<td>100</td>
</tr>
<tr>
<td>20.</td>
<td>Date and Time of Next Meeting</td>
<td>101</td>
</tr>
<tr>
<td>21.</td>
<td>Closure</td>
<td>101</td>
</tr>
</tbody>
</table>
## Planning Services Standing Committee Meeting

### Minutes

**1. Declaration of Opening**

The Chief Executive Officer declared the Planning Services Standing Committee Meeting open at 4.05pm and welcomed all present.

**2. Election of Presiding Member/ Chairperson**

The Chief Executive Officer, Mr A Hammond, invited nominations for the position of Chairperson of the Planning Services Committee for the ensuing 2 years.

The following nomination was received:-

Cr Smith

As there was no more than one nomination for the position, Cr Smith was declared elected to the position of Chair of the Planning Services Committee for the ensuing 2 years.

The Chief Executive Officer congratulated Cr Smith and wished the Planning Services Committee well with its deliberations and vacated the Chair.

Cr Smith assumed the Chair and thanked the Committee for their confidence in him as Chair.

**3. Record of Attendance/ Apologies/ Approved Leave of Absence**

<table>
<thead>
<tr>
<th>2.1 Councillors</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Cr Richard Smith</td>
<td>Chairperson</td>
</tr>
<tr>
<td>Cr Allan Hill</td>
<td></td>
</tr>
<tr>
<td>Cr Chris Elliott</td>
<td></td>
</tr>
<tr>
<td>Cr Leigh Liley</td>
<td>(arrived 4.55pm)</td>
</tr>
<tr>
<td>Cr Ron Pease</td>
<td>Observer</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.2 Executive</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr Andrew Hammond</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>Mr Robert Jeans</td>
<td>Director, Planning &amp; Development Services</td>
</tr>
<tr>
<td>Mr Brett Ashby</td>
<td>Manager, Strategic Planning &amp; Environment</td>
</tr>
<tr>
<td>Mr Richard Rodgers</td>
<td>Manager, Building Services (until 4.16pm)</td>
</tr>
</tbody>
</table>
Mr Dave Waller  A/Manager, Statutory Planning
Ms Erica Scott  A/Manager, Health Services (until 4.16pm)
Mr Peter Ricci  Project Manager, Keralup (until 4.55pm)
Ms Melinda Wellburn  Secretary to Director, Planning & Development Services

Members of the Public: 1
Press: 1

2.3 Apologies: Nil
2.4 Approved Leave of Absence: Nil

4. Responses to Previous Public Questions Taken on Notice

Nil

5. Public Question Time

Nil

6. Confirmation of Minutes of the Previous Planning Services Standing Committee Meeting

Moved Cr Smith, seconded Cr Elliott:

That Council CONFIRM the Minutes of the Planning Services Standing Committee Meeting held on 19 September 2011, as a true and accurate record.

Committee Voting – 3/0

7. Matters Arising from the Previous Planning Services Standing Committee Meeting Minutes

Nil.

8. Announcement by the Presiding Person without Discussion

The Chairman announced to all present that decisions made at Committees of Council are recommendations only and may be adopted in full, amended or deferred when presented for consideration at the next Council meeting.

9. Declarations of Members and Officers Interests

9.1 Item SPE-028/11 Proposed Structure Plan & Lifting of Urban Deferment

Councillor/Officer: Mr B Jeans
Type of Interest: Impartiality Interest
Nature of Interest: Daughter works for the proponent - Dynamic Planning and Developments
<table>
<thead>
<tr>
<th>Extent of Interest (if applicable):</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>9.2 Item SPE-029/11</td>
<td>Proposed Modification to Structure Plan - 'Harrington Waters' Estate</td>
</tr>
<tr>
<td>Councillor/Officer:</td>
<td>Mr B Jeans</td>
</tr>
<tr>
<td>Type of Interest:</td>
<td>Impartiality Interest</td>
</tr>
<tr>
<td>Nature of Interest:</td>
<td>Daughter works for the proponent - Dynamic Planning and Developments</td>
</tr>
<tr>
<td>Extent of Interest (if applicable):</td>
<td>N/A</td>
</tr>
</tbody>
</table>

### 10. Petitions/ Deputations/ Presentations/ Submissions

#### 10.1 Deputations

4.55pm Mr Jason Pugh and Ms Pippa Hepburn, New Energy Corporation attended the meeting to give a presentation on a proposed New Energy Corporation project within the City of Rockingham.

### 11. Matters for which the Meeting may be Closed

Nil

### 12. Bulletin Items

**Planning Services Information Bulletin - October 2011**

#### Health Services

1. Health Services Team Overview
2. Human Resource Update
3. Project Status Reports
   - 3.1 FoodSafe
   - 3.2 Industrial Audits
   - 3.3 Community Health & Wellbeing Plan
   - 3.4 Health Promotion
   - 3.5 North Rockingham Industrial Noise
   - 3.6 Ocean Water Sampling
4. Information Items
   - 4.1 Mosquito-Borne Disease Notifications - September 2011
   - 4.2 Food Recalls - September 2011
   - 4.3 Statistical Health Information - September 2011
     - 4.3.1 Food Premises Inspections
     - 4.3.2 Public Building Inspections
     - 4.3.3 Outdoor Public Event Approvals - September 2011
     - 4.3.4 After Hours Noise & Smoke Nuisance Complaint Service
     - 4.3.5 Complaint - Information
     - 4.3.6 Building Plan Assessments
     - 4.3.7 Septic Tank Applications
<table>
<thead>
<tr>
<th>4.3.7</th>
<th>Demolitions</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.3.8</td>
<td>Swimming Pool Sampling</td>
</tr>
<tr>
<td>4.3.9</td>
<td>Rabbit Processing</td>
</tr>
<tr>
<td>4.3.10</td>
<td>Hairdressing &amp; Skin Penetration Premises</td>
</tr>
<tr>
<td>4.3.11</td>
<td>Family Day Care</td>
</tr>
</tbody>
</table>

### Building Services

1. Building Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   - 4.1 Private Swimming Pool and Spa Inspection Program
   - 4.2 Monthly Building Licence Approvals - (All Building Types)
   - 4.3 Certificates of Classification
   - 4.4 Demolition Licence
   - 4.5 Permanent Sign Licence
   - 4.6 Community Sign Approvals
   - 4.7 Strata Title Certificates
   - 4.8 Building Approval Certificates for Unauthorised Building Works
   - 4.9 Monthly Caravan Park Site Approvals
   - 4.10 Legislation - Building Act 2011

### Strategic Planning and Environment

1. Strategic Planning and Environment Team Overview
2. Human Resource Update
3. Project Status Reports
   - 3.1 Policy Manual Review (LUP/1265)
   - 3.2 Local Planning Strategy (LUP/1352)
   - 3.3 Visual Landscape Study (LUP/1419)
   - 3.4 Dixon Road Area Assistance Grant (LUP/516)
   - 3.5 Developer Contribution Scheme (LUP/909)
   - 3.6 Local Biodiversity Strategy Review (EVM/22)
   - 3.7 Karnup District Water Management Strategy (EVM/136)
   - 3.9 Lake Richmond Water Quality Studies and Integrated Catchment Management Plan (EVM/135)
   - 3.10 Water Campaign (EVM/56-02)
4. Information Items
   - 4.1 Mangles Bay Marina Based Tourist Precinct - Public Environmental Review Environmental Scoping Document (LUP/1526)

### Statutory Planning

1. Statutory Planning Team Overview
2. Human Resource Update
3. Project Status Reports
   - 3.1 eDA (Planning Products via the Web)
4. Information Items
   - 4.1 Land Use - Planning Enforcement
   - 4.2 Subdivision/Development Approvals and Refusals by the WAPC
   - 4.3 Notifications & Gazettals
   - 4.4 Subdivision Clearances
   - 4.5 Subdivision Survey Approvals
   - 4.6 Delegated Development Approvals
   - 4.7 Delegated Development Refusals
   - 4.8 Delegated Building Envelope Variations
4.9 Subdivision/Amalgamation Supported
4.10 Subdivision/Amalgamation Refused
4.11 Development Assessment Panel - Development Applications
4.12 Review of State Planning Policy 3.1 - Residential Design Codes

**Director Planning & Development Services**

1. Director Planning & Development Services Team Overview
2. Human Resource Update
3. Project Status Report
   - 3.1 Administration Building Refurbishment/Fitout
   - 3.2 Rockingham Strategic Metropolitan Centre - Infrastructure Development Strategy
   - 3.3 Rockingham Primary Centre Infrastructure - Business Case
   - 3.4 Smart Village 1 Masterplan
4. Information Items
   - 4.1 Progress Report - Keralup
   - 4.2 Progress Report - Karnup Station Transit Oriented Development
   - 4.3 Western Trade Coast Industries Council - Report on Activities (LUP/407)
   - 4.4 Delivering Directions 2031: Report Card - Department of Planning (LUP/1361)

**Appendices**

**Committee Recommendation:**
That Councillors acknowledge having read the Planning Services Information Bulletin - October 2011 and the contents be accepted.

Committee Voting - 3/0

**13. Agenda Items**

4.16pm - Mr Richard Rodgers, Manager, Building Services and Ms Erica Scott, A/Manager, Health Services left the Planning Services Standing Committee meeting.
### Purpose of Report

To consider an update of the Baldivis South District Structure Plan.

1. **Purpose of Report**

   To consider an update of the Baldivis South District Structure Plan.
2. **Background**

**Preparation of the District Structure Plan**

In 1993, Taylor Burrell Planning Consultants, acting on behalf of the developer of the Settlers Hills Estate, prepared a District Structure Plan for the South Baldivis area to support the rezoning and development of the Estate. Whilst the District Structure Plan was not adopted by the Council, it was used as a guide to the preparation of subsequent Comprehensive Development Plans (CDPs) for other landholdings within the area.

In December 2000, Council appointed a consultant to undertake the preparation of the Baldivis South Structure Plan which was intended to supersede the 1993 Plan. The following factors led the preparation of the revised District Structure Plan:-

- The extension of the Kwinana Freeway led to the City receiving increasing enquiries from landowners and developers regarding the development of land in the area;
- A number of CDPs had been prepared on the basis of the 1993 Structure Plan;
- Neighbourhood design, particularly given the release of the Liveable Neighbourhoods Community Code, had changed considerably since 1993;
- The alignment of the Nairn Road reservation in the Metropolitan Region Scheme (MRS) had been modified; and
- The Education Department had reviewed its requirements for schools which led to a reduction in the number of schools required in the area.

A draft Plan was subsequently prepared incorporating the following elements:-

- The location and density of residential areas (including future population and dwelling estimates);
- Demand for local retail facilities;
- Provision of public open space (POS);
- Provision of primary and high schools; and
- Neighbourhood road hierarchy.

The draft Plan was subject to a process of community consultation whereby affected landowners and agencies were notified of the proposal and invited to comment.

At its ordinary Meeting held on the 26th October 2004, Council resolved to endorse the Baldivis South District Structure Plan for the purpose of guiding Comprehensive Development Plans (subsequently referred to as Structure Plans under Town Planning Scheme No.2) and planning generally for the South Baldivis area, subject to certain modifications being undertaken.
In June 2005, the City advised submissioners in writing that the various modifications had been completed, and the District Structure Plan endorsed.

Since its endorsement, the Baldivis South District Structure Plan has been used to guide the preparation of Comprehensive Development Plans and Structure Plans. These plans have generally followed the ‘district’ level land use footprint set out on the Baldivis South District Structure Plan.

Community Infrastructure Planning

An important element of the Baldivis South District Structure Plan is the planning for active sporting reserves, which includes the provision of a large Public Open Space (‘POS’) reserve to the north of the southern High School site proposed along Sixty Eight Road, within Lots 19 and 20 Sixty Eight Road.
In May 2011, Council adopted the Community Infrastructure Plan 2011/12 to 2020/21 which provides direction on the provision of community facilities to accommodate urban growth throughout the City, and particularly the provision of sporting reserves within the Baldivis area.

The Community Infrastructure Plan did not identify the provision of a large POS reserve within Lots 19 and 20 Sixty Eight Road.

On this basis, the Manager Community Infrastructure Planning has advised that the subject POS reserve is not required, and can be deleted from the District Structure Plan.

3. **Details**

An update of the Baldivis South District Structure Plan has been undertaken to ensure it reflects current planning for the precinct. In this regard, the District Structure Plan has been amended to:

(i) Delete the large POS reserve located on Lot 19 and 20 Sixty Eight Road; and

(ii) Reflect approved Structure Plans within the subject area, with respect to the general location of Neighbourhood Roads, Activity Centres and significant POS.

The updated District Structure Plan is attached below.
4. Implications to Consider

a. Consultation with the Community

It is appropriate that the proposed update of the Baldivis South District Structure Plan be advertised for public comment, including:

(i) Display of the updated District Structure Plan on the City’s website;
(ii) Placement of a notice in a local newspaper; and
(iii) Owners/developers of remaining undeveloped or partially developed landholdings within the Baldivis South Urban Precinct being notified in writing and invited to comment.

It is proposed that the updated District Structure Plan be advertised for a period of 28 days.

b. **Consultation with Government Agencies**

The updated District Structure Plan should be referred to the Department of Education, given the proposed deletion of the POS adjacent to the planned southern High School site.

Given the other modifications undertaken to the District Structure Plan are to reflect approved Structure Plans, which have been the subject of separate consultation, referral to other Government Agencies is not required.

c. **Strategic Community Plan**

This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:-

**Aspiration 11:** Planning for population growth to ensure that future development and land-uses contribute to a sustainable city that provides for a genuinely desirable lifestyle.

d. **Policy**

Nil

e. **Financial**

Nil

f. **Legal and Statutory**

The District Structure Plan is a non-statutory plan and is intended to function as a guide only. The preparation of local structure plans, involving a greater level of detail, is required prior to subdivision and development commencing.

5. **Comments**

The proposed update of the Baldivis South District Structure Plan is appropriate in order to ensure it reflects current planning for the area, particularly in terms of the provision of substantial POS.

In particular, it is appropriate that the large POS reserve from Lots 19 and 20 Sixty Eight Road be deleted, given the City does not plan on acquiring this relevant land. In this regard, the subject POS far exceeds the standard 10% requirement that owners must cede free of cost through the subdivision process, and would therefore need to be purchased by the City. The City has not contemplated purchase of this land in either its Community Infrastructure Plan or Business Plan.

In light of the above, it is recommended that the updated Baldivis South District Structure Plan be advertised for public comment.

6. **Voting Requirements**

Simple Majority

7. **Officer Recommendation**

That Council **APPROVE** advertising of the updated Baldivis South District Structure Plan.
### 8. Committee Recommendation

That Council **APPROVE** advertising of the updated Baldivis South District Structure Plan.

Committee Voting - 3/0

### 9. The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable

### 10. Implications of the Changes to the Officer’s Recommendation

Not applicable
<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>SPE-028/11 Proposed Structure Plan &amp; Lifting of Urban Deferment</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1542</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Dynamic Planning (on behalf of P &amp; M Jaksic)</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Brett Ashby, Manager Strategic Planning &amp; Environment</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19th October 2011</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Mr B Jeans declared an interest affecting impartiality in Item SPE-028/11 - Proposed Structure Plan &amp; Lifting of Urban Deferment as detailed within Clause 3.3 of Council’s Code of Conduct and Regulation 34C of the Local Government (Administration) Regulations 1996, as his daughter works for the proponent - Dynamic Planning and Developments.</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Legislative</td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 19 (No.356) Sixty Eight Road, Baldivis</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>9.1484ha</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Development</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Urban Deferred</td>
</tr>
<tr>
<td>Attachments:</td>
<td>1. Proposed Structure Plan</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Baldivis South District Structure Plan</td>
</tr>
<tr>
<td></td>
<td>3. Proposed Structure Plan</td>
</tr>
<tr>
<td></td>
<td>4. Aerial Photograph</td>
</tr>
</tbody>
</table>
1. **Purpose of Report**

To consider a proposed Structure Plan and Lifting of Urban Deferment over Lot 19 (No.356) Sixty Eight Road, Baldivis and determine whether the proposal is suitable for advertising.

2. **Background**

**MRS Zoning**

The site has been zoned ‘Urban Deferred’ in the *Metropolitan Region Scheme* (‘MRS’) since the mid 1990’s, when the South Baldivis area was rezoned in response to the *South West Corridor Structure Plan* (1993). Development cannot progress until the land is zoned ‘Urban’ in the MRS and the Proponent has made a request to lift the ‘Urban Deferment’ of the subject site concurrently with the Structure Plan application.

**District Structure Plan**

At its ordinary Meeting held on the 26th October 2004, following a process of public advertising, Council resolved to endorse the *Baldivis South District Structure Plan* (‘BSDSP’) for the purpose of guiding Comprehensive Development Plans (subsequently referred to as Structure Plans under Town Planning Scheme No.2) and planning generally for the South Baldivis area, subject to certain modifications being undertaken.

In June 2005, the City advised submitters in writing that the various modifications had been completed, and that the District Structure Plan was endorsed.

The BSDSP identifies a portion of a High School site and a significant area of Public Open Space (‘POS’) over Lot 19 Sixty Eight Road.
Since its endorsement, the BSDSP has been used to guide the preparation of Comprehensive Development Plans and Structure Plans. These plans have generally followed the ‘district’ level land use footprint set out on the BSDSP.

**Land Use**

The City issued retrospective Planning Approval on the 26th July 2006 for a Market Garden on the subject site. The City’s records indicate that the Market Garden has been operational since 2003, and it continues to operate today.

### 3. Details

The subject land is zoned ‘Development’ under Town Planning Scheme No.2 (TPS2) and the site is located on Sixty Eight Road, opposite to Wandoo Drive.

The landholding is 9.1484ha and the proposed Structure Plan incorporates the following elements:-
- 119 Residential ‘R20’ lots; and
- 26 Residential ‘R30’ lots.
Map 3: Proposed Structure Plan

The land is bounded to the immediate north and east by land identified for future urban development, and to the south by 'Special Rural' land (which has been identified for Urban Expansion). A Structure Plan has been approved for the adjoining land to the west, which has been considered in preparation of the proposed Structure Plan for Lot 19.

The site is currently used as a market garden, with remanent bushland to the north of the lot. Given the predominant use of the land, it is likely that contamination exists.
4. Implications to Consider

a. Consultation with the Community

Where the Council determines that a proposed Structure Plan is satisfactory for advertising, clause 4.2.6.5 of TPS2 requires the proposal to be advertised for public inspection by one or more of the methods set out in clause 6.3.3 of TPS2, which include:

(a) notice of the proposal being served on nearby owners and occupiers who, in the opinion of Council, are likely to be affected by the proposal, and stating that submissions may be made on the proposal by a specified date.

(b) notice of the proposal being published in a newspaper circulating in the Scheme Area stating that submissions may be made on the proposal by a specified date.

(c) a sign or signs displaying a notice of the proposal is to be erected in a conspicuous position on the land.

The specified date is required to be at least 21 days from the date of the notice and advertisement, however it is the City's practice to undertake advertising for at least 28 days where the proposal has not been previously advertised.

b. Consultation with Government Agencies

In addition to the above, clause 4.2.6.5(b.ii) of the Scheme requires that the Council give notice to relevant public authorities. In this regard, should the Council deem the proposal suitable for public inspection, the following agencies would be notified:-

- FESA;
- Department of Environment and Conservation;
- Alinta;
- Department of Health;
c. Strategic

Community Plan

This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:-

**Aspiration 11:** Planning for population growth to ensure that future development and land-uses contribute to a sustainable city that provides for a genuinely desirable lifestyle.

d. Policy

Planning Policy 3.4.1 – Public Open Space

The City’s Planning Policy 3.4.1 – Public Open Space states in section 4.1.4 that the Council’s Local Biodiversity Strategy encourages the retention of native vegetation in future urban areas. This is supported in Element 4, R3 of Liveable Neighbourhoods which notes that Public Parkland should provide a balance between conservation and active and passive recreational uses in district, neighbourhood and local open space.

Concern is raised that the plan does not provide any POS for the retention of existing remnant vegetation to the north of Lot 19 Sixty Eight Road, which features significant Tuart trees, which may serve as habitat and feeding for native birds including the protected Carnaby’s and Baudin’s Black Cockatoo, and Forest Red-Tailed Black Cockatoo.

In this regard, it is recommended that a Tree Hollow Survey be undertaken by a fauna specialist to determine possible use by Carnaby’s and Baudin’s Black Cockatoo, and Forest Red-Tailed Black Cockatoo or other native fauna.

Planning Bush Fire Protection Guidelines (Edition 2)

The Western Australian Planning Commission’s (‘WAPC’) Planning Bush Fire Protection Guidelines (Edition 2) notes that, unless it is clear to the decision-making authority that the land in question is not in an area that has a moderate or extreme bush fire hazard level, any new proposals or proposals which will effect a change of land use or design resulting in the introduction of, or an intensification of development should:-

- include a bush fire hazard assessment based on the fire hazard assessment methodology and classifications set out in Appendix 1 of the Guidelines;
- identify any bush fire hazard issues arising from that assessment; and
- address those issues, in accordance with the general principles that underpin these guidelines, in a statement or report which demonstrates that all fire protection requirements can be achieved to the satisfaction of the WAPC.

The City's Co-ordinator Emergency Services has advised that land adjoining and adjacent to the site is likely to be classified as either a moderate or extreme bush fire hazard level, and it is therefore necessary that Bush Fire Hazard Assessment and Management Plan be prepared in support of the proposed Structure Plan.
e. **Financial**
   Nil

f. **Legal and Statutory**

Clause 4.2.6.2 of the Scheme states that the Council is to either:-

(a) determine that the proposed Structure Plan is satisfactory for advertising;
(b) determine that the proposed Structure Plan is not to be advertised until further details have been provided or modifications undertaken; or
(c) determine that the proposed Structure Plan is not satisfactory for advertising and give reasons for this to the Proponent.

Where a Proponent is aggrieved with a decision of the Council, clause 4.2.6.4 of the Scheme provides for the decision to be reviewed by the WAPC.

5. **Comments**

**Structure Plan Assessment**

**Baldivis South District Structure Plan**

The proposed Structure Plan is inconsistent with the BSDSP by not reflecting a portion of the southern High School site (which is proposed to be shared across Lots 19, 20 and 21 Sixty Eight Road) and a portion of a large POS reserve proposed to be shared across Lots 19 and 20.

The Proponent has provided the following comments in support of the variation to the District Structure Plan:

“(a) At a cursory examination, facilitating urban subdivision with the net developable yield of the subject site being approximately 50% would highly likely be unviable and improbable. On-selling the land at a fair market value would be unlikely due to the constraints and the subject site would either remain used for the current market garden purposes or unutilised, which would not achieve an appropriate planning outcome in relation of future residential amenities;
(b) The existing residence and improvements on the subject site are located within the area of the subject site dedicated as ‘Schools’. There is an improved value of acquiring a portion of the land which accommodates the residence and improvements, which may be considered undesirable to the Department of Education and Training (DET);
(c) The subject site descends quite steeply from Sixty Eight Road towards the northern boundary and considerably fluctuates in undulation. In accordance with the WAPC DC Policy 2.4 (School Sites), school sites should be generally level so as to avoid extensive regrading of land. Given the subject site’s topography, it is difficult to avoid significant earthworks if one were to achieve a level topography for a high school;
(d) The sand quarry site to the east of the subject site is already excavated and flat (Figures 13 and 14). This would be better suited for a high school than where it is currently shown on the SBDSP.
(e) The WAPC DC Policy 2.4 also encourages the location and integration of schools with sporting, recreational, cultural and other activity facilities. The location of the high school as depicted on the SBDSP is considered to be poorly positioned as there are more appropriate locations to locate a high school site, which can be better integrated with the aforementioned land use types;
(f) Liveable Neighbourhoods Policy identifies public open space (POS) provision and accessibility as a key important consideration for the development of urban land. With consideration of the POS location as depicted on the SBDSP, there is already sufficient POS planned in abutting proposed/approved LSP’s.

In support of the above commentary, we consider that a review of the SBDSP area and closer examination of the high school location as depicted on the current SBDSP.”
In 2010, in response to concerns raised by affected owners, the Department of Education engaged a planning consultant, Urban Plan, to undertake a review of the proposed location for the southern High School. The review has since been completed and the Department of Education has confirmed that it requires an 11ha High School site in the South Baldivis urban precinct, and that the general location depicted on the District Structure Plan is the preferred site.

It is also noted that planning and development within the BSDSP area is relatively advanced, with substantial land already developed and the majority of remaining undeveloped land the subject of either approved or substantially progressed Structure Plans.

Given the subject High School site has been planned for a significant period of time, and remains the preferred location of the Department of Education, further review of the site is not supported and the High School site should be reflected on the proposed Structure Plan. It should be noted that acquisition of land for High Schools is not the responsibility of local government and such sites are typically purchased or acquired by the State Government (through reservation under the MRS if necessary). It is not appropriate for a High School site to be shown as a Reserve on a Structure Plan adopted under the Scheme, as this may trigger a claim for compensation from the local government; rather the site should be zoned appropriately under the Structure Plan and arrangements made by the State for purchase or acquisition. Should the State not seek to secure the site, a modification to facilitate residential development of the site could then be considered.

With respect to the large POS area to the north of the proposed High School site, an updated District Structure Plan has been prepared which proposes to delete the POS. The updated District Structure Plan is further discussed in Item SPE-027/11 of the Agenda.

Movement Network

In order to accommodate the proposed High School depicted on the BSDSP, the main entrance to the subdivision from Sixty Eight Road will need to be moved further west. The City's Engineering Services have also raised concerns regarding the safety of this intersection and requested that a Traffic Impact Statement would need to be provided in accordance with the requirements of Liveable Neighbourhoods.

Public Parkland

As discussed under the ‘Policy’ section of this report, no POS is shown on the proposed Structure Plan. This is inconsistent with Liveable Neighbourhoods, which requires a minimum of 10% POS, and the City’s Planning Policy 3.4.1 – Public Open Space, which seeks to ensure that all residential development is complemented by well located areas of POS that provide for the recreational and social needs of the community.

It is noted that Structure Plans for surrounding/nearby landholdings have been prepared to be self sufficient, in terms of the minimum 10% provision of POS, and there is not a surplus of POS in the area (existing or planned) that would warrant no POS being provided on the proposed Structure Plan.

The City's Environmental Planning Team has also noted that a flora and fauna study needs to be undertaken to assess the impacts of the Structure Plan on black cockatoo populations within the area and possible endangered flora on the site, and that consideration should be given to retaining significant vegetation within POS.

Information Requirements

In addition to the matters raised above, various other information required for full assessment of the Structure Plan has not been provided, including a Local Water Management Strategy, indicative earthworks and staging plans.

Conclusion

In light of the above, it is considered that the proposed Structure Plan is not satisfactory for advertising for the following reasons:

(i) It is inconsistent with the Baldivis South District Structure Plan in that it does not provide for the required High School Site.
(ii) It does not satisfy the Public Open Space requirements of Liveable Neighbourhoods.

(iii) Insufficient information has been provided to enable a full assessment of the proposal.

**Lifting of Urban Deferment**

Under clause 27 of the MRS, land included within the ‘Urban Deferred’ zone may be transferred to the ‘Urban’ zone by resolution of the WAPC notified in the Government Gazette.

In accordance with the WAPC’s *Guidelines for the Lifting of Urban Deferment*, before agreeing to the transfer of land from the urban deferred zone to the urban zone, the WAPC will require evidence that:

(a) The land is capable of being provided with essential services and agreement has been reached between the developers and service providers with regard to the staging and financing of services;

(b) planning is sufficiently advanced to depict an acceptable overall design to guide future development;

(c) the proposed urban development represents a logical progression of development;

(d) regional requirements (such as regional roads, open space and public purposes) have been satisfied or provision made for them; and

(e) any constraints to urban development can be satisfactorily addressed.

The potential servicing of the land will be considered by the WAPC in consultation with relevant servicing agencies. It is considered that planning is sufficiently advanced given the land is contained within the Baldivis South District Structure Plan, and development of the site would represent a logical progression of development.

Prior to urban deferment being lifted, however, the provision of regional requirements (specifically the proposed High School site) will need to be addressed through the reservation of land in the MRS. In this regard, the WAPC will need to liaise with the Department of Education and the Proponent to confirm configuration of the site.

Subject to suitable arrangements being made for provision of the High School site, it is recommended that the lifting of urban deferment be supported.

### 6. Voting Requirements

**Simple Majority**

### 7. Officer Recommendation

That Council:

1. **REFUSE** advertising of the proposed Structure Plan for Lot 19 Sixty Eight Road, Baldivis for the following reasons:-

   (i) The proposed Structure Plan is inconsistent with the Baldivis South District Structure Plan in that it does not provide for the required High School Site.

   (ii) The proposed Structure Plan does not satisfy the Public Open Space requirements of Liveable Neighbourhoods.

   (iii) The following items have not been provided that are necessary to enable a full assessment of the proposed Structure Plan:-

      (a) Local Water Management Strategy;

      (b) Fire Management Plan;

      (c) Flora and Fauna assessment;

      (d) Traffic Impact Statement;
8. **Committee Recommendation**

That Council:

1. **REFUSE** advertising of the proposed Structure Plan for Lot 19 Sixty Eight Road, Baldivis for the following reasons:-
   
   (i) The proposed Structure Plan is inconsistent with the Baldivis South District Structure Plan in that it does not provide for the required High School Site.
   
   (ii) The proposed Structure Plan does not satisfy the Public Open Space requirements of Liveable Neighbourhoods.
   
   (iii) The following items have not been provided that are necessary to enable a full assessment of the proposed Structure Plan:-
       
       (a) Local Water Management Strategy;
       
       (b) Fire Management Plan;
       
       (c) Flora and Fauna assessment;
       
       (d) Traffic Impact Statement;
       
       (e) Staging Plan; and
       
       (f) Indicative earthworks plan.

2. **SUPPORT** the lifting of Urban Deferment over Lot 19 Sixty Eight Road, Baldivis subject to provision being made for the planned High School site through the reservation of land in the Metropolitan Region Scheme.

Committee Voting – 3/0

9. **The Committee’s Reason for Varying the Officer’s Recommendation**

Not applicable

10. **Implications of the Changes to the Officer’s Recommendation**

Not applicable
## Reference No & Subject:

<table>
<thead>
<tr>
<th>SPE-029/11 Proposed Modification to Structure Plan - ‘Harrington Waters’ Estate</th>
</tr>
</thead>
</table>

### File No:
LUP/248-04

### Proponent/s:
Dynamic Planning (on behalf of Harrington Waters Partnership Pty Ltd)

### Author:
Miss Donna Shaw, Planning Officer

### Other Contributors:
Mr Brett Ashby, Manager, Strategic Planning & Environment Services

### Date of Committee Meeting:
19th October 2011

### Previously before Council:
November 2006 (PD212/11/06),

### Disclosure of Interest:
Mr B Jeans declared an interest affecting impartiality in Item SPE-029/11 - Proposed Modification to Structure Plan - 'Harrington Waters' Estate as detailed within Clause 3.3 of Council's Code of Conduct and Regulation 34C of the Local Government (Administration) Regulations 1996, as his daughter works for the proponent - Dynamic Planning and Developments.

### Nature of Council’s Role in this Matter:
Legislative

### Site:
Lot 1197 Abbeytown Circle and Lot 1198 Sellafield Bend, Waikiki

### Lot Area:
1.73ha

### LA Zoning:
Development 'R20/40’

### MRS Zoning:
Urban

### Attachments:
1. Proposed Modification to Structure Plan
2. Indicative Development Plan

### Maps/Diagrams:
1. Location Plan
2. Proposed Extent of Consultation
1. **Purpose of Report**

To consider an application seeking consent to advertise for public comment a proposed modification to the existing approved Structure Plan over Lot 1197 Abbeytown Circle and Lot 1198 Sellafield Bend, Waikiki.

2. **Background**

**Harrington Waters Structure Plan**

A Comprehensive Development Plan (now referred to as a Structure Plan) was first prepared for the subject area, previously known as ‘Waikiki Gardens’, in 1989.

A new Structure Plan for the ‘Harrington Waters’ Estate was subsequently adopted in July 2001, which designated an ‘R40’ coding over a large site in the south-west corner of the Estate (which included the subject site).

In November 2006, Council adopted a minor modification to the Structure Plan which reduced the size of the ‘R40’ site to its current size, and provided for an ‘R20’ single residential interface around the site (essentially screening the site from the local road network).

**Zoning**

The subject land was zoned ‘Development (R20/40)’ under the City's *Town Planning Scheme No.2* (*TPS2*), which was gazetted on the 19th November 2004.

In March 2011, Council initiated an Amendment to TPS2 to:

(i) remove the Residential Design Code designations from ‘Development Areas’;

(ii) implement new ‘Development Areas’ for ‘Development’ zoned land not currently included within a designated Development Area; and

(iii) insert new Scheme Provisions into Schedule No.9 linking the new ‘Development Areas’ to the requirements for the preparation of Structure Plans.

The Amendment was initiated to provide flexibility for the City to determine appropriate densities through the Structure Plan process, taking into account current Policy and other relevant planning considerations.

The submission period for Amendment No.111 closed on the 1st October 2011 (see Item SP-053/11 of this Agenda).
3. **Details**

The City has now received an application seeking to amend the 'Harrington Waters' Structure Plan by increasing the residential density of Lot 1197 Abbeytown Circle and Lot 1198 Sellafield Bend, Waikiki from Residential 'R40' to Residential 'R80'.

The proposal is intended to facilitate the development of 134 dwellings on the site (comprising a mix of single storey dwellings and three-storey apartments). The Proponent argues that the increase in density is warranted given proximity of the site to the Warnbro Train Station.

The Proponent has submitted an Indicative Development Plan (‘IDP’) demonstrating how it intends to develop the site, should the modification be adopted. The IDP outlines the location of single storey dwellings abutting existing landholdings, with the three-storey apartments to the centre of the site and adjacent to Safety Bay Road. The IDP also shows the indicative location of internal (private) roadways, visitor parking and communal open space.

As previously mentioned, the subject land is zoned 'Development (R20/40)' under the City's TPS2. Where there is any inconsistency between residential densities depicted on the Scheme maps, and those depicted on Structure Plans, the densities depicted in the Scheme prevail over those depicted on the Structure Plan.

Accordingly, the R80 density proposed on the Structure Plan would not have effect under the current 'Development (R20/40)' zoning. To this end, it would only be appropriate to favourably consider the proposal if Council adopts Amendment No.111 for final approval (see Item SP-053/11 of this Agenda).

4. **Implications to Consider**

a. **Consultation with the Community**

Where the Council determines that a proposed Structure Plan is satisfactory for advertising, clause 4.2.6.5 of TPS2 requires the proposal to be advertised for public inspection by one or more of the methods set out in clause 6.3.3 of TPS2, which include:

(a) notice of the proposal being served on nearby owners and occupiers who, in the opinion of Council, are likely to be affected by the proposal, and stating that submissions may be made on the proposal by a specified date.

(b) notice of the proposal being published in a newspaper circulating in the Scheme Area stating that submissions may be made on the proposal by a specified date.

(c) a sign or signs displaying a notice of the proposal is to be erected in a conspicuous position on the land.

The specified date is required to be at least 21 days from the date of the notice and advertisement, however it is the City's practice to undertake advertising for at least 28 days where the proposal has not been previously advertised. With respect to point (a), it is intended that letters be sent to owners and occupiers of land depicted on the plan below:
b. Consultation with Government Agencies

In addition to the above, clause 4.2.6.5(b.ii) of the Scheme requires that the Council give notice to relevant public authorities. In this regard, it is normal to refer proposed Structure Plans to the following agencies:

- FESA;
- Department of Environment and Conservation;
- Alinta;
- Department of Health;
- Department of Education;
- Department of Indigenous Affairs;
- Department of Water;
- Water Corporation;
- Western Power;
- Main Roads Western Australia;
- Public Transport Authority; and
- Telstra.

c. Strategic Community Plan

This item addresses the Community's Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:

**Aspiration 11:** Planning for population growth to ensure that future development and land-uses contribute to a sustainable city that provides for a genuinely desirable lifestyle.
d. **Policy**

WAPC Development Control Policy 1.6 – Planning to Support Transit Use and transit Orientated Development

This policy seeks to maximise the benefits to the community of an effective and well used public transit system by promoting planning and development outcomes that will support and sustain public transport use, and which will achieve the more effective integration of land use and public transport infrastructure.

Increased density on a site within close proximity to a railway station is considered to be appropriate as higher density residential development increases the potential for residents to look to transit as a travel option, with a corresponding increase in patronage.

e. **Financial**

Nil

f. **Legal and Statutory**

Clause 4.2.7 of the Scheme provides Council with the discretion to adopt a minor change to or departure from a Structure Plan if it considers such a change or departure does not materially alter the intent of the Structure Plan. Any change or departure that is considered to materially alter the intent of the Structure Plan is required to be considered in accordance with the procedures set out in clause 4.2.6.

The proposed change in residential coding from 'R40' to 'R80' is considered to alter the intent of the Structure Plan. Accordingly, clause 4.2.6.2 of the Scheme requires that the Council is to either:

(a) determine that the proposed Structure Plan is satisfactory for advertising;

(b) determine that the proposed Structure Plan is not to be advertised until further details have been provided or modifications undertaken; or

(c) determine that the proposed Structure Plan is not satisfactory for advertising and give reasons for this to the Proponent.

5. **Comments**

**Change in Density**

A key objective of Liveable Neighbourhoods is to design urban areas to facilitate increased use of public transport. The Western Australian Planning Commission’s (‘WAPC’) Development Control Policy 1.6 – Planning to Support Transit Use and Transit Orientated Development states that:

“The WAPC will expect local governments to identify and promote opportunities for residential development at a minimum density of 25 dwellings per hectare, and will expect the application of densities substantially higher than 25 dwellings per hectare where sites have the advantage of close proximity to a rail station, major bus interchange or bus route that provides service frequencies equivalent to rail.”

Given existing development in proximity to the Train Station is predominantly low density, single residential, there is merit in considering the proposed increase in density.

The two primary issues associated with the proposal are considered to be potential impact on the existing road network, and impact on the amenity of the existing area.

The City's Engineering Service has recommended that the Proponent submit a Traffic Impact Statement, demonstrating that traffic generated by the proposed density of development will not compromise the function of the existing road network, prior to the proposal being advertised for public comment.

As mentioned above, the proposal is considered a significant departure from the intent of the Structure Plan and warrants advertising for public comment. The public consultation process will assist Council in considering the potential impact of the development on surrounding residents.
Indicative Development Plan

The IDP shows an appropriate interface of single storey dwellings to the existing R20 lots adjacent to the subject site.

Whilst the IDP is indicative and not the subject of detailed assessment, preliminary review has identified the following issues that should be addressed prior to advertising:

- Vehicle access, onto Sellafield and Abbeytown, does not satisfy relevant standards and should be redesigned to provide a sufficient queue length.
- The northern carpark should be relocated and/or redesigned to ensure that it does not conflict with access into the site.
- The proposed pedestrian connection is unlikely to meet the requirements of universal access and its relocation should be considered.

Further, the following matters have been raised which, whilst not impacting on assessment or public advertising of the Structure Plan, should be brought to the attention of the Proponent:

- The City’s Building Services have advised that the proposed three-storey buildings would be classified as Class 2 buildings and would therefore need meet the requirements of Type A construction, which may be difficult for the developer to achieve.
- The City's Engineering Service has raised concern with respect to drainage of the site, particularly given the relatively high water table in the area. The Proponent will need to demonstrate that it can adequately accommodate drainage on-site prior to Planning Approval being issued for development of the site.

Conclusion

In light of the above, it is recommended that the proposed modification to the ‘Harrington Waters’ Structure Plan be advertised for public comment, subject to the following matters being addressed:

1. A Traffic Impact prepared demonstrating that traffic generated by the proposed density of development will not compromise service to the existing access points to the Harrington Waters Estate.

2. The Indicative Development Plan being amended to address the following:
   (i) Vehicle access onto Sellafield Bend and Abbeytown Circle being redesigned in accordance with MRWA and Liveable Neighbourhood standards.
   (ii) The northern carpark should be relocated and/or redesigned to ensure that it does not conflict with access into the site.
   (iii) The pedestrian connection being redesigned or relocated to meet the requirements of universal access.

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council ENDORSE advertising of the proposed modification to the ‘Harrington Waters’ Structure Plan over Lot 1198 Sellafield Bend and Lot 1197 Abbeytown Circle, Waikiki in accordance with clause 4.2.6.5 of Town Planning Scheme No.2, subject to the following matters being addressed:

1. A Traffic Impact Statement being prepared demonstrating that traffic generated by the proposed density of development will not compromise service to the existing access points to the Harrington Waters Estate.

2. The Indicative Development Plan being amended to address the following:
8. Committee Recommendation

That Council **ENDORSE** advertising of the proposed modification to the ‘Harrington Waters’ Structure Plan over Lot 1198 Sellafield Bend and Lot 1197 Abbeytown Circle, Waikiki in accordance with clause 4.2.6.5 of Town Planning Scheme No.2, subject to the following matters being addressed:

1. A Traffic Impact Statement being prepared demonstrating that traffic generated by the proposed density of development will not compromise service to the existing access points to the Harrington Waters Estate.

2. The Indicative Development Plan being amended to address the following:
   - Vehicle access onto Sellafield Bend and Abbeytown Circle being redesigned in accordance with MRWA and *Liveable Neighbourhood* standards.
   - The northern carpark should be relocated and/or redesigned to ensure that it does not conflict with access into the site.
   - The pedestrian connection being redesigned or relocated to meet the requirements of universal access.

Committee Voting – 3/0

9. The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable

10. Implications of the Changes to the Officer’s Recommendation

Not applicable
# Planning and Development Services
## Strategic Planning & Environment Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>SPE-030/11 Tender T11/12-20 - Karnup District Water Management Strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>T11/12-20</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr Peter Ricci, Project Manager, Keralup</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Brett Ashby, Manager, Strategic Planning &amp; Environment</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19th October 2011</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive Function</td>
</tr>
<tr>
<td>Site:</td>
<td></td>
</tr>
<tr>
<td>Lot Area:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
</tr>
</tbody>
</table>

## 1. Purpose of Report

To provide the Council with details of the Tenders received for Tender T11/12-20 - Prepare the Karnup District Water Management Strategy, to document the results of the Tender Assessment and to make recommendations to award the Tender.

## 2. Background

In August 2010, the Western Australian Planning Commission released the draft Outer Metropolitan Perth and Peel Sub-Regional Strategy for public comment. The Strategy identified significant proportions of land within Karnup as potentially accommodating urban land uses in the short to medium term. The urban potential of this land has been earmarked since the release of the South West Corridor Structure Plan in 1993.

The cell proposed to accommodate urban development is currently occupied by various landuses and is in multiple ownership. It contains a large number of Special Rural lots and it is understood that various parties are already seeking to assemble land to realise an urban potential.
In anticipation of local structure planning proposals being lodged for consideration, a District Level Structure Plan is required to assess such proposals against and to ensure coordinated and integrated development. In the past, the Council has responded to District Structure Plan (DSP) proposals lodged by private developers, however, it has been recognised that the best planning outcome will be achieved if the City leads the DSP process.

In accordance with contemporary planning practice, a DSP must be supported and guided by a District Water Management Strategy (DWMS). The Council has identified the preparation of a DWMS and DSP for Karnup in its Business Plan.

Given the DWMS and DSP inform one another, the projects are intended to be progressed in parallel, albeit with the DWMS commencing a year prior to the DSP given the need to undertake groundwater monitoring.

The preparation of a DWMS is a requirement of the Department of Water's Better Urban Water Management Guidelines. The Guidelines state that the DWMS should achieve the following outcomes:

- Provide design objectives for potable water use, stormwater quality and quantity (including flood management), groundwater quality and quantity, wastewater and water re-use;
- Summarise site characteristics – opportunities, constraints, areas requiring specialised investigation and management;
- Provide hydrologic information – previous studies, recent investigations, groundwater levels, flow and availability, groundwater and surface water quality identified and mapped, environmental water requirements including waterway/wetland buffers;
- Provide strategies and recommendations for planning precincts to guide and control land uses and development where necessary;
- Provide a site water balance;
- Provide a water management strategy – potable, wastewater, surface water and groundwater; and
- Recommend monitoring programs for water quantity and water quality pre, during and post development as well as for ensuring hydraulic performance over the lifetime of the drainage structure.

The DWMS for Karnup will apply to an area bounded by Sixty Eight Road to the north, the Kwinana Freeway to the east, the City's Municipal Boundary to the South and Ennis Avenue to the west. The entire study area does not have an urban potential, bearing in mind that there are large parcels of Parks & Recreation, but the DWMS must consider and plan for the impact of urban development on the wider catchment.

In order to engage a Consultant to prepare the DWMS, Tenders were advertised in the West Australian on Saturday, 14th May 2011 for Tender T11/12-20, To prepare the Karnup District Water Management Strategy Consultant Brief. Tenders closed at 2.00pm, Wednesday, 8th June 2011 and were publicly opened immediately after the closing time.

### 3. Details

Tenders were received from the following companies:

<table>
<thead>
<tr>
<th>Company</th>
<th>Tendered Amount (GST Exclusive)</th>
</tr>
</thead>
<tbody>
<tr>
<td>360 Environmental Pty Ltd</td>
<td>$263,570</td>
</tr>
<tr>
<td>GHD</td>
<td>$278,858</td>
</tr>
<tr>
<td>Natural Area Consulting</td>
<td>$285,626</td>
</tr>
</tbody>
</table>
Evaluation of the Tenders was undertaken by a panel comprising the City's A/Co-ordinator Sustainability and Environment and Environmental Planning Officer, along with the Department of Water's A/Program Manager for Urban Water Management.

It was not clear that the Tenders included the preparation and implementation of a groundwater monitoring program in accordance with section 5.6.1 of the Request for Tender documentation. As a result, the City wrote to each of the Tenderers and requested that they clarify if groundwater monitoring was included in their submission. Confirmation was also sought that the Tender price remains valid should the Tender be awarded by the Council at its October 2011 meeting.

All Tenderers responded by explaining their intent for groundwater monitoring and confirmed that the submitted prices remained valid.

A Tender submission was received from BG&E Pty Ltd, however, it was withdrawn during the assessment process.

Evaluation of the Tenders, in accordance with the advertised Tender Assessment Criteria, produced the following weighted scores:-

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Max. Points</th>
<th>360 Environmental Pty Ltd</th>
<th>AECOM Australia Pty Ltd</th>
<th>GHD</th>
<th>Natural Area Consulting</th>
<th>Aurecon</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of Service</td>
<td>25%</td>
<td>25.0%</td>
<td>24.0%</td>
<td>25.0%</td>
<td>22.0%</td>
<td>25.0%</td>
</tr>
<tr>
<td>Performance and experience of Tenderer</td>
<td>40%</td>
<td>32.0%</td>
<td>34.0%</td>
<td>38.0%</td>
<td>26.0%</td>
<td>33.0%</td>
</tr>
<tr>
<td>Beneficial effects of Tender</td>
<td>5%</td>
<td>3.0%</td>
<td>3.0%</td>
<td>3.0%</td>
<td>3.0%</td>
<td>3.0%</td>
</tr>
<tr>
<td>Tendered Price/s</td>
<td>30%</td>
<td>30.0%</td>
<td>21.7%</td>
<td>28.4%</td>
<td>27.7%</td>
<td>20.6%</td>
</tr>
<tr>
<td>Total Weighted Scores</td>
<td>100%</td>
<td>90.0%</td>
<td>82.7%</td>
<td>94.4%</td>
<td>78.7%</td>
<td>81.6%</td>
</tr>
</tbody>
</table>

4. Implications to Consider

a. Consultation with the Community
   Not applicable

b. Consultation with Government Agencies
   Not applicable

c. Strategic
   Land-use and Development Control
   This item addresses the Community's Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:-

   **Aspiration 11:** Planning for population growth to ensure that future development and land-uses contribute to a sustainable city that provides for a genuinely desirable lifestyle
d. **Policy**

In accordance with Council’s Purchasing Policy to deliver a best practise approach and procedures for internal purchasing for the City, and to ensure that integrity over the whole of the purchasing process is maintained, the calling of Tenders is a transparent process demonstrating fairness and equity.

e. **Financial**

The 2011/12 budget allocation for the project is $160,000. A further $50,000 is identified in the Strategic Planning & Environment Team Plan for 2012/13, providing a total budget allocation of $210,000. As such, there is insufficient funding available within the Project Account to accept the Tender.

The Council can either decline the Tender on the basis that there is insufficient funding or seek to allocate funds from other sources to the project.

By declining the Tender, the Council could consider allocating additional funds in the 2012/12 Budget to supplement the funds already allocated. By doing so, the project will be delayed and the Tender process will need to be reactivated. By taking this action, the Council would run the risk that it will incur increased costs.

It is considered preferable, from a project timing and a cost risk mitigation perspective, to seek to award the Tender as soon as possible.

The preparation of the Local Planning Strategy is funded by two accounts within the 2011/12 Budget, as follows:

- 210174.1299 - Town Planning Scheme Review $230,000
- 210175.2091 - Local Planning Strategy $250,000

The Local Planning Strategy is currently at a point where the initial community consultation process is likely to commence in late 2011 and proceed through the first half of 2012. The Community Engagement Strategy is currently being refined and the funds committed to this process, and those that remain to be expended on the Visual Land Evaluation Project, total $74,580. These funds are allocated to Account 210174.1299 - Town Planning Scheme Review.

There is an additional study that is proposed to be funded from the aforementioned account, associated with a review of Baldivis component of the Local Commercial Strategy, which is estimated to cost approximately $50,000.

As such, approximately $150,000 of the $230,000 within Account 210174.1299 - Town Planning Scheme Review is not anticipated for expenditure. There is unlikely to be additional funds required this financial year for the Local Planning Strategy.

Given the above, it is recommended that funds be sourced from Account 210175.2091 - Local Planning Strategy to enable the Tender to be awarded. The review of the Team Plan for 2012/13 will consider the allocation of funds to the Local Planning Strategy for that and subsequent years.

The transfer of funds between accounts is normally carried out through the quarterly Budget Review process, however, it has been advised that the Budget Review is likely to be considered by the Council at November 2011 meeting. Delay of the Tender until November will potentially cause the Tender to be invalid and the process will need to be reactivated.

It is therefore recommended that a Budget Amendment be initiated to enable the funds to be transferred and the Tender awarded.

f. **Legal and Statutory**

*Local Government (Functions and General) Regulations 1996*

Part 4, Division 2 - Tenders for providing goods or services (s. 3.57)
Regulation 11(1) provides that tenders must be called for the provision of goods and services that are expected to be of a value over $100,000.

Regulation 14(1) states that when regulation 11(1), 12 or 13 requires tenders to be publicly invited, statewide public notice of the invitation is to be given.

5. **Comments**

Assessment of the submissions, in accordance with the Tender Assessment Criteria, concluded that the submission received from GHD Pty Ltd was deemed to represent best value to the Council. It is therefore recommended that the Council take the following action:

- Amend the Budget as detailed in the ‘Financial Implications’ above; and
- Accept the Tender from GHD Pty Ltd.

6. **Voting Requirements**

Recommendation 1 - Absolute Majority

Recommendation 2 - Simple Majority

7. **Officer Recommendation**

1. That Council **AMEND** the 2011/12 Budget, as follows:

<table>
<thead>
<tr>
<th>A/C No.</th>
<th>A/C Type</th>
<th>Description</th>
<th>Adopted Budget</th>
<th>Current Budget</th>
<th>Amended Budget</th>
<th>Deficit</th>
<th>Surplus</th>
</tr>
</thead>
<tbody>
<tr>
<td>210175.2091</td>
<td>E</td>
<td>Local Planning Strategy</td>
<td>$250,000</td>
<td>$250,000</td>
<td>$130,000</td>
<td>$120,000</td>
<td></td>
</tr>
<tr>
<td>210175.2067</td>
<td>E</td>
<td>District Water Management Strategy - Karnup</td>
<td>$160,000</td>
<td>$160,000</td>
<td>$280,000</td>
<td></td>
<td>$120,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$410,000</strong></td>
<td><strong>$410,000</strong></td>
<td><strong>$410,000</strong></td>
<td><strong>$120,000</strong></td>
<td><strong>$120,000</strong></td>
</tr>
</tbody>
</table>

2. That Council **ACCEPT** the Tender submitted by GHD Pty Ltd, 239 Adelaide Terrace, East Perth for Tender T11/12-20 - to prepare the Karnup District Water Management Strategy for the lump sum price of $278,858 excluding GST, in accordance with the Tender documentation.

8. **Committee Recommendation**

1. That Council **AMEND** the 2011/12 Budget, as follows:

<table>
<thead>
<tr>
<th>A/C No.</th>
<th>A/C Type</th>
<th>Description</th>
<th>Adopted Budget</th>
<th>Current Budget</th>
<th>Amended Budget</th>
<th>Deficit</th>
<th>Surplus</th>
</tr>
</thead>
<tbody>
<tr>
<td>210175.2091</td>
<td>E</td>
<td>Local Planning Strategy</td>
<td>$250,000</td>
<td>$250,000</td>
<td>$130,000</td>
<td>$120,000</td>
<td></td>
</tr>
<tr>
<td>210175.2067</td>
<td>E</td>
<td>District Water Management Strategy - Karnup</td>
<td>$160,000</td>
<td>$160,000</td>
<td>$280,000</td>
<td></td>
<td>$120,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>$410,000</strong></td>
<td><strong>$410,000</strong></td>
<td><strong>$410,000</strong></td>
<td><strong>$120,000</strong></td>
<td><strong>$120,000</strong></td>
</tr>
</tbody>
</table>

Committee Voting - 3/0
2. That Council **ACCEPT** the Tender submitted by GHD Pty Ltd, 239 Adelaide Terrace, East Perth for Tender T11/12-20 - to prepare the Karnup District Water Management Strategy for the lump sum price of $278,858 excluding GST, in accordance with the Tender documentation.

Committee Voting - 3/0

9. **The Committee’s Reason for Varying the Officer’s Recommendation**

Not applicable

10. **Implications of the Changes to the Officer’s Recommendation**

Not applicable
### Statutory Planning

#### Planning Services
Statutory Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>SP-052/11 Schedule of Fees: Built Strata Subdivision</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/476-02</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>City of Rockingham</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Dave Waller, A/Manager, Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19th October 2011</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>October 2009 (PD120/10/09)</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td></td>
</tr>
<tr>
<td>Nature of Council's Role in this Matter:</td>
<td>Executive Function</td>
</tr>
<tr>
<td>Site:</td>
<td></td>
</tr>
<tr>
<td>Lot Area:</td>
<td></td>
</tr>
<tr>
<td>LA Zoning:</td>
<td></td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td></td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
</tr>
</tbody>
</table>

### 1. Purpose of Report

For Council to consider modifying Town Planning Fees for Built Strata Subdivision Applications, in accordance with the updated Fee Schedule prescribed by the Western Australian Planning Commission (‘WAPC’).
2. **Background**

In May 2009, the WAPC resolved to delegate to local governments, and the members and officers of those local governments, its functions in respect of the determination of applications for approval to subdivide land subject to a Built Strata Plan submitted under section 25 of the Strata Titles Act 1985.

In October 2009, Council adopted Built Strata Fees as follows:

**Town Planning Fee Schedule - Built Strata Applications**

<table>
<thead>
<tr>
<th>Number of allotments</th>
<th>Base rate</th>
<th>Fee per lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$625</td>
<td>$62.50</td>
</tr>
<tr>
<td>2</td>
<td>$625</td>
<td>$62.50</td>
</tr>
<tr>
<td>3</td>
<td>$625</td>
<td>$62.50</td>
</tr>
<tr>
<td>4</td>
<td>$625</td>
<td>$62.50</td>
</tr>
<tr>
<td>5</td>
<td>$625</td>
<td>$62.50</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of allotments</th>
<th>Base rate</th>
<th>Fee per lot in excess of 5 lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-10</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>11-15</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>16-20</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>21-25</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>26-30</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>31-35</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>36-40</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>41-45</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>46-50</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>51-55</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>56-60</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>61-65</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>66-70</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>71-75</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>76-80</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>81-85</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>86-90</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>91-95</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
<tr>
<td>96-100</td>
<td>$937.50</td>
<td>$41.50</td>
</tr>
</tbody>
</table>

In excess of 100 lots: The application fee is capped at 100 lots. The maximum fee payable is $4,880.

3. **Details**

Revised Built Strata Fees were adopted by the WAPC as of the 1st July 2011, in accordance with Schedule No.1 of the Strata Title General Regulations 1996.

The City’s Town Planning Services Fees are proposed to be increased for Built Strata Applications, to match the WAPC’s updated fees, as follows:

- 1-5 lots: a base rate increase of $31 and increase in the fee per lot of $2.50;
- 6-100 lots: a base rate increase of $43.50 and increase in the fee per lot of $2.00; and
- 100+ lots: an increase in the capped fee of $233.50.
4. Implications to Consider

a. Consultation with the Community
   Not required.

b. Consultation with Government Agencies
   Not required.

c. Strategic
   Community Plan
   This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:

   **Aspiration 15:** Governance systems that ensure decision making and resource criteria is accountable, participative and legally and electronically complaint.

d. Policy
   Nil

e. Financial
   The revised Fee Structure will result in a marginal increase in Town Planning revenue.

f. Legal and Statutory
   In accordance with Section 6.16 of the Local Government Act 1995 a local government may impose a fee for receiving an application for approval.
   In accordance with Section 6.19 of the Local Government Act 1995, if a local government wishes to impose a fee after the annual budget has been adopted it must, before introducing the fee, give local public notice of the date from which the proposed fee will be imposed.

5. Comments

It is recommended that the Council adopt modified Built Strata Fees to ensure consistency with the WAPC’s updated Fee Schedule dated 1st July 2011. Public notice of the new fees is also required to be advertised in a local newspaper, prior to them coming into effect.

6. Voting Requirements

Absolute Majority

7. Officer Recommendation

That Council **ADOPT** the following Scale of Planning Fees and Charges pursuant to Section 6.19 of the Local Government Act 1995:

<table>
<thead>
<tr>
<th>Proposed Town Planning Fee Schedule - Built Strata Applications</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Number of allotments</strong></td>
</tr>
<tr>
<td>1</td>
</tr>
<tr>
<td>2</td>
</tr>
<tr>
<td>3</td>
</tr>
<tr>
<td>4</td>
</tr>
<tr>
<td>5</td>
</tr>
<tr>
<td><strong>Number of allotments</strong></td>
</tr>
<tr>
<td>6-10</td>
</tr>
<tr>
<td>11-15</td>
</tr>
<tr>
<td>Number of allotments</td>
</tr>
<tr>
<td>----------------------</td>
</tr>
<tr>
<td>16-20</td>
</tr>
<tr>
<td>21-25</td>
</tr>
<tr>
<td>26-30</td>
</tr>
<tr>
<td>31-35</td>
</tr>
<tr>
<td>36-40</td>
</tr>
<tr>
<td>41-45</td>
</tr>
<tr>
<td>46-50</td>
</tr>
<tr>
<td>51-55</td>
</tr>
<tr>
<td>56-60</td>
</tr>
<tr>
<td>61-65</td>
</tr>
<tr>
<td>66-70</td>
</tr>
<tr>
<td>71-75</td>
</tr>
<tr>
<td>76-80</td>
</tr>
<tr>
<td>81-85</td>
</tr>
<tr>
<td>86-90</td>
</tr>
<tr>
<td>91-95</td>
</tr>
<tr>
<td>96-100</td>
</tr>
<tr>
<td>In excess of 100 lots</td>
</tr>
</tbody>
</table>

8. Committee Recommendation

That Council **ADOPT** the following Scale of Planning Fees and Charges pursuant to Section 6.19 of the Local Government Act 1995:-

**Proposed Town Planning Fee Schedule - Built Strata Applications**

<table>
<thead>
<tr>
<th>Number of allotments</th>
<th>Base rate</th>
<th>Fee per lot</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$656</td>
<td>$65</td>
</tr>
<tr>
<td>2</td>
<td>$656</td>
<td>$65</td>
</tr>
<tr>
<td>3</td>
<td>$656</td>
<td>$65</td>
</tr>
<tr>
<td>4</td>
<td>$656</td>
<td>$65</td>
</tr>
<tr>
<td>5</td>
<td>$656</td>
<td>$65</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of allotments</th>
<th>Base rate</th>
<th>Fee per lot in excess of 5 lots</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-10</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>11-15</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>16-20</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>21-25</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>26-30</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>31-35</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>36-40</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>41-45</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>46-50</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>51-55</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>56-60</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>61-65</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>66-70</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>71-75</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>76-80</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>81-85</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>86-90</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>Number of allotments</td>
<td>Base rate</td>
<td>Fee per lot in excess of 5 lots</td>
</tr>
<tr>
<td>----------------------</td>
<td>-----------</td>
<td>---------------------------------</td>
</tr>
<tr>
<td>91-95</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>96-100</td>
<td>$981</td>
<td>$43.50</td>
</tr>
<tr>
<td>In excess of 100 lots</td>
<td></td>
<td>The application fee is capped at 100 lots. The maximum fee payable is $5,113.50</td>
</tr>
</tbody>
</table>

Committee Voting - 3/0

9. **The Committee’s Reason for Varying the Officer’s Recommendation**

Not applicable

10. **Implications of the Changes to the Officer’s Recommendation**

Not applicable
1. **Purpose of Report**

To consider granting Final Approval to Scheme Amendment No.111 to delete the Residential Design Code (‘R-Code’) designations from ‘Development Areas’ and rationalise ‘Development Areas’ to ensure they apply to all land zoned ‘Development’.

2. **Background**

In March 2011, Council resolved to initiate Amendment No.111 to Town Planning Scheme No.2.
3. Details

The purpose of this Amendment to TPS2 is to allow for residential density to be applied through adopted Structure Plans, rather than blanket R-Codings shown on the Scheme Maps.

Now that the submission period has closed, the Council must consider whether or not to adopt the Amendment.

4. Implications to Consider

a. Consultation with the Community

The Amendment was advertised for public comment for 42 days, as follows:-

(i) Sixty-seven (67) affected landowners (which consisted of developers/landowners affected by the Amendment), were advertised in writing of the proposal.

(ii) A notice was placed in the *Weekend Courier* on the 19th August 2011.

(iii) Copies of documents explaining the Scheme Amendment were also made available for inspection at the Council Administration Offices and placed on the City's website.

b. Consultation with Government Agencies

The Amendment was referred to the Environmental Protection Authority (EPA) for consideration of the need for assessment under Division 3 of the Environmental Protection Act 1986. The EPA advised that the overall impact of the proposal would not be severe enough to warrant assessment under the Environmental Protection Act.

The following service authorities were notified in writing of the proposal:-

- Water Corporation;
- Department of Environment and Conservation;
- Western Power;
- Telstra;
- Main Roads WA;
- FESA;
- Department of Education and Training;
- Department of Health; and
- Department of Planning.

Six submissions were received from Government Agencies, summarised as follows:-

- Western Power provided no objection to the Amendment, and noted its requirements for future development;
- Main Roads Western Australia provided support for the Amendment;
- The Department of Education and Training raised no objections to the Amendment;
- The Department of Health provided no objection to the Amendment, subject to development complying with the provisions of the *Government Sewerage Policy - Perth Metropolitan Region*;
- The Water Corporation advised that it did not object in principle to the proposed Amendment, however, the proposed changes would impact on service planning and capital investment scheduling which are based on the R-Code designations; and
- Landcorp provided support for the Amendment.

A Schedule of Submissions is included in the Recommendation.
c. **Strategic**

**Community Plan**

This item addresses the Community's Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:-

**Aspiration 11**: Planning for population growth to ensure that future development and land-uses contribute to a sustainable city that provided for a genuinely desirable lifestyle.

d. **Policy**

Nil

e. **Financial**

Nil

f. **Legal and Statutory**

In accordance with the *Town Planning Regulations 1967*, the Council is required to consider all submissions made within 42 days of the publication of the advertisement and submit to the Western Australian Planning Commission, for recommendation to the Minister for Planning, its decision to proceed or not proceed with the Amendment.

5. **Comments**

Development Areas are listed under Schedule 9 of TPS2 and give effect to Structure Plans or CDPs adopted by the Council under Clause 4.2 of TPS2. If a Development Area is not identified, a Structure Plan may not have legal effect under TPS2 and therefore land-use and residential density controls become ineffective. Furthermore, some Structure Plans have already been adopted by Council for land within a Development Zone in absence of a Development Area. These matters were the basis for Council resolving to initiate the Amendment to TPS2.

The proposed Amendment to TPS2 has now been progressed in accordance with the procedural requirements of the Town Planning Regulations 1967.

All submissions received during the advertising period have been considered, and are included in the Schedule of Submissions within the ‘Officer Recommendation’ of this report. The comments made by the EPA and Servicing authorities are addressed, in addition to several other matters identified by the City during advertising, as detailed below:-

**Service Planning for Future Growth**

The density codings that are currently designated for Development Zones on the Scheme Maps do not provide any certainty to indicate what the maximum development potential will be for these areas.

Service planning for new areas should be conducted by the Water Corporation based on the density targets of *Directions 2031 and Beyond* which is considered a more appropriate basis for projecting population growth. For this reason, the Water Corporation's comment is rejected.

**Development Requirements**

The advice provided by Western Power and Department of Health regarding the provision of services and general development provisions for affected land can be addressed through individual Structure Planning and the subdivision processes.

**Deletion of Plan No.1**

Currently TPS2 requires that Development Areas are shown on Plan No.1 of TPS.2. The Scheme Map is considered a more appropriate location to show Development Areas, rather than on Plan No.1, which is located at the back of the Scheme Text. As such, it is recommended that Plan No.1 and all reference to it within the Scheme Text be deleted.
Development Area Boundary Changes

Proposed Development Area No.38 has been modified to exclude an unzoned portion of land. The City cannot apply a Development Area to land which is not zoned Development. Lot 805 can be incorporated into a Development Area when the land is rezoned ‘Development’ under TPS2.

The boundaries of Development Area Nos. 22, 25 and 30 are proposed to be further modified to encompass surrounding land zoned ‘Development’ to create larger, logical extensions to existing Development Areas.

It is recommended that Council adopt the Scheme Amendment for Final Approval, subject to it being modified in accordance with the modifications recommended above.

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council:-

1. **ADOPT** for Final Approval Amendment No.111 to Town Planning Scheme No.2, to delete the Residential Design Code (‘R-Code’) designations from ‘Development Areas’ and rationalise ‘Development Areas’ to ensure they apply to all land zoned ‘Development’, subject to the following modifications (in bold):

   (i) **Delete** all R-Code notations from land zoned ‘Development’ on the Scheme Map;

   (ii) Modify the Scheme Map by creating new Development Areas No. DA30, DA31, DA32, DA33, DA34, DA35, DA36, DA37, DA38 and DA39 as shown on the attached Scheme Amendment Maps;

   (iii) Modify the **Scheme Map by amending the** boundaries of existing Development Area’s DA13, DA22 and DA25 as shown on the attached Scheme Amendment Maps;

   (iv) **Modify** the legend of the Scheme Map by including the label ‘Development Area’ with a symbol with black line border, white interior and designation of ‘DA1’;

   (v) **Modify Schedule No.9 ‘Area’ column of DA25 to refer to ‘The Rivergums’;

   (vi) **Amend** Schedule No.9 to include new Development Areas DA30, DA31, DA32, DA33, DA34, DA35, DA36, DA37, DA38 and DA39 as set out below:

<table>
<thead>
<tr>
<th>Reference No.</th>
<th>Area</th>
<th>Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>DA30</td>
<td>Lifestyle Village</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA31</td>
<td>The Chase</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA32</td>
<td>Evermore Heights</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>Reference No.</td>
<td>Area</td>
<td>Provisions</td>
</tr>
<tr>
<td>--------------</td>
<td>------</td>
<td>------------</td>
</tr>
<tr>
<td>DA33</td>
<td>Lot 22 Smirk Road, Baldivis</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA34</td>
<td>Avalon and The Dales</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA35</td>
<td>Lots 18, 19, 20, 21 Sixty Eight Road and Lots 22, 739 and 740 Baldivis Road</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA36</td>
<td>Lots 877 and 878 Stakehill Road, Karnup</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA37</td>
<td>Lot 300 and 1340 Stakehill Road, Karnup</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA38</td>
<td>Lot 3 and 806 Mandurah Road, Karnup</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA39</td>
<td>Lot 1002 Singleton Beach Road, Singleton</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
</tbody>
</table>

(vii) Modify clause 4.2.2 (a) and (b) to delete reference to ‘Plan No.1’ and replace with ‘the Scheme Map’; and

(viii) Delete Plan No.1.

(ix) Modify the Scheme Map as follows:-
2. **ADOPT** the Recommendations contained within the Schedule of Submissions.

### 8. Committee Recommendation

That Council:

1. **ADOPT** for Final Approval Amendment No.111 to Town Planning Scheme No.2, to delete the Residential Design Code (‘R-Code’) designations from ‘Development Areas’ and rationalise ‘Development Areas’ to ensure they apply to all land zoned ‘Development’, subject to the following modifications (**in bold**):

   (i) **Delete** all R-Code notations from land zoned ‘Development’ on the Scheme Map;

   (ii) Modify the Scheme Map by creating new Development Areas No. DA30, DA31, DA32, DA33, DA34, DA35, DA36, DA37, DA38 and DA39 as shown on the attached Scheme Amendment Maps;

   (iii) Modify the **Scheme Map by amending the** boundaries of existing Development Area’s DA13, DA22 and DA25 **as shown on the attached Scheme Amendment Maps**;

   (iv) **Modify** the legend of the Scheme Map by including the label ‘Development Area’ with a symbol with black line border, white interior and designation of ‘DA1’;

   (v) Modify Schedule No.9 ‘Area’ column of DA25 to refer to ‘The Rivergums’;

   (vi) **Amend** Schedule No.9 to include new Development Areas DA30, DA31, DA32, DA33, DA34, DA35, DA36, DA37, DA38 and DA39 as set out below:

<table>
<thead>
<tr>
<th>Reference No.</th>
<th>Area</th>
<th>Provisions</th>
</tr>
</thead>
<tbody>
<tr>
<td>DA30</td>
<td>Lifestyle Village</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA31</td>
<td>The Chase</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA32</td>
<td>Evermore Heights</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA33</td>
<td>Lot 22 Smirk Road, Baldivis</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA34</td>
<td>Avalon and The Dales</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>Reference No.</td>
<td>Area</td>
<td>Provisions</td>
</tr>
<tr>
<td>--------------</td>
<td>------</td>
<td>------------</td>
</tr>
<tr>
<td>DA35</td>
<td>Lots 18, 19, 20, 21 Sixty Eight Road and Lots 22, 739 and 740 Baldivis Road</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA36</td>
<td>Lots 877 and 878 Stakehill Road, Karnup</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA37</td>
<td>Lot 300 and 1340 Stakehill Road, Karnup</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA38</td>
<td>Lot 3 and 806 Mandurah Road, Karnup</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
<tr>
<td>DA39</td>
<td>Lot 1002 Singleton Beach Road, Singleton</td>
<td>An approved Structure Plan together with all approved amendments and Detailed Area Plans, where applicable, shall apply to the land in order to guide subdivision and development.</td>
</tr>
</tbody>
</table>

(vii) Modify clause 4.2.2 (a) and (b) to delete reference to ‘Plan No.1’ and replace with ‘the Scheme Map’; and

(viii) Delete Plan No.1.

(ix) Modify the Scheme Map as follows:-
2. **ADOPT** the Recommendations contained within the Schedule of Submissions as follows:-

<table>
<thead>
<tr>
<th>SUBMISSION</th>
<th>COMMENTS</th>
<th>RECOMMENDATION</th>
</tr>
</thead>
</table>
| 1 Mr Richard Bloor, Principal Consultant, Strategic Asset Planning - Department of Education - 151 Royal Street, East Perth WA 6004  
Thank you for your letter dated 19 August 2011 regarding Amendment No.111 to Town Planning Scheme No.2.  
The Department of Education has reviewed the document and advises that it has no objection to the proposed Amendment. | The submission is noted. | That the submission be noted. |
| 2 Ms Lynn Walker - Western Power - Locked Bag 2520, Perth WA 6001  
To the best of my knowledge, we have no objections, but Western Power wishes to advise the following, in respect to any future development due to the above-mentioned project.  
**Working in proximity to Western Power Distribution Lines**  
All work must comply with Worksafe Regulation 3.64 - Guidelines for Work in the Vicinity of Overhead Power Lines. If any work is to breach the minimum safe working distances a Request to Work Near Underground and Overhead Power Lines form must be submitted. For more information on this please visit the Western Power Website: [http://www.westernpower.com.au/safety/Electrical_Safety_at_Work.html](http://www.westernpower.com.au/safety/Electrical_Safety_at_Work.html)  
**Working in proximity to Western Power Transmission Lines**  
All work must comply with Worksafe Regulation 3.64 - Guidelines for work in the vicinity of overhead power lines. For more information on this please visit the Western Power Website: [http://www.westernpower.com.au/safety/Safety_Transmission_Lines.html](http://www.westernpower.com.au/safety/Safety_Transmission_Lines.html) | The advice can be addressed through the Structure Planning and subdivision processes and is noted. | That the submission be noted. |
### Submission

<table>
<thead>
<tr>
<th>Please note:</th>
<th>Comments</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>A) Perth One Call Service (Freecall 1100 or visit dialbeforeyoudig.com.au)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>must be contacted and location details (of Western Power underground cabling)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>obtained prior to any excavation commencing.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>B) Work Safe requirements must also be observed when excavation work is</td>
<td></td>
<td></td>
</tr>
<tr>
<td>being undertaken in the vicinity of any Western Power assets.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Western Power is obliged to point out that any change to the existing</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>(power) system, if required, is the responsibility of the individual</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>developer.</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3  Ms Assunta Dinardo - Main Roads Western Australia - PO Box 6202, East Perth WA 6892

Thank you for your letter dated 18 August 2011 requesting Main Roads comments on the above proposal.

Main Roads supports Amendment No.111 to Town Planning Scheme No.2 which links the new Development Areas to the requirement to prepare a structure plan for the subject area.

The submission is noted. That the submission be noted.

4  Mr Frank Kroll, Senior Development Planner, Development Services - Water Corporation - PO Box 100, Leederville WA 6902

Thank you for your letter of 19 August 2011 regarding the proposed modifications to Development Areas.

It is noted that the amendment is for the following purposes:-

Remove the density coding on the Scheme maps for Development zoned land, which currently restricts the density that can be provided for through the Structure Planning Process.

Inhibits the Council's ability to provide for densities greater than those shown on the Scheme Maps.

The density codings that are currently designated for Development Zones on the Scheme Maps neither accurately reflect resultant development nor provide any certainty to indicate what the maximum development potential will be.

It would be more appropriate for Service planning for new areas should be based on the density targets of Directions 2031 and Beyond.

That the submission be rejected.
If a Development Area is not identified under TPS2, a Structure Plan may not have legal effect under TPS2 and therefore land-use and residential density controls become ineffective.

The Corporation does not object in principle to the amendment, but comment is made on the potential impact on service planning and capital investment scheduling.

The Corporation currently has computer planning models that rely on zoning information. This has previously been located in one instrument, the Town Planning Scheme. These models rely on the densities being kept consistent, otherwise planning would need constant review with possible servicing inefficiencies.

Under the revised arrangement, the instruments would be the Town Planning Scheme and Structure Plans or Comprehensive Development Plans. These appear to allow flexibility in gaining higher densities where desired.

If it is unclear what the development density will be at the Town Planning Scheme stage. There is a risk the Water Corporation will be reluctant to plan the provision of infrastructure at this earlier stage, as it will have to estimate, and the revise or replan when further information is available. This may delay identification of infrastructure for inclusion in the Corporation's planning and capital works program, which may in turn constrain development timing.

In summary, the Corporation requires reasonably consistent information to be able to plan and schedule servicing on its capital investment program. The City of Rockingham should take these factors into consideration in administering its land planning instruments.

<table>
<thead>
<tr>
<th>SUBMISSION</th>
<th>COMMENTS</th>
<th>RECOMMENDATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>If a Development Area is not identified under TPS2, a Structure Plan may not have legal effect under TPS2 and therefore land-use and residential density controls become ineffective.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Corporation does not object in principle to the amendment, but comment is made on the potential impact on service planning and capital investment scheduling.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Corporation currently has computer planning models that rely on zoning information. This has previously been located in one instrument, the Town Planning Scheme. These models rely on the densities being kept consistent, otherwise planning would need constant review with possible servicing inefficiencies.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Under the revised arrangement, the instruments would be the Town Planning Scheme and Structure Plans or Comprehensive Development Plans. These appear to allow flexibility in gaining higher densities where desired.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>If it is unclear what the development density will be at the Town Planning Scheme stage. There is a risk the Water Corporation will be reluctant to plan the provision of infrastructure at this earlier stage, as it will have to estimate, and the revise or replan when further information is available. This may delay identification of infrastructure for inclusion in the Corporation's planning and capital works program, which may in turn constrain development timing.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>In summary, the Corporation requires reasonably consistent information to be able to plan and schedule servicing on its capital investment program. The City of Rockingham should take these factors into consideration in administering its land planning instruments.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Submission</td>
<td>Comments</td>
<td>Recommendation</td>
</tr>
<tr>
<td>------------</td>
<td>----------</td>
<td>----------------</td>
</tr>
<tr>
<td>Should you have any further queries please do not hesitate to contact the undersigned.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5 Ms Michelle Vojtisek - Department of Health - PO Box 8172, Perth BC WA 6849 Thank you for your letter of 19 August 2011 seeking the Department of Health's (DoH) comment on the above amendment. The Department of Health has no objection to the proposed amendment subject to development complying with the provisions of the Government Sewerage Policy - Perth Metropolitan Region. The advice can be addressed through the Structure Planning and subdivision processes and is noted.</td>
<td>That the submission be noted.</td>
<td></td>
</tr>
<tr>
<td>6 Mr Mario Claudio – Landcorp – Locked Bag 5, Perth Business Centre, WA 6849 Thank you for your letter dated the 19 August 2011 advising of the above Amendment. As you would be aware, LandCorp is a landowners within the City and is currently involved in a number of major projects including: - Rockingham City Centre Revitalisation - Rockingham Waterfront Village - Stakehill Road, Karnup - Evermore Heights, Baldivis - Mangles Bay Marina, Point Peron - The former Waikiki high School site As the housing market continues to change, it is important that flexibility be maintained within the planning system to quickly respond to market demands as well as overriding planning policies. The submission is noted.</td>
<td>That the submission be noted.</td>
<td></td>
</tr>
</tbody>
</table>
As proposed by Amendment No.111, the ability to modify residential densities within the City’s Development Areas without having to undertake a full Scheme Amendment will save considerable time in the approvals process, and will remove duplication from the process by ensuring that structure plans alone will guide the densities of new development areas.

On this basis, LandCorp fully supports Amendment No.111.

Thank you for the opportunity to provide comment on this proposal.

Committee Voting – 3/0

9. **The Committee’s Reason for Varying the Officer’s Recommendation**

Not applicable

10. **Implications of the Changes to the Officer’s Recommendation**

Not applicable
# Planning Services

## Statutory Planning

<table>
<thead>
<tr>
<th><strong>Reference No &amp; Subject:</strong></th>
<th><strong>SP-054/11 Proposed Road Closure</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>File No:</strong></td>
<td>LUP/411-06</td>
</tr>
<tr>
<td><strong>Proponent/s:</strong></td>
<td>Cedar Woods Pty Ltd</td>
</tr>
<tr>
<td><strong>Author:</strong></td>
<td>Mr John-Paul MacDonagh, Planning Officer</td>
</tr>
</tbody>
</table>
| **Other Contributors:**     | Mr Ross Underwood, A/Co-ordinator, Statutory Planning  
|                             | Mr Dave Waller, A/Manager, Statutory Planning |
| **Date of Committee Meeting:** | 19th October 2011 |
| **Previously before Council:** |                                       |
| **Disclosure of Interest:** |                                       |
| **Nature of Council’s Role in this Matter:** | Executive Function |

**Site:**

- Portion of Unnamed Road Reserve between Safety Bay Road and the Kwinana Freeway, Baldivis

**Lot Area:**

- 3765m²

**LA Zoning:**

**MRS Zoning:**

**Attachments:**

- Figure 1 - Location Plan
- Figure 2 - Rivergums East Structure Plan
1. **Purpose of Report**

To consider an application to close a portion of unnamed road reserve between Safety Bay Road and the Kwinana Freeway, Baldivis.

2. **Background**

Nil

3. **Details**

The proponent seeks Council’s support to close a portion of an unnamed road reserve to facilitate the development of the land in accordance with the approved Structure Plan.

The Western Australian Planning Commission approved the Rivergums East Structure Plan over the land, including the road reserve on the 25th October 2010.

The location of the road reserve within the Structure Plan is depicted below:
4. Implications to Consider

a. Consultation with the Community
   If road closure proceedings are initiated, the City will advertise the proposal in a local newspaper for a period of 35 days.

b. Consultation with Government agencies
   The following authorities will be consulted during the advertising period:
   (i) Department of Planning;
   (ii) Main Roads WA;
   (iii) Western Power;
   (iv) Water Corporation, and
   (v) Telstra.

c. Strategic
   Community Plan
   This item addresses the Community's Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:
   
   Aspiration 11: Planning for population growth to ensure that future development and land-uses contribute to a sustainable city that provides for a genuinely desirable lifestyle.

d. Policy
   Nil

e. Financial
   Nil

f. Legal and Statutory
   Under the Land Administration Act 1997 ('Act'), the Council is required to advertise a proposed road closure by way of a publication in a local newspaper for a period of 35 days and seek comment from servicing authorities.
   In order to comply with Section 58 of the Act, a resolution of the Council is also required, following advertising, to progress the closure of the road reserve.

5. Comments

The proposed road closure will facilitate urban development, in accordance with the approved Structure Plan.

It is recommended that the City initiate road closure proceedings by advertising the proposal.

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council DIRECT the Chief Executive Officer to advertise the proposed closure of a portion of an unnamed road reserve between Safety Bay Road and the Kwinana Freeway, Baldivis pursuant to Section 58 of the Land Administration Act 1997.
8. Committee Recommendation

That Council DIRECT the Chief Executive Officer to advertise the proposed closure of a portion of an unnamed road reserve between Safety Bay Road and the Kwinana Freeway, Baldivis pursuant to Section 58 of the Land Administration Act 1997.

Committee Voting – 3/0

9. The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable

10. Implications of the Changes to the Officer’s Recommendation

Not applicable
**Reference No & Subject:** DPD-006/11  
Proposed Scheme Amendment No.113 to Town Planning Scheme No.2

**File No:** LUP/1538

**Author:** Ms Tamara Vreeken, Special Projects Officer

**Other Contributors:** Mr Bob Jeans, Director, Planning & Development Services

**Date of Committee Meeting:** 19th October 2011

**Previously before Council:** September 2009 (PD110/9/09)

**Disclosure of Interest:** Legislative

**Site:**

**Lot Area:**

**LA Zoning:** Waterfront Village, Residential R20, Residential R30, Residential R40, Community Purposes, Special Commercial and Service Commercial

**MRS Zoning:** Urban, Central City Area

**Attachments:**

**Maps/Diagrams:**
- Figure 1 – Extract of Plan No.8 – Car Parking Areas
- Figure 2 – Current Zoning
- Figure 3 – Proposed Zoning
1. **Purpose of Report**

To consider initiating Amendment No.113 to Town Planning Scheme No.2 to introduce the new planning framework for the Waterfront Village and Smart Village Sectors of the Centre Plan for the Rockingham Strategic Metropolitan Centre, as adopted by the Council in September 2009.

2. **Background**

In September 2009 Council endorsed the Final Strategic Planning Reports (Volumes 1 & 2) as the Centre Plan for the Rockingham Strategic Regional Centre Plan. The WAPC endorsed the Final Reports in November 2009.

Council directed that City Officers prepare any necessary changes to the existing Policy framework, Town Planning Scheme and Metropolitan Region Scheme.

3. **Details**

Amendment No.113 has been prepared to introduce the new planning framework for the Waterfront Village and Smart Village Sectors of the Centre Plan, as follows:-

**Clause 3.1.1**

Is amended by deleting reference to Waterfront Village and including reference to 'Primary Centre Waterfront Village' and 'Primary Centre Urban Village'.

**Table No.1**

The above Table will be amended to change the Zone 'Waterfront Village' to 'Primary Centre Waterfront Village'. Within the Zone, the Use Class 'Nursing Home' will be changed from being an 'X' use to be a 'D' use.

In addition, a new column will be added for the 'Primary Centre Urban Village' Zone. The Use Class classifications are proposed to be the same as the 'Primary Centre Waterfront Village' Zone, with the exception of a 'Nursing Home' which is proposed to be an 'X' use.

**Clause 4.1.3**

The clause is proposed to be modified to remove all reference to the 'Waterfront Village' Zone and the requirements will be included within a new clause 4.3 and its sub clauses.

**Clause 4.3**

The above clause sets out the provisions for the 'Primary Centre' area. It will be amended to include reference to the 'Primary Centre Waterfront Village' and 'Primary Centre Urban Village' Zones. New clauses 4.3B and 4.3C have been incorporated and will deal with the 'Primary Centre Waterfront Village' and 'Primary Centre Urban Village' Zones.

**Clause 4.4**

Is deleted in its entirety, as the 'Waterfront Village' Zone provisions will be incorporated within clause 4.3B.

**Table No.3, Clauses 4.15.1.1, 4.15.1.3, 4.15.1.4(a), 4.15.1.4(b), Schedule No.6**

The above clauses, Table No.3 and Schedule are proposed to be amended to include reference to the new 'Primary Centre Urban Village' Zone.

**Table No.4, Clauses 4.15.1.2, 4.15.1.3, 4.15.1.4(a), 4.15.1.49c), 4.15.6.1(1) and Schedule 6**

The above clauses, Table 4 and Schedule currently all refer to the 'Waterfront Village' Zone. It is proposed that reference be modified to 'Primary Centre Waterfront Village' Zone.

**Clause 4.15.2.1**

The current provision refers to the Residential use cash-in-lieu requirement as being 10%, which was the former Residential Design Codes requirement for visitor parking.
As the Residential Design Codes requirement for visitor parking has been amended, the clause has been amended to reflect this.

Clause 4.16.6.2

The above clause sets out the amount payable and the method involved in paying cash-in-lieu within the ‘Waterfront Village’ Zone. It is proposed to increase the area of the ‘Waterfront Village’ Zone (now the ‘Primary Centre Waterfront Village’ Zone); the additional areas will need to be incorporated into the cash-in-lieu provisions.

A new Plan No.8 (see Figure 1) will be introduced into the Scheme to define Areas A and B, to delineate two different rates of cash-in-lieu for parking.

![Figure 1 - Extract of Proposed Plan No.8 - Car Parking Areas](image)

Schedule No.1

The proposed Scheme Amendment introduces and/or replaces a number of terms contained within the Schedule of Interpretations.

Schedule No.2

This is the Additional Use Schedule of the Scheme. Currently Additional Use No.7 is for a commercial use in the ‘Residential’ Zone on Lot 959 Ray Street, Rockingham. The zoning of this lot is proposed to be amended to ‘Primary Centre Waterfront Village’ Zone and the Additional Use is no longer required.

Scheme Map

The Scheme Map will be updated to show the ‘Primary Centre Waterfront Village’ and the ‘Primary Centre Urban Village’ Zones. It will also redefine the area of the ‘Primary Centre’. Additional Use No.7 will be removed from the Maps. Figures 2 and 3 display the Existing and Proposed Zonings:-.
Figure 2 – Current Zoning

Figure 3 – Proposed Zoning

Primary Centre Waterfront Village

Primary Centre Urban Village
4. Implications to Consider

a. Consultation with the Community

Scheme Amendments are required to be dealt with in accordance with the Town Planning Regulations 1967 (as amended), which includes a requirement to advertise proposals for public comment over a period of 42 days, prior to Council considering Final Adoption.

b. Consultation with Government Agencies

Scheme Amendments are required to be referred to the EPA to determine if an environmental assessment is required, prior to advertising.

c. Strategic Community Plan

This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:

Aspiration 6: Civic buildings, public places and transport infrastructure of contemporary design, constructed and maintained using best practice principles.

d. Policy

Draft Development Policy Plans for the Waterfront Village and Smart Village Sectors have been prepared to detail the planning objectives and requirements for development in these areas. Refer to Reports DPD-007-11 and DPD-008-11.

e. Financial

Nil

f. Legal and Statutory

The procedures for dealing with proposals to amend a local planning scheme, as per the Planning and Development Act 2005, are set out in the Town Planning Regulations 1967. Regulation 13(1) provides that the City shall:

(a) if it resolves to proceed with Scheme Amendment, adopt the proposed amendment in accordance with the Act; or

(b) if it resolves not to proceed with the Scheme Amendment, notify the Commission in writing of that resolution.

5. Comments

The proposed changes to the Scheme seek to update the standards for development within the Waterfront Village Sector and introduce new provisions for the Smart Village Sector, as contained in the endorsed Centre Plan for the Rockingham Strategic Metropolitan Centre.

It is recommended that the Council initiate Amendment No.113.

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council ADOPT (initiate) Amendment No.113 to Town Planning Scheme No.2, in pursuance of Section 75 of the Planning and Development Act 2005, as follows:-
PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME
CITY OF ROCKINGHAM TOWN PLANNING SCHEME NO.2
AMENDMENT NO.113

RESOLVED that the Council, in pursuance of section 75 of the Planning and Development Act 2005, initiate an amendment to the City of Rockingham Town Planning Scheme No.2 as follows:-

1. Clause 3.1.1 is amended by deleting:-
   “• Waterfront Village”,
   and substituting instead:-
   “• Primary Centre Waterfront Village
   • Primary Centre Urban Village”

2. Table No. 1 - Zoning Table is amended by:-
   (a) deleting the column for “Waterfront Village”;
   (b) inserting the following two columns being “Primary Centre Waterfront Village” and “Primary Centre Urban Village” and inserting the following use class classifications for each of those zones.

<table>
<thead>
<tr>
<th>USE CLASS</th>
<th>ZONING</th>
<th>Primary Centre Waterfront Village</th>
<th>Primary Centre Urban Village</th>
</tr>
</thead>
<tbody>
<tr>
<td>RESIDENTIAL USES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ancillary Accommodation</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Camping Area</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Caravan Park</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s Dwelling</td>
<td>IP</td>
<td>IP</td>
<td></td>
</tr>
<tr>
<td>Display Home Centre</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Lodging House</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Motel</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Nursing Home</td>
<td>D</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Residential:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Single House</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>(b) Grouped Dwelling</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>(c) Multiple Dwelling</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Residential Building</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Short Stay Accommodation</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>COMMERCIAL USES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amusement Parlour</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Business Type</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>---</td>
<td>---</td>
<td></td>
</tr>
<tr>
<td>Betting Agency</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Car Wash</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Child Care Premises</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Cinema/Theatre</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Club Premises</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Convenience Store</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Consulting Rooms</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Dry Cleaning Premises</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Fast Food Outlet</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Funeral Parlour</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Health Studio</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Home Business</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Home Occupation</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Homestore</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Industry : Cottage</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Laundromat</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Lunch Bar</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Medical Centre</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Night Club</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Plant Nursery</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Private Recreation</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Public Amusement</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Reception Centre</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Restricted Premises</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Service Station</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Shop</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Showroom</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Small Bar</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Tavern</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Veterinary Clinic</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
</tbody>
</table>

**INDUSTRIAL USES**

<table>
<thead>
<tr>
<th>Industrial Use</th>
<th>X</th>
<th>X</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractor's Yard</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Fuel Depot</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Industry : General</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Industry : General (Licensed)</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Hazardous</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Light</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Noxious</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Industry : Service</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Motor Vehicle and Marine Sales Premises</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Motor Vehicle Repair Station</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Motor Vehicle Wrecking Premises</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Open Air Display</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Salvage Yard</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Sawmill</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Trade Display</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Transport Depot</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Veterinary Hospital</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

**RURAL USES**

| Abattoir | X | X |
| Agriculture - Extensive | X | X |
| Agriculture - Intensive | X | X |
| Cattery | X | X |
| Dog Kennels | X | X |
| Industry : Extractive | X | X |
| Industry : Rural | X | X |
| Livestock Holding Facility | X | X |
| Piggery | X | X |
| Poultry Farm | X | X |
| Produce Store | X | X |
| Rural Pursuit | X | X |
| Stockyards | X | X |
| Wildlife Park | X | X |

**UTILITIES/COMMUNITY**

| Carpark | D | D |
| Communications Antennae - Commercial | D | D |
| Communications Antennae - Domestic | P | P |
| Community Use | D | D |
| Corrective Institution | X | X |
| Educational Establishment | D | D |
| Exhibition Centre | D | D |
| Hospital | X | X |
| Hospital : Special Purposes | X | X |
| Public Utility | D | D |
| Public Worship : Place of | D | D |
| Telecommunications Infrastructure | D | D |
3. Clause 4.1.3 is amended:-
   (a) in paragraph (a) by deleting “the Waterfront Village Zone and”; 
   (b) in paragraph (b):-
      (i) by deleting “the Waterfront Village Zone and”; and 
      (ii) by deleting “clauses 4.3.8, 4.4.8 and 4.5.5 respectively” and inserting instead 
           “clause 4.5.5”; and 
   (c) in paragraph (c) by deleting “Waterfront Village and”. 
4. Clause 4.3.1 is amended by deleting paragraph (a) and inserting instead:-
   “(a) The Primary Centre comprises:-
      (i) the Primary Centre City Centre Zone; 
      (ii) the Primary Centre Waterfront Village Zone; and 
      (iii) the Primary Centre Urban Village Zone.” 
5. Clause 4.3.3 is amended:-
   (a) renumbering paragraph (e) to (g) and deleting “; and” and substituting a full stop; 
   (b) by inserting new paragraphs (e) and (f) as follows:-
      “(e) in the case of the Primary Centre Waterfront Village Zone - the provisions of the 
          Development Policy Plan (Waterfront Village Sector) and any other Policy adopted 
          under clause 8.9 which applies to the Primary Centre Waterfront Village Zone; 
      (f) in the case of the Primary Centre Urban Village Zone - the provisions of the 
          Development Policy Plan (Waterfront Village Sector) and any other Policy adopted 
          under clause 8.9 which applies to the Primary Centre Urban Village Zone; and”. 
6. Clause 4.3.4 is amended:-
   (a) by renumbering paragraphs (f), (g), (h) and (i) to (a), (b), (c) and (d) respectively; 
   (b) by inserting new paragraphs (e) and (f) as follows:-
      “(e) in the case of the Primary Centre Waterfront Village Zone - the provisions of the 
          Development Policy Plan (Waterfront Village Sector) and any other Policy adopted 
          under clause 8.9 which applies to the Primary Centre Waterfront Village Zone; “; 
      (f) in the case of the Primary Centre Urban Village Zone - the provisions of the 
          Development Policy Plan (Smart Village Sector) and any other Policy adopted 
          under clause 8.9 which applies to the Primary Centre Urban Village Zone; and”; 
    (c) renumbering paragraph (j) to (g). 
7. Clause 4.3.5 is amended:-
   (a) in paragraph (a) of subclause (5) by deleting “subclause (5)(a) or subclause (7)” and 
       inserting instead “subclause (4)(a) or subclause (6)”;
   (b) in paragraph (b) of subclause (5) by deleting “subclause (5)(b) or subclause (7)” and 
       inserting instead “subclause (4)(b) or subclause (6)”;
   (c) in subclause (6) by deleting “subclause (5)” and inserting instead “subclause (5). 
8. New clauses 4.3B and 4.3C are inserted immediately after clause 4.3A as follows:-
   "4.3B Primary Centre Waterfront Village Zone

   4.3B.1 Objectives of the Zone

   The objectives of the Primary Centre Waterfront Village Zone are:-
(a) to promote contemporary waterfront residential and accommodation, commercial, tourism and recreational activities, which serves local residents and visitors alike, in accordance the Development Policy Plan for the Waterfront Village Sector;

(b) to maximise the potential of the northerly coastal aspect, sheltered beach and shady parkland of the Waterfront through appropriate quality built form and site responsive architecture;

(c) to achieve appropriate land use and built form outcomes, including a range of medium to high density housing, within a walkable catchment of the central public transit system;

(d) to create a permeable, well connected network of public streets and spaces that provides legible and high amenity linkages, particularly for pedestrians;

(e) to provide contiguous, activated street front development;

(f) to promote active day and night time retail and social environments;

(g) to encourage vibrant and diverse uses which promote the Waterfront as a destination;

(h) to provide a high amenity, street based transit route that will provide a high calibre model of sustainable, transit oriented development; and

(i) to provide high quality public spaces that permits a range of recreation and social activities and foster high quality development along their margins.

4.3B.2 Residential Design Codes

(a) Where residential development is proposed the R-AC0 density code of Residential Design Codes is to apply.

(b) In order to encourage residential development within the Waterfront Village Zone, consistent with the urban design objectives for individual Precincts set out in the Policy or other adopted Policies, the Council may exercise its discretion in respect of the Residential Design Codes provisions.

4.3B.3 Minimum Residential Density

In the Primary Centre Waterfront Village Zone, all development for the purpose of grouped or multiple dwellings must have a minimum of one dwelling per 180m² of land area.

4.3C Primary Centre Urban Village Zone

4.3C.1 Objectives of the Zone

The objectives of the Primary Centre Urban Village Zone are:-

(a) to contribute to the development of integrated retail, office, commercial, residential, civic and community facilities generally in accordance with the requirements of the Development Policy Plan for the Smart Village Sector;

(b) to achieve high intensity land use and built form outcomes, including a range of medium to high density housing, within a walkable catchment of the central public transit system;

(b) to create a permeable, well connected network of public streets and spaces that provides legible and high amenity linkages, particularly for pedestrians;

(d) to locate car parking areas behind street front buildings;

(e) to provide contiguous, activated street front development;

(f) to promote active day and night time retail and social environments;
(g) to encourage vibrant and diverse uses which promote the Primary Centre Urban Village Zone as a destination;
(h) to provide a high amenity, street based transit route through the core of the Primary Centre Urban Village Zone;
(i) to encourage development that will provide a high calibre model of sustainable, transit oriented development; and
(j) to provide high quality public spaces that permits a range of recreation and social activities and foster high quality development along their margins.

4.3C.2 Residential Design Codes
(a) Where residential development is proposed the R-AC0 density code of Residential Design Codes is to apply.
(b) In order to encourage residential development within the Urban Village Zone, consistent with the urban design objectives for individual Precincts set out in the Policy or other adopted Policies, the Council may exercise its discretion in respect of the Residential Design Codes provisions.

4.3C.3 Minimum Residential Density
In the Primary Centre Waterfront Village Zone, all development for the purpose of grouped or multiple dwellings must have a minimum of one dwelling per 180m² of land area.”

9. Clause 4.4 is deleted.
10. Clause 4.15.1 is amended:-
(a) in clause 4.15.1.1 by inserting “Primary Centre Urban Village” immediately before “or the Baldivis”;
(b) in clause 4.15.1.2 by inserting “Primary Centre” immediately before “Waterfront Village”;
(c) in clause 4.15.1.3 by inserting “Primary Centre Urban Village or Primary Centre” immediately before “Waterfront Village Zone”;
(d) in clause 4.15.1.4(a) by inserting “Primary Centre Urban Village or Primary Centre” immediately before “Waterfront Village Zone”;
(e) in clause 4.15.1.4(b) by inserting “Primary Centre Urban Village” immediately before “or the Baldivis”; and
(f) in clause 4.15.1.4(c) by inserting “Primary Centre” immediately before “Waterfront Village Zone”.

11. Clause 4.15.2.1 is amended by deleting “10% of the minimum number must be provided in the form of cash-in-lieu payment to the Council” and inserting instead “the visitor allocation as per the Residential Design Codes must be provided in the form of cash-in-lieu payment to the Council”.

12. Clause 4.15.6.1(1) is amended by inserting “Primary Centre” immediately before “Waterfront Village Zone”.

13. Clause 4.15.6.2 is deleted and the following new clause is inserted instead:-

“4.15.6.2 (1) This clause applies to development in the Primary Centre Waterfront Village Zone.
(2) In this clause:-
(a) “Area A” means the land shown as “Area A” on Plan No.8; and
(b) “Area B” means the land shown as “Area B” on Plan No.8.
(3) In the case of development on land within Area A - the cash-in-lieu payment shall not be less than the estimated cost to the owner or developer of providing and constructing the parking bays in the form of a decked structure (including full civil works, lighting, signage, line marking and landscaping), for that area of land which would have been occupied by the parking spaces and manoeuvring area as estimated by a qualified civil engineer approved by the Council.

(4) In the case of development on land within Area B - the cash-in-lieu payment shall not be less than the estimated cost of the owner or developer of providing and constructing the parking bays in the form of on-street parking bays (including full civil works, lighting, signage, line marking and landscaping), for that area of land which would have been occupied by the parking spaces and manoeuvring area as estimated by a qualified civil engineer approved by the Council.

(5) Payments made under subclause (3) shall be paid into a parking fund to be used for the provision of public car parking facilities within Area A of the Primary Centre Waterfront Village Zone.

(6) Payments made under subclause (4) shall be paid into a parking fund to be used for the provision of public car parking facilities within Area B of the Primary Centre Waterfront Village Zone;

(7) All costs incurred in obtaining the estimate shall be borne by the developer proposing the development.”

14. Table No. 3 is amended by inserting “, Primary Centre Urban Village” immediately before “& Baldvis”.

15. Table No. 4 is amended by inserting “Primary Centre” immediately before “Waterfront Village Zone”.

16. Schedule No. 1 is amended by:-
   (a) deleting the definition “Waterfront Village Policy” and inserting instead:-
      “Development Policy Plan (Waterfront Village Sector): means the Policy entitled “Development Policy Plan (Waterfront Village Sector)” as amended from time to time”.
   (b) inserting:-
      “Development Policy Plan (Smart Village Sector): means the Policy entitled “Development Policy Plan (Smart Village Sector)” as amended from time to time”.

17. Schedule No. 2 is amended by deleting Additional Use No. 7 in relation to Lot 959 Ray Street, Rockingham.

18. Schedule No. 6 is amended by inserting “Primary Centre Urban Village, Primary Centre” immediately before “Waterfront Village” where those words appear in the second column.

19. A new plan which is attached and entitled “Plan No. 8 Car Parking Areas for Primary Centre Waterfront Village Zone (Under Clause 4.15.6.2)” is inserted immediately after Plan No. 7.

20. The Scheme Map is amended:-
   (a) by rezoning certain land within the Waterfront Village Zone, the Residential R20 Zone, the Residential R30 Zone, the Residential R40 Zone, the Community Purpose Zone, the Special Commercial Zone and the Service Commercial Zone to the Primary Centre Waterfront Village Zone as shown on the amended Scheme Maps;
   (b) by rezoning certain land within the Community Purposes Zone to Primary Centre Urban Village Zone as shown on the Amended Scheme Maps;
   (c) by amending the broken black line around the “Primary Centre” in accordance with the amended Scheme Maps;
CONFIRMED AT A PLANNING SERVICES MEETING
HELD ON MONDAY, 14 NOVEMBER 2011

8. Committee Recommendation

That Council **ADOPT** (initiate) Amendment No.113 to Town Planning Scheme No.2, in pursuance of Section 75 of the *Planning and Development Act 2005*, as follows:-

**PLANNING AND DEVELOPMENT ACT 2005**

**RESOLUTION DECIDING TO AMEND A TOWN PLANNING SCHEME**

**CITY OF ROCKINGHAM TOWN PLANNING SCHEME NO.2**

**AMENDMENT NO.113**

RESOLVED that the Council, in pursuance of section 75 of the Planning and Development Act 2005, initiate an amendment to the City of Rockingham Town Planning Scheme No.2 as follows:-

1. Clause 3.1.1 is amended by deleting:-
   
   “• Waterfront Village”,
   and substituting instead:-
   “• Primary Centre Waterfront Village
   • Primary Centre Urban Village”

2. Table No. 1 – Zoning Table is amended by:-
   (a) deleting the column for “Waterfront Village”;
   (b) inserting the following two columns being “Primary Centre Waterfront Village” and “Primary Centre Urban Village” and inserting the following use class classifications for each of those zones.

<table>
<thead>
<tr>
<th>USE CLASS</th>
<th>ZONING</th>
<th>Primary Centre Waterfront Village</th>
<th>Primary Centre Urban Village</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Uses</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ancillary Accommodation</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Bed and Breakfast</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Camping Area</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Caravan Park</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Caretaker’s Dwelling</td>
<td>IP</td>
<td>IP</td>
<td></td>
</tr>
<tr>
<td>Display Home Centre</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Hotel</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Lodging House</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Motel</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Nursing Home</td>
<td>D</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Residential:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Single House</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>Purpose</td>
<td>D</td>
<td>D</td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>----</td>
<td>----</td>
<td></td>
</tr>
<tr>
<td>(b) Grouped Dwelling</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c) Multiple Dwelling</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential Building</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Short Stay Accommodation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>COMMERCIAL USES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Amusement Parlour</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Betting Agency</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Car Wash</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Child Care Premises</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cinema/Theatre</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Club Premises</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convenience Store</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consulting Rooms</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dry Cleaning Premises</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fast Food Outlet</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Funeral Parlour</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Health Studio</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home Business</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Home Occupation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Homestore</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Industry : Cottage</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Laundromat</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Lunch Bar</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Market</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Medical Centre</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Night Club</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Plant Nursery</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Private Recreation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Public Amusement</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reception Centre</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restaurant</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restricted Premises</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Service Station</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Shop</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Showroom</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Small Bar</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tavern</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Veterinary Clinic</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Warehouse</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>INDUSTRIAL USES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contractor's Yard</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Activity</td>
<td>Code</td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fuel Depot (Industry: General)</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industry: General</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industry: General (Licensed)</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industry: Hazardous</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industry: Light</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industry: Noxious</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industry: Service</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Landscape Supply Yard</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motor Vehicle and Marine Sales Premises</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motor Vehicle Repair Station</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Motor Vehicle Wrecking Premises</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open Air Display</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salvage Yard</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sawmill</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Trade Display</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transport Depot</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Veterinary Hospital</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>RURAL USES</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Abattoir</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture - Extensive</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agriculture - Intensive</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cattery</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dog Kennels</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industry: Extractive</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Industry: Rural</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Livestock Holding Facility</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Piggery</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Poultry Farm</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Produce Store</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rural Pursuit</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Stockyards</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wildlife Park</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>UTILITIES/COMMUNITY</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carpark</td>
<td>D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communications Antennae - Commercial</td>
<td>D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Communications Antennae - Domestic</td>
<td>D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Use</td>
<td>D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corrective Institution</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Educational Establishment</td>
<td>D</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exhibition Centre</td>
<td>D</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
3. Clause 4.1.3 is amended:-
   (a) in paragraph (a) by deleting “the Waterfront Village Zone and”;
   (b) in paragraph (b):-
      (i) by deleting “the Waterfront Village Zone and”; and
      (ii) by deleting “clauses 4.3.8, 4.4.8 and 4.5.5 respectively” and inserting instead “clause 4.5.5”; and
   (c) in paragraph (c) by deleting “Waterfront Village and”.

4. Clause 4.3.1 is amended by deleting paragraph (a) and inserting instead:-
   “(a) The Primary Centre comprises:-
      (i) the Primary Centre City Centre Zone;
      (ii) the Primary Centre Waterfront Village Zone; and
      (iii) the Primary Centre Urban Village Zone.”

5. Clause 4.3.3 is amended:-
   (a) renumbering paragraph (e) to (g) and deleting “; and” and substituting a full stop;
   (b) by inserting new paragraphs (e) and (f) as follows:-
      “(e) in the case of the Primary Centre Waterfront Village Zone – the provisions of the Development Policy Plan (Waterfront Village Sector) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Waterfront Village Zone;
      (f) in the case of the Primary Centre Urban Village Zone – the provisions of the Development Policy Plan (Waterfront Village Sector) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Urban Village Zone; and”.

6. Clause 4.3.4 is amended:-
   (a) by renumbering paragraphs (f), (g), (h) and (i) to (a), (b), (c) and (d) respectively;
   (b) by inserting new paragraphs (e) and (f) as follows:-
      “(e) in the case of the Primary Centre Waterfront Village Zone – the provisions of the Development Policy Plan (Waterfront Village Sector) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Waterfront Village Zone;”;
      (f) in the case of the Primary Centre Urban Village Zone – the provisions of the Development Policy Plan (Smart Village Sector) and any other Policy adopted under clause 8.9 which applies to the Primary Centre Urban Village Zone; and”;
   (c) renumbering paragraph (j) to (g).

7. Clause 4.3.5 is amended:-
   (a) in paragraph (a) of subclause (5) by deleting “subclause (5)(a) or subclause (7)” and inserting instead “subclause (4)(a) or subclause (6)”;
   (b) in paragraph (b) of subclause (5) by deleting “subclause (5)(b) or subclause (7)” and inserting instead “subclause (4)(b) or subclause (6)”;
   (c) in subclause (6) by deleting “subclause (5)” and inserting instead “subclause (5).
8. New clauses 4.3B and 4.3C are inserted immediately after clause 4.3A as follows:-

**4.3B Primary Centre Waterfront Village Zone**

4.3B.1 Objectives of the Zone

The objectives of the Primary Centre Waterfront Village Zone are:-

(a) to promote contemporary waterfront residential and accommodation, commercial, tourism and recreational activities, which serves local residents and visitors alike, in accordance the Development Policy Plan for the Waterfront Village Sector;

(b) to maximise the potential of the northerly coastal aspect, sheltered beach and shady parkland of the Waterfront through appropriate quality built form and site responsive architecture;

(c) to achieve appropriate land use and built form outcomes, including a range of medium to high density housing, within a walkable catchment of the central public transit system;

(d) to create a permeable, well connected network of public streets and spaces that provides legible and high amenity linkages, particularly for pedestrians;

(e) to provide contiguous, activated street front development;

(f) to promote active day and night time retail and social environments;

(g) to encourage vibrant and diverse uses which promote the Waterfront as a destination;

(h) to provide a high amenity, street based transit route that will provide a high calibre model of sustainable, transit oriented development; and

(i) to provide high quality public spaces that permits a range of recreation and social activities and foster high quality development along their margins.

4.3B.2 Residential Design Codes

(a) Where residential development is proposed the R-AC0 density code of Residential Design Codes is to apply.

(b) In order to encourage residential development within the Waterfront Village Zone, consistent with the urban design objectives for individual Precincts set out in the Policy or other adopted Policies, the Council may exercise its discretion in respect of the Residential Design Codes provisions.

4.3B.3 Minimum Residential Density

In the Primary Centre Waterfront Village Zone, all development for the purpose of grouped or multiple dwellings must have a minimum of one dwelling per 180m² of land area.

**4.3C Primary Centre Urban Village Zone**

4.3C.1 Objectives of the Zone

The objectives of the Primary Centre Urban Village Zone are:-

(a) to contribute to the development of integrated retail, office, commercial, residential, civic and community facilities generally in accordance with the requirements of the Development Policy Plan for the Smart Village Sector;

(b) to achieve high intensity land use and built form outcomes, including a range of medium to high density housing, within a walkable catchment of the central public transit system;

(b) to create a permeable, well connected network of public streets and spaces that provides legible and high amenity linkages, particularly for pedestrians;
CONFIRMED AT A PLANNING SERVICES MEETING
HELD ON MONDAY, 14 NOVEMBER 2011

(d) to locate car parking areas behind street front buildings;
(e) to provide contiguous, activated street front development;
(f) to promote active day and night time retail and social environments;
(g) to encourage vibrant and diverse uses which promote the Primary Centre Urban Village Zone as a destination;
(h) to provide a high amenity, street based transit route through the core of the Primary Centre Urban Village Zone;
(i) to encourage development that will provide a high calibre model of sustainable, transit oriented development; and
(j) to provide high quality public spaces that permits a range of recreation and social activities and foster high quality development along their margins.

4.3C.2 Residential Design Codes

(a) Where residential development is proposed the R-AC0 density code of Residential Design Codes is to apply.

(b) In order to encourage residential development within the Urban Village Zone, consistent with the urban design objectives for individual Precincts set out in the Policy or other adopted Policies, the Council may exercise its discretion in respect of the Residential Design Codes provisions.

4.3C.3 Minimum Residential Density

In the Primary Centre Waterfront Village Zone, all development for the purpose of grouped or multiple dwellings must have a minimum of one dwelling per 180m² of land area.”

9. Clause 4.4 is deleted.

10. Clause 4.15.1 is amended:-

(a) in clause 4.15.1.1 by inserting “Primary Centre Urban Village” immediately before “or the Baldivis”;

(b) in clause 4.15.1.2 by inserting “Primary Centre” immediately before “Waterfront Village”;

(c) in clause 4.15.1.3 by inserting “Primary Centre Urban Village or Primary Centre” immediately before “Waterfront Village Zone”;

(d) in clause 4.15.1.4(a) by inserting “Primary Centre Urban Village or Primary Centre” immediately before “Waterfront Village Zone”;

(e) in clause 4.15.1.4(b) by inserting “Primary Centre Urban Village” immediately before “or the Baldivis”; and

(f) in clause 4.15.1.4(c) by inserting “Primary Centre” immediately before “Waterfront Village Zone”.

11. Clause 4.15.2.1 is amended by deleting “10% of the minimum number must be provided in the form of cash-in-lieu payment to the Council” and inserting instead “the visitor allocation as per the Residential Design Codes must be provided in the form of cash-in-lieu payment to the Council”.

12. Clause 4.15.6.1(1) is amended by inserting “Primary Centre” immediately before “Waterfront Village Zone”.

13. Clause 4.15.6.2 is deleted and the following new clause is inserted instead:-

“4.15.6.2 (1) This clause applies to development in the Primary Centre Waterfront Village Zone.

(2) In this clause:-
(a) “Area A” means the land shown as “Area A” on Plan No.8; and
(b) “Area B” means the land shown as “Area B” on Plan No.8.

(3) In the case of development on land within Area A – the cash-in-lieu payment shall not be less than the estimated cost to the owner or developer of providing and constructing the parking bays in the form of a decked structure (including full civil works, lighting, signage, line marking and landscaping), for that area of land which would have been occupied by the parking spaces and manoeuvring area as estimated by a qualified civil engineer approved by the Council.

(4) In the case of development on land within Area B – the cash-in-lieu payment shall not be less than the estimated cost of the owner or developer of providing and constructing the parking bays in the form of on-street parking bays (including full civil works, lighting, signage, line marking and landscaping), for that area of land which would have been occupied by the parking spaces and manoeuvring area as estimated by a qualified civil engineer approved by the Council.

(5) Payments made under subclause (3) shall be paid into a parking fund to be used for the provision of public car parking facilities within Area A of the Primary Centre Waterfront Village Zone.

(6) Payments made under subclause (4) shall be paid into a parking fund to be used for the provision of public car parking facilities within Area B of the Primary Centre Waterfront Village Zone;

(7) All costs incurred in obtaining the estimate shall be borne by the developer proposing the development.”

14. Table No. 3 is amended by inserting “Primary Centre Urban Village” immediately before “& Baldivis”.

15. Table No. 4 is amended by inserting “Primary Centre” immediately before “Waterfront Village Zone”.

16. Schedule No. 1 is amended by:-
   (a) deleting the definition “Waterfront Village Policy” and inserting instead:
       “Development Policy Plan (Waterfront Village Sector): means the Policy entitled “Development Policy Plan (Waterfront Village Sector)” as amended from time to time”.
   (b) inserting:
       “Development Policy Plan (Smart Village Sector): means the Policy entitled “Development Policy Plan (Smart Village Sector)” as amended from time to time”.

17. Schedule No. 2 is amended by deleting Additional Use No. 7 in relation to Lot 959 Ray Street, Rockingham.

18. Schedule No. 6 is amended by inserting “Primary Centre Urban Village, Primary Centre” immediately before “Waterfront Village” where those words appear in the second column.

19. A new plan which is attached and entitled “Plan No. 8 Car Parking Areas for Primary Centre Waterfront Village Zone (Under Clause 4.15.6.2)” is inserted immediately after Plan No. 7.

20. The Scheme Map is amended:-
   (a) by rezoning certain land within the Waterfront Village Zone, the Residential R20 Zone, the Residential R30 Zone, the Residential R40 Zone, the Community Purpose Zone, the Special Commercial Zone and the Service Commercial Zone to the Primary Centre Waterfront Village Zone as shown on the amended Scheme Maps;
   (b) by rezoning certain land within the Community Purposes Zone to Primary Centre Urban Village Zone as shown on the Amended Scheme Maps;
(c) by amending the broken black line around the “Primary Centre” in accordance with the amended Scheme Maps;
(d) by deleting the notation “A7” on Lot 959 Ray Street, Rockingham in accordance with the amended Scheme Maps;
(e) by modifying the legend to the Scheme Maps.

Committee Voting - 3/0

9. **The Committee’s Reason for Varying the Officer’s Recommendation**

Not applicable

10. **Implications of the Changes to the Officer’s Recommendation**

Not applicable
## Purpose of Report

To consider a revised Planning Policy for the Waterfront Village Sector for advertising purposes.
2. **Background**

In September 2009 Council endorsed the Final Strategic Planning Reports (Volumes 1 & 2) as the Centre Plan for the Rockingham Strategic Metropolitan Centre. The WAPC endorsed the Final Reports in November 2009.

Council directed that City Officers prepare any necessary changes to the existing Policy framework, Town Planning Scheme and Metropolitan Region Scheme.

3. **Details**

The revised Policy has been prepared by City Officers, in conjunction with the City Centre Consultant Team. The Policy is named 'Planning Policy No.3.2.5 – Development Policy Plan Waterfront Village Sector', consistent with the other Planning Policies for Sectors in the Strategic Metropolitan Centre.

In revising the Waterfront Village Policy, it was necessary to review the 2004 Car Parking Strategy and the 2003 Building Height Model. Recommendations on these matters have been included in the revised Policy.

4. **Implications to Consider**

   **a. Consultation with the Community**

   Under Town Planning Scheme No.2, if the Council resolves to amend a Planning Policy, it is to publish a notice of the proposed Policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme Area, giving details of:-
   
   (i) where the draft Policy may be inspected;
   (ii) the subject and nature of the draft Policy; and
   (iii) in what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made.

   The Council may also publish notice of the proposed Policy in such other manner and carry out such other consultation as the Council considers appropriate.

   **b. Consultation with Government Agencies**

   Consultation with Government agencies is not required.

   **c. Strategic Community Plan**

   This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:-

   **Aspiration 6:** Civic buildings, public places and transport infrastructure of contemporary design, constructed and maintained using best practice principles.

   **d. Policy**

   Planning Procedure 1.3 - Community Consultation guides the public consultation associated with the draft Policy.

   **e. Financial**

   Nil

   **f. Legal and Statutory**

   Under the provisions of section 8.9 of Town Planning Scheme No.2, the Council may prepare, modify or revoke a Planning Policy.
5. **Comments**

The preparation of the Development Policy Plan (DPP) for the Waterfront Village Sector, involved the review of the existing Policy for the Rockingham Beach Waterfront Village, and the associated components of that Policy.

The layout of the revised Policy is as follows:

1. Introduction
2. Strategic Metropolitan Centre Planning Framework
3. Waterfront Village Indicative Development Plan
4. Precinct Policies
5. Supplementary Policies
6. Delegation
7. Adoption and Operation

Appendices

Figures

A copy of the revised Policy is attached.

During the preparation of the revised DPP, it was necessary to review two major components of the existing Policy, being the 2004 Car Parking Strategy and the 2003 Building Height Model. Both of these matters were the subject of earlier studies which informed provisions in the current Policy.

**Car Parking Strategy**

The Waterfront Village Sector draft DPP proposes two areas to deal with carparking and the payment of cash-in-lieu, as follows:

**Area A**
- will apply to the existing area zoned ‘Waterfront Village’.
- will provide cash-in-lieu based on a decked structure for public parking.
- based on mixed-use land-use pattern.
- reflects existing Scheme and Policy provisions.

**Area B**
- will apply to the additional areas being included within the Waterfront Village Sector (land surrounding the existing Waterfront Zone).
- will provide cash-in-lieu based on at-grade street/verge parking.
- based on predominantly residential land-use pattern.

The cash-in-lieu requirements will be mandated through TPS provisions; introduced through proposed Amendment No.113 and then referred to for information purposes in the proposed DPP.

**Building Height Model**

The updated building height provisions of the Waterfront Village Sector DPP balance the urban sustainability advantages of high density, mixed use development with the orderly management of the height and massing of buildings, within the following parameters:

(a) The permitted building heights (and building density) will generally rise with proximity to the route of the RCCTS and proximity to activity generators.

(b) A two to three storey building profile (to a maximum height of 12.5 metres) will be maintained along all street frontages with building height above three storeys to be setback.
(c) All development over 19.0 metres (generally 5 storeys) in height will be setback on two to three storey podiums, with upper floors setback a minimum of six metres from the street front building line of the podium and separated from adjoining buildings to maintain vistas, solar access and an appropriate level of visual permeability.

(d) The height of buildings will be limited to permit winter sun (midday, June 21) penetration to the southern side of Kent Street, between Railway Terrace and Wanliss Street. This will protect the winter amenity of ‘mainstreet’ tenancies, including sidewalk cafes and restaurants.

(e) A maximum height of 32.0 metres (generally 10 storeys) will be applied to the properties bounded by Railway Terrace, Rockingham Beach Road, Wanliss Street and Kent Street.

(f) New development will be required to be designed to allow solar access to neighbouring properties.

Conclusion

The recommended changes to the existing Rockingham Beach Waterfront Village Policy reflect the approved planning framework and updated urban design principles, as contained in the endorsed Centre Plan for the Rockingham Strategic Metropolitan Centre.

The Waterfront Village Sector Development Policy Plan is to be considered in conjunction with the proposed Scheme Amendment No.113 to Town Planning Scheme No.2 and will be advertised in conjunction with the Amendment. In this regard, it will be advertised for a minimum period of 42 days.

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council ENDORSE the publishing of a notice advising that it has prepared a revised Planning Policy No.3.2.5 - Development Policy Plan Waterfront Village Sector for public inspection for a minimum period of 42 days, pursuant to clause 8.9.4 of Town Planning Scheme No.2.

8. Committee Recommendation

That Council ENDORSE the publishing of a notice advising that it has prepared a revised Planning Policy No.3.2.5 - Development Policy Plan Waterfront Village Sector for public inspection for a minimum period of 42 days, pursuant to clause 8.9.4 of Town Planning Scheme No.2.

Committee Voting – 3/0

9. The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable

10. Implications of the Changes to the Officer’s Recommendation

Not applicable
## Purpose of Report

To consider a new Planning Policy for the Smart Village Sector of the Rockingham Strategic Metropolitan Centre for advertising purposes.

## Background

Council, at its ordinary Meeting held on the 22nd September 2009, resolved to endorse the Stage 2 Final Reports (Volumes 1 & 2) as the Centre Plan for the Rockingham Strategic Metropolitan Centre Plan, subject to minor modifications.
Council further resolved to forward the Reports to the WAPC for its endorsement of the documents as the Centre Plan. On the 10th November 2009, the WAPC considered the Stage 2 Final Reports on the Review of the Rockingham Strategic Metropolitan Centre and resolved to endorse the documents as an appropriate Centre Plan to guide future planning and development, subject to the same modifications as outlined in the Council’s resolution.

Council also directed that City Officers prepare any necessary changes to the Policy framework, Town Planning Scheme and Metropolitan Region Scheme.

3. **Details**

In light of the above, a Development Policy Plan has been prepared for the Smart Village Sector, consistent with the layout of the adopted Development Policy Plan for the City Centre Sector. The Policy is consistent with the principles outlined for the Smart Village Sector, contained in the endorsed Centre Plan.

4. **Implications to Consider**

   a. **Consultation with the Community**

      Under Town Planning Scheme No.2, if the Council resolves to prepare a Planning Policy, it is to publish a notice of the proposed Policy once a week for 2 consecutive weeks in a newspaper circulating in the Scheme Area, giving details of:-

      (i) where the draft Policy may be inspected;

      (ii) the subject and nature of the draft Policy; and

      (iii) in what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made.

      The Council may also publish notice of the proposed Policy in such other manner and carry out such other consultation as the Council considers appropriate.

   b. **Consultation with Government Agencies**

      Consultation with Government agencies is not required.

   c. **Strategic**

      **Community Plan**

      This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:-

      **Aspiration 6:** Civic buildings, public places and transport infrastructure of contemporary design, constructed and maintained using best practice principles.

   d. **Policy**

      Planning Procedure 1.3 - *Community Consultation* guides the public consultation associated with the draft Policy.

   e. **Financial**

      Nil

   f. **Legal and Statutory**

      Under the provisions of section 8.9 of Town Planning Scheme No.2, the Council may prepare, modify or revoke a Planning Policy.
5. **Comments**

The Policy has been prepared in consultation with the City Centre Consultant Team. The layout of the document is as follows:

1. Introduction
2. Strategic Metropolitan Centre Planning Framework
3. Smart Village Indicative Development Plan
4. Precinct Policies
5. Supplementary Policies
6. Delegation
7. Adoption and Operation

Appendices

Figures

A copy of the revised Policy is attached.

The proposed revised Development Policy Plan is to be considered in conjunction with the proposed Scheme Amendment No.113 to Town Planning Scheme No.2 and will be advertised with the Amendment. In this regard, it will be advertised for a minimum period of 42 days.

6. **Voting Requirements**

Simple Majority

7. **Officer Recommendation**

That Council **ENDORSE** the publishing of a notice that it has prepared Planning Policy No.3.2.2 - Development Policy Plan Smart Village Sector for public inspection for a minimum period of 42 days, pursuant to clause 8.9.4 of Town Planning Scheme No.2.

8. **Committee Recommendation**

That Council **ENDORSE** the publishing of a notice that it has prepared Planning Policy No.3.2.2 - Development Policy Plan Smart Village Sector for public inspection for a minimum period of 42 days, pursuant to clause 8.9.4 of Town Planning Scheme No.2.

Committee Voting - 3/0

9. **The Committee’s Reason for Varying the Officer’s Recommendation**

Not applicable

10. **Implications of the Changes to the Officer’s Recommendation**

Not applicable
<table>
<thead>
<tr>
<th><strong>Reference No &amp; Subject:</strong></th>
<th>DPD-009/11 Offer to Purchase City Owned Land</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>File No:</strong></td>
<td>LUP/229</td>
</tr>
<tr>
<td><strong>Proponent/s:</strong></td>
<td>Rockingham Kwinana Division of General Practice</td>
</tr>
<tr>
<td><strong>Author:</strong></td>
<td>Ms Tamara Vreeken, Special Projects Officer</td>
</tr>
<tr>
<td><strong>Other Contributors:</strong></td>
<td>Mr Bob Jeans, Director, Planning &amp; Development Services</td>
</tr>
<tr>
<td><strong>Date of Committee Meeting:</strong></td>
<td>19th October 2011</td>
</tr>
<tr>
<td><strong>Previously before Council:</strong></td>
<td>July 2008 (PD132/7/08)</td>
</tr>
<tr>
<td><strong>Disclosure of Interest:</strong></td>
<td>Executive Function</td>
</tr>
<tr>
<td><strong>Nature of Council’s Role in this Matter:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Site:</strong></td>
<td>Lot 401 Cnr Civic Boulevard &amp; central Promenade, Rockingham City Centre</td>
</tr>
<tr>
<td><strong>Lot Area:</strong></td>
<td>1,254m²</td>
</tr>
<tr>
<td><strong>LA Zoning:</strong></td>
<td>Primary Centre City Centre</td>
</tr>
<tr>
<td><strong>MRS Zoning:</strong></td>
<td>Central City Area</td>
</tr>
<tr>
<td><strong>Attachments:</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Maps/Diagrams:</strong></td>
<td>Figure 1 - Location Plan</td>
</tr>
</tbody>
</table>
1. **Purpose of Report**

To consider accepting, in principle, an Offer to Purchase Lot 401 corner Civic Boulevard and Central Promenade, Rockingham City Centre, which is owned by the City.

2. **Background**

In early 2006 the City undertook a public tender process for the sale of the three development sites created from its Lot 80 Civic Boulevard landholding, being:-

- Lot 401 cnr Civic Boulevard and Central Promenade (southern site; 1254sqm)
- Lot 403 Civic Boulevard (central site; 2303sqm)
- Lot 404 cnr Civic Boulevard and Chalgrove Avenue (northern site; 2506sqm)

Three tenders were received, but rejected by Council in April 2006 as unacceptable.

Council subsequently undertook negotiations with one party for the sale of Lot 401, however, the prospective purchaser withdrew from the sale.

In June 2007 the City received two offers to purchase Lot 401 from different parties.

In August 2007 the Council resolved to reject one offer and to further consider the possible sale of Lot 401, once negotiations with the more favourable offer were satisfactorily progressed.

In June 2008, as a part of the negotiation process, the City had the land re-valued at $785,000 (plus GST).
In late 2008 the prospective purchaser withdrew its offer to purchase Lot 401.

3. **Details**

In December 2010, the City received an Expression of Interest from the Rockingham Kwinana Division of General Practice (RKDGP) in obtaining/purchasing Lot 401 Civic Boulevard. The RKDGP intends to construct a potential three story building as an 'Integrated Health Centre' to provide health services to the Rockingham and Kwinana communities. The services which are proposed to be provided are:-
- an After Hours GP Clinic;
- intervention and prevention Psychological Services (not acute);
- lifestyle modification programs;
- chronic disease support services; and
- the Division’s administration headquarters.

The RKDGP has been negotiating with the Federal Government to secure grant funding to purchase and develop Lot 401.

In October 2011 the RKDGP submitted a written Offer to purchase Lot 401. The details of the Offer are as follows:-

1. **Purchaser's name and address:** Rockingham Kwinana Division of General Practice Ltd
   PO Box 252
   KWINANA WA 6966
   ACN 060855725

2. **Property:** Lot 401 on Deposited Plan 43452

3. **Purchase Price:** $785,000 ex GST

4. **Deposit:** $78,500 ex GST

The Offer is subject to the RKDGP securing funding through the Commonwealth of Australia, which it has applied for through the Department of Health and Ageing (DOHA) Super Clinic program. The Offer is subject to receiving these funds and cannot proceed without contracted confirmation from the Commonwealth. A deposit will be paid once funding has been secured.

4. **Implications to Consider**

a. **Consultation with the Community**

   Under section 3.58(3) and (4) section 3.58 of the Local Government Act 1995, the Council is to give local public notice of the proposed disposition for a minimum period of 14 days.

b. **Consultation with Government Agencies**

   Not required

c. **Strategic**

   Community Plan

   This item addresses the Community’s Vision for the future and specifically the following Aspiration contained in the Community Plan 2011:-

   **Aspiration 11:** Planning for Population growth to ensure that future development and land-uses contribute to a sustainable city that provide for a genuinely desirable lifestyle.
d. Policy
The sale of the land will be subject to any Development Application being consistent with the requirements of Planning Policy No.3.2.1 – Development Policy Plan City Centre Sector. In particular, the requirements of the Core Precinct and the Civic Piazza Sub Precinct.

e. Financial
Proceeds from the sale, less costs and commissions are proposed to be allocated to Sub Account No.6108 - City Centre Development Reserve.

f. Legal and Statutory

3.58. Disposing of property

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property:-

(a) it gives local public notice of the proposed disposition:-

   (i) describing the property concerned; and

   (ii) giving details of the proposed disposition; and

   (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than two weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include:-

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition:-

   (i) as ascertained by a valuation carried out not more than six months before the proposed disposition; or

   (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than six months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

5. Comments
The land was re-valued in January 2011 at $785,000.00 plus GST. Under section 3.58(4)(c)(i), the valuation needs to be carried out not more than 6 months before the proposed disposition (in terms of signing of the contract, not the settlement date).

In this regard, the City sought an updated valuation in October 2011, where the value of the subject land is $670,000 (ex GST). The RKDGP has confirmed that its Offer will be $670,000 (ex GST).

A draft Contract is currently being prepared which sets out the terms of the proposed sale, including the submitting of Development Plans which are to be consistent with the requirements of Planning Policy No.3.2.1 - Development Policy Plan City Centre Sector. In particular, the requirements of the Core Precinct and the Civic Piazza Sub Precinct.
6. Voting Requirements

Absolute Majority

7. Officer Recommendation

That Council:-

1. **APPROVE** of the sale of Lot 401 Civic Boulevard, Rockingham, by way of private treaty to the Rockingham Kwinana Division of General Practice Inc.

2. **ACCEPT** the offer from the Rockingham Kwinana Division of General Practice Inc to purchase Lot 401 Civic Boulevard, Rockingham for the consideration of $670,000 (ex GST), subject to compliance with the provisions of Section 3.58 of the Local Government Act.

3. **DELEGATE** to the CEO the authority to approve of any other conditions of contract relating to the sale.

8. Committee Recommendation

That Council:-

1. **APPROVE** of the sale of Lot 401 Civic Boulevard, Rockingham, by way of private treaty to the Rockingham Kwinana Division of General Practice Inc.

2. **ACCEPT** the offer from the Rockingham Kwinana Division of General Practice Inc to purchase Lot 401 Civic Boulevard, Rockingham for the consideration of $670,000 (ex GST), subject to compliance with the provisions of Section 3.58 of the Local Government Act.

3. **DELEGATE** to the CEO the authority to approve of any other conditions of contract relating to the sale.

Committee Voting – 3/0

9. The Committee’s Reason for Varying the Officer’s Recommendation

Not applicable

10. Implications of the Changes to the Officer’s Recommendation

Not applicable
14. Reports of Councillors  
Nil

15. Addendum Agenda  
Nil

16. Motions of which Previous Notice has been given  
Nil

17. Notices of Motion for Consideration at the Following Meeting  
Nil

18. Urgent Business Approved by the Person Presiding or by Decision of the Committee  
Nil

19. Matters Behind Closed Doors  
Nil

4.50pm - Meeting adjourned.
4.55pm - Cr Leigh Liley arrived at the Planning Services Standing Committee meeting.
4.55pm - Meeting reconvened.
4.55pm - Mr Peter Ricci, Project Manager, Keralup left the Planning Services Standing Committee meeting.
4.55pm - Mr Jason Pugh and Ms Pippa Hepburn attended the Planning Services Standing Committee meeting.

The Chairman welcomed Mr Pugh and Ms Hepburn and invited them to make a presentation to the Committee.

Mr Pugh provided a briefing on New Energy Corporation’s intentions to construct a waste treatment plant on a site located at No.26 Office Road, East Rockingham. The site had been identified as the preferred location for the plant based on the:
- Proximity to major road transport routes;
- Access to existing power infrastructure;
- Synergies with existing industry in the area;
- Acceptable distance to closest residential area (approximately 2.5km);
- Correct zoning and land use; and
- Adjacent to the planned Water Corporation East Rockingham Wastewater Treatment Plant.

Ms Hepburn advised that the facility would consist of two sheds, the main shed having the maximum height of 30m with a stack of 35m in height.

She provided an explanation of the waste treatment procedure through a process called Gasification. The aim of this process is to reduce the reliance on fossil fuels and reduce the environmental impact by diverting waste from landfill.
New Energy is currently in the process of seeking environmental and planning approval for the facility. Should the approvals be in place by the end of the third quarter of 2012, construction could commence during the first quarter of 2013 and the facility could be operational by the second quarter of 2014.

The Chairman thanked Mr Pugh and Ms Hepburn for their presentation.

5.18pm - Mr Pugh and Ms Hepburn left the Planning Services Standing Committee meeting.

<table>
<thead>
<tr>
<th>20. Date and Time of Next Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>The next Planning Services Standing Committee Meeting will be held on <strong>Monday 14 November 2011</strong> in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>21. Closure</th>
</tr>
</thead>
<tbody>
<tr>
<td>There being no further business, the Chairman thanked those persons present for attending the Planning Services Standing Committee meeting, and declared the meeting closed at 5.20pm.</td>
</tr>
</tbody>
</table>