MINUTES
Planning Services Committee Meeting

Held on Monday, 3 December 2012 at 4:00pm
City of Rockingham Boardroom
# City of Rockingham
## Planning Services Committee Meeting Minutes
### Monday 3 December 2012

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<tr>
<td>20.</td>
<td>Closure</td>
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1. Declaration of Opening

The Chairperson declared the Planning Services Committee Meeting open at 4.00 pm and welcomed all present.

2. Record of Attendance/Apologies/Approved Leave of Absence

<table>
<thead>
<tr>
<th>2.1 Councillors</th>
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<tbody>
<tr>
<td>Cr Richard Smith</td>
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<tr>
<td>Cr Chris Elliott</td>
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<tr>
<td>Cr Leigh Liley</td>
</tr>
<tr>
<td>Cr Allan Hill</td>
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<table>
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<tr>
<th>2.2 Executive</th>
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<tr>
<td>Mr Andrew Hammond</td>
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<tr>
<td>Mr Bob Jeans</td>
</tr>
<tr>
<td>Mr Peter Ricci</td>
</tr>
<tr>
<td>Mr Brett Ashby</td>
</tr>
<tr>
<td>Mr Richard Rodgers</td>
</tr>
<tr>
<td>Mr Mike Ross</td>
</tr>
<tr>
<td>Ms Erica Scott</td>
</tr>
<tr>
<td>Ms Melinda Wellburn</td>
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<table>
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<th>Members of the Public:</th>
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<tbody>
<tr>
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<tr>
<th>Press:</th>
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<tbody>
<tr>
<td>Nil</td>
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<table>
<thead>
<tr>
<th>2.3 Apologies:</th>
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<tbody>
<tr>
<td>Nil</td>
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<tr>
<th>2.4 Approved Leave of Absence:</th>
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<tbody>
<tr>
<td>Nil</td>
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</tbody>
</table>

3. Responses to Previous Public Questions Taken on Notice

Nil

4. Public Question Time

<table>
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<th>4.01pm</th>
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<tr>
<td>The Chairperson invited the member of the Public Gallery to ask questions.</td>
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<tr>
<th>4.1</th>
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<tr>
<td>Mr Neil Teo, Dynamic Planning - SPE-028/12 - Proposed Modification to Structure Plan - 'Harrington Waters' Estate (Adoption)</td>
</tr>
</tbody>
</table>

| The Chairperson invited Mr Teo to present his questions to the Planning Services Committee. |
Mr Teo noted that the Summit Group has a number of developments in Rockingham, including Harrington Waters, and was committed to delivering a quality development and while development plans are still being refined there will be a transition of building height that is sensitive to the expectations of existing residents. Mr Teo noted that the proposal was aimed at providing a more affordable housing product and that the site, in close proximity to the Warnbro Train Station, was ideally located for such a development. Mr Teo noted that he was supportive of the Officer Recommendation and would be pleased to assist with any questions.

Councillors asked questions of the applicant, which were discussed.

4.10pm There being no further questions the Chairperson closed Public Question Time.

5. Confirmation of Minutes of the Previous Planning Services Committee Meeting

Moved Cr Hill, seconded Cr Liley:

That Council **CONFIRM** the Minutes of the Planning Services Committee Meeting held on 19 November 2012, as a true and accurate record.

Committee Voting – 4/0

6. Matters Arising from the Previous Planning Services Committee Meeting Minutes

Nil

7. Announcement by the Presiding Person without Discussion

4.10pm The Chairperson 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.

8. Declarations of Members and Officers Interests

<table>
<thead>
<tr>
<th>4.10pm</th>
<th>Mr R M Jeans declared the following Declaration of Interest:</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.1 Item SPE-028/12</td>
<td>Proposed Modification to Structure Plan - 'Harrington Waters' Estate (Adoption)</td>
</tr>
<tr>
<td>Officer:</td>
<td>Mr R M Jeans, Director Planning and Development Services</td>
</tr>
<tr>
<td>Type of Interest:</td>
<td>Impartiality Interest</td>
</tr>
<tr>
<td>Nature of Interest:</td>
<td>My daughter works for the Proponent</td>
</tr>
<tr>
<td>Extent of Interest (if applicable):</td>
<td>Impartiality via Association</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>4.11pm</th>
<th>Cr Chris Elliott declared the following Declaration of Interest:</th>
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<tbody>
<tr>
<td>8.2 Item SP-068/12</td>
<td>Peel Region Scheme Amendment No.035/57 (Madora Bay Dunes)</td>
</tr>
<tr>
<td>Officer:</td>
<td>Cr Chris Elliott</td>
</tr>
<tr>
<td>Type of Interest:</td>
<td>Proximity Interest</td>
</tr>
</tbody>
</table>
Nature of Interest: My property abuts the land under consideration. A rezoning from Rural to Urban can be expected to affect its value.

Extent of Interest (if applicable): N/A

9. Petitions/Deputations/Presentations/Submissions
Nil

10. Matters for which the Meeting may be Closed
Nil

11. Bulletin Items

Planning Services Information Bulletin – December 2012

Health Services
1. Health Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 FoodSafe
   3.2 Industrial and Commercial Waste Monitoring
   3.3 Community Health and Wellbeing Plan
   3.4 Healthy Communities Initiative
   3.5 Health Promotion
   3.6 Mosquito Control Program
   3.7 Ocean Water and Storm Water Sampling
4. Information Items
   4.1 Mosquito-Borne Disease Notifications
   4.2 Food Recalls - November 2012
   4.3 Food Premises Inspections
   4.4 Public Building Inspections
   4.5 Outdoor Public Event Approvals - November 2012
   4.6 After Hours Noise & Smoke Nuisance Complaint Service
   4.7 Complaint - Information
   4.8 Building Plan Assessments
   4.9 Septic Tank Applications
   4.10 Demolitions
   4.11 Swimming Pool and Drinking Water Samples
   4.12 Rabbit Processing
   4.13 Hairdressing & Skin Penetration Premises
   4.14 Family Day CareBuilding Services

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 Permit Approvals - (All Building Types)
   4.3 Occupancy Permits
   4.4 Demolition Permit
   4.5 Community Sign Approval
   4.6 Permanent Sign Approval
4.7 Street Verandah Approval
4.8 Building Approval Certificates for Unauthorised Building Works
4.9 Monthly Caravan Park “Site“ Approvals

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 Amendment No.114 - Developer Contribution Plan No.2 (LUP/909)
   3.4 Local Biodiversity Strategy Review (EVM/22)
   3.5 Karnup District Water Management Strategy (EVM/136)
   3.6 Lake Richmond Water Quality Studies and Integrated Catchment Management Plan (EVM/135)
   3.7 Water Campaign (EVM/56-02)
   3.8 Karnup District Structure Plan (LUP/1546)
4. Information Items
   4.1 Delegated Final Adoption of Structure Plan
   4.2 Delegated Minor Change to Structure Plan
   4.3 Lifting of Urban Deferment – Lots 3, 805 and 806 Mandurah Road, Karnup (LUP/1593-07)

Statutory Planning
1. Statutory Planning Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 CouncilsOnline (Planning Products via the Web) formerly eDA
4. Information Items
   4.1 Land Use – Planning Enforcement
   4.2 Subdivision/Development Approvals and Refusals by the WAPC
   4.3 Notifications and 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 Approved
   4.10 Subdivision/Amalgamation Refused
   4.11 Development Assessment Panels – Development Applications (DD020.2012.0000290)
   4.12 Proposed Metropolitan Region Scheme Amendment 1236/57 – Bush Forever Definition Clause Insertion and Clause Modification (LUP/1499)

Director Planning and Development Services
1. Director Planning and Development Services Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Administration Building Refurbishment/Fitout (LUP/1394-25)
   3.2 Northern Waterfront Sector - Development Policy Plan and Masterplan (LUP/1617)
3.3 Campus Sector - Development Policy Plan and Masterplan (LUP/1618)
3.4 Eastern Sector - Development Policy Plan and Masterplan (LUP/1619)
3.5 Keralup (LUP/1585)
3.6 Karnup Station Transit Oriented Development (LUP/1351-01)

4. Information Items
4.1 Lots 401 and 404 Civic Boulevard, Rockingham (LUP/229 & LUP/227-01)

Committee Recommendation

That Councillors acknowledge having read the Planning Services Information Bulletin – December 2012 and the contents be accepted.

Committee Voting – 4/0

4.14pm - Mr Richard Rodgers, Manager Building Services and Ms Erica Scott, Coordinator Health Services left the Planning Services Committee meeting.
12. Agenda Items

### Strategic Planning and Environment

#### Planning Services

**Strategic Planning & Environment Services**

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<th>Reference No &amp; Subject:</th>
<th>SPE-028/12 Proposed Modification to Structure Plan - 'Harrington Waters' Estate (Adoption)</th>
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<tr>
<td>File No:</td>
<td>LUP/248-05</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Dynamic Planning (on behalf of Harrington Waters Partnership Pty Ltd)</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Jeff Bradbury, Coordinator Strategic Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Brett Ashby, Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>3rd December 2012</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td>November 2006 (PD212/11/06), October 2011 (SPE-029/11)</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Mr R M Jeans declared an interest affecting impartiality 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>
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<tr>
<td>Site:</td>
<td>Lot 1197 Abbeytown Circle and Lot 1198 Sellafield Bend, Waikiki</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>1.73ha</td>
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<td>LA Zoning:</td>
<td>Development</td>
</tr>
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<td>MRS Zoning:</td>
<td>Urban</td>
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<td>2. Revised Indicative Concept Plan</td>
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<td>3. Schedule of Submissions</td>
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<td>2. Indicative Concept Plan</td>
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<tr>
<td></td>
<td>3. Revised Indicative Concept Plan</td>
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<td>4. Consultation Plan</td>
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Purpose of Report
To consider a proposed modification to the existing approved Harrington Waters Structure Plan for Lot 1197 Abbeytown Circle and Lot 1198 Sellafield Bend, Waikiki following the completion of public advertising and receipt of additional information.

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
In October 2011, Council Adopted Amendment No.111 to the City’s Town Planning Scheme No.2 ('TPS2'), which allowed for residential density to be applied through adopted Structure Plans, rather than blanket R-Coding’s shown on the Scheme Maps.
As a result of this Amendment, the subject land is zoned ‘Development’ as opposed to its previous zoning of ‘Development (R20/40)’.
The Western Australian Planning Commission granted final approval to Amendment No.111 on the 17th April 2012.

In August 2011, the City received an application to amend the existing approved 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 Proponent included an Indicative Concept Plan illustrating that it was intended to develop 134 dwelling units on the site (comprising a mix of single storey dwellings and three-storey apartments), as shown on the Concept Plan below. The development of 134 dwellings equates to 77 dwellings per hectare.

2. Indicative Concept Plan

At its ordinary Meeting held on the 25th October 2011, the Council resolved to approve advertising of the proposed modification to the ‘Harrington Waters’ Structure Plan, subject to 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, and the Concept 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; and
- The pedestrian connection being redesigned or relocated to meet the requirements of universal access.

The consideration of the proposal for final adoption after receipt of these details and submissions received during the advertising period forms the basis of this report.

Details

Following the resolution by Council in October 2011, the Proponent submitted a Traffic Impact Statement which satisfactorily demonstrated that traffic generated by the proposed density of development would not compromise service to the existing access points to the Harrington Waters Estate.
The Proponent also modified Indicative Concept Plan as follows:-
- Designated entry and exit lanes to the development were provided from Abbeytown Circle;
- The northern carpark was modified to include access to the carpark separate from the entry and exit to the development; and
- A pedestrian connection was provided from the subject site to Ennis Avenue/Safety Bay Road that met the requirements of universal access.

A copy of the revised Concept Plan is shown below.

3. Revised Indicative Concept Plan

Implications to Consider

a. Consultation with the Community

Advertising Methodology

The Proposed Structure Plan and Concept Plan were advertised for public comment in accordance with the requirements of Clause 6.3.3 of Town Planning Scheme No.2 (TPS2) for a period of 37 days commencing on the 23rd May 2012 and concluding on the 29th June 2012. Public advertising was carried out in the following manner:-

- 153 nearby owners were notified of the proposal in writing and invited to comment (as outlined in yellow on the Consultation Plan below);
- 11 servicing agencies were notified of the proposal in writing and invited to comment;
- The Proponent erected a sign on site in a prominent location advertising the proposed modification to the Structure Plan;
- A notice was placed in the Weekend Courier, appearing in the newspaper on the 25th May 2012; and
- Copies of the Structure Plan and relevant documents were made available for inspection at the City's Administration Offices and placed on the City's website.

4. Consultation Plan

Following the close of the submission period, the City had received 22 submissions on the proposed Structure Plan from nearby landowners. The following dot points generally summarise the issues of concern raised in the submissions:

1. **Density**
   - Inconsistent with the residential land in the locality.

2. **Impacts on Amenity**
   - Proposed development will have an adverse impact to existing facilities and amenities in the area by introducing an additional population;
   - Increase noise and air pollution;
   - Loss of privacy and overlooking issues;
   - Possible antisocial behaviour.

3. **Traffic and Transport**
   - Inadequate visitor parking bays;
   - Decreased traffic and pedestrian safety;
   - Increased traffic congestion; and
   - Inadequate road infrastructure to cater for increased traffic (including entry and exit points to the estate).

4. **Covenants**
   - Non-compliance with estate covenants (specifically the provision of double garages).

A full copy of all submissions received during the advertising period is set out in the Schedule of Submissions (Attachment No.3) to this report. The contents of submissions is summarised and addressed as follows:

1. **Density**

Eight objections were raised to the proposed zoning change from ‘R40’ to ‘R80’, as a number of submissioners bought nearby properties on the understanding that the site was for a grouped housing site, typical of the ‘R40’ density.
**Proponent’s Response**

It is submitted that the subject site is currently zoned for medium density development. The proposal seeks to increase the coding of a portion of the subject site to high density, with the remainder of the site to remain as medium density. As such, the anticipated rise in population is considered minimal, based on the current medium density development potential of the subject site.

In addition, it is submitted that the proposal warrants support as it embraces sustainable living by virtue of the additional population that shall be within a walkable catchment of the surrounding facilities and amenities, including public open space, educational institutions and public transport services.

**Officer Comment**

**Policy Requirement**

The assessment of housing density is guided by the provisions of TPS2, Directions 2031 and Liveable Neighbourhoods.

*Directions 2031* states that residential density is a critical element of the metropolitan urban form and has a significant impact upon the overall sustainability of Perth. Higher residential densities increase the cost effectiveness of essential service infrastructure provision and improve the efficiency of the public transport system.

*Liveable Neighbourhoods* outlines criteria for the consideration of appropriate locations for residential density. In areas close to town centres, railway stations and major bus stops, lot sizes should be provided which enable sufficient amount of housing to support the facilities and/or public transport service. This may be achieved by providing for residential density of at least 30-40 dwellings per site hectare within 400m of railway stations, and at least 20-30 dwellings per site hectare from 400m to 800m of stations.

The site is within 400m of the Warnbro train station and the densities proposed achieve the minimum density required by *Liveable Neighbourhoods* and *Directions 2031*.

**Context of Density**

*Liveable Neighbourhoods* also requires that a Structure Plan layout should enhance local identity by responding to site context, site characteristics, setting, landmarks and views and incorporate key elements of natural and cultural significance.

This requires the integration of new areas, as far as practical, with existing development. This is to be achieved by:

- The provision of frequent local street connections in order to gain the benefits of integrated urbanism;
- Design the movement network to balance the benefits of integration against any significant adverse effects (e.g. likelihood of heavy through traffic) that may occur in areas that were built under a different planning philosophy; and
- Ensure the interface and edge treatments of new areas generally transition into the existing urban character.

The location of density on the Concept Plan (which details a transition from single storey residential adjoining the existing low density community, to high density adjacent to main roads) ensures that development is consistent and compatible with the existing adjoining subdivision pattern, whilst still allowing for high density sustainable residential development.

The implications of the proposal on traffic are further discussed in later sections of this report.

**Location of Density**

*Liveable Neighbourhoods* encourages smaller residential lots and higher density housing in areas close to a Town or Neighbourhood Centre, near public transport stops, and in areas with high amenity, such as parks. In this regard, amending the Structure Plan to include high density land is considered appropriate given the site is within 400m of a train station, has a high frequency bus route 90m from the subject site and is in close proximity to public parkland.
2. Residential Amenity

Eight submissions raised concerns that a high density development would detract from the existing residential amenity of the Harrington Waters estate and the ‘family’ atmosphere currently experienced within the area.

Proponent’s Response

It is submitted that the subject site is currently zoned for medium density development. The proposal seeks to increase the coding of a portion of the subject site to high density, with the remainder of the site to remain as medium density. As such, the anticipated rise in population is considered minimal, based on the current medium density development potential of the subject site.

In addition, it is submitted that the proposal warrants support as it embraces sustainable living by virtue of the additional population that shall be within a walkable catchment of the surrounding facilities and amenities, including public open space, educational institutions and public transport services.

Officer Comment

The Indicative Concept Plan illustrates the Proponent’s intention to provide single storey dwellings adjacent to existing single storey residences on Sellafield Bend. The proposed single-storey dwellings will provide a buffer to the proposed three storey apartments and ensure that existing residential amenity is not compromised.

3. Privacy and Building Height

Six submissioners raised concerns that the proposed three storey height of the development would result in overlooking of adjacent properties and thus privacy would be compromised.

Proponent’s Response

As outlined in the preceding section, the concept development layout has been designed to locate the single storey dwellings between the existing residential area of Harrington Waters and the proposed three storey dwellings, to act as a transition or buffer. As such, it is submitted that the concept development design has considered issues of overlooking and designed the development in a way that does not affect the existing residential population.

In relation to the proposed one storey dwellings, it is submitted that the design of the dwellings at the development application stage can ensure window and room placement is designed to avoid overlooking and privacy issues wherever possible. It is also pertinent to note that there is a proposed vehicle access way located between the one and three storey dwellings, which shall provide an appropriate separation distance to mitigate the risk of overlooking and privacy.

Officer Comment

The design of any future development will be considered in detail upon receipt of a development application.

It should be noted however, that the Concept Plan provides single storey dwellings adjacent to existing single storey residences on Sellafield Bend, which is considered an appropriate interface to existing development. Any overlooking issues can also be resolved during the development application stage by appropriate application of the Residential Design Codes. There is also a significant level difference between the subject site and the Safety Bay Road/Ennis Avenue flyover to the south east of the site, which would appropriately frame the proposed three storey building height shown in this location on the Concept Plan.

4. Impact on Recreational Facilities/Lack of Public Open Space

Concerns were raised by six submissions that the possible increased population density would result in overcrowding of local public open space and recreational facilities.

Officer Comment

The percentage of Public Open Space provided within the Harrington Waters Estate meets the 10% required by Liveable Neighbourhoods. The design of the POS sites within the estate are such that they can be used for active recreation (i.e regular in shape) and are considered to meet the needs of the estate.
Increased population around public facilities such as public open space is supported by Liveable Neighbourhoods as it embraces sustainable living principles.

5. Antisocial Behaviour

Four Submissioners noted that an increase in population could result in an increase in antisocial behaviour in the area.

**Officer Comment**

There is no evidence to suggest a direct link between high density development and an increase in crime, graffiti and vandalism.

The design of the Concept Plan provides internal access connecting to the existing road network that encourages passive surveillance provided from habitable spaces within dwellings.

6. Impact on Property Values

Six submissioners raised concerns that property values in the area would decrease due to the proposed development shown on the Concept Plan.

**Officer Comment**

The potential impact on property values is not a valid planning consideration in the City’s assessment of a proposed Structure Plan.

7. Traffic Noise and Pollution

Three submissioners raised concerns over a potential increase in traffic noise and pollution resulting from the increase in population associated with the development.

**Proponent’s Response**

It is submitted that the proposed density increase is located between the existing residential area of Harrington Waters and both Safety Bay Road and Ennis Avenue, which are reserved as ‘Other Regional Roads’ and ‘Primary Regional Roads’ reservations, respectively, under the Metropolitan Region Scheme.

It is submitted that the development of the subject site at an increased density shall provide a buffer to the existing residential development and subsequently provide protection from noise associated with the high volumes of high speed traffic frequenting the aforementioned roads.

In relation to comments regarding air pollution, it is submitted that this is null, given that residential land uses are generally considered to be benign given they have little or no outputs that are capable of causing a negative air pollution impact.

**Officer Comment**

The impact of any potential noise or pollution potential by the proposed development is considered to be negligible, particularly given the locational context of the site adjacent to Safety Bay Road and Ennis Avenue.

8. Increase in Traffic and Congestion

An increase in population resulting in an increase in traffic and congestion within Harrington Waters estate, specifically on Ambleside Parade (the nearest exit from the site onto Safety Bay Road) and Abbeytown Circle (where the Concept Plan showed vehicles exiting the development) was a concern raised by 12 submissioners.

**Proponent’s Response**

It is submitted that the aforementioned traffic and transport issues have been adequately addressed by Kleyweg Consulting Traffic and Transport (KCTT), who have prepared expert advice in relation to the proposed density increase at the subject site. The comments from the public mimic those from the City’s Engineering Services, and as such are directly addressed within the advice from KCTT.

**Officer Comment**

The Proponent commissioned a Traffic Engineering Consultant, Kleyweg Consulting Traffic and Transport, to respond to the traffic related issues that were raised in submissions.
The KCTT report found that Ambleside Parade is designed to carry up to 3000 vehicle movements per day and would have sufficient capacity to cater for the traffic impact of the proposed development. It was also demonstrated that increasing the density from ‘R40’ to ‘R40 and R80’ (the equivalent densities as per the Concept Plan) would result in an additional 182 vehicle movements per day or 18 vehicle movements per hour, which was considered negligible. The KCTT report demonstrates that the existing road network can appropriately accommodate the traffic generated from the Structure Plan Area. The City is satisfied that the existing road network’s functionality will not be compromised by the additional traffic resulting from the increased residential density.

9. Pedestrian Safety Due to Traffic

Six submitters were concerned that an increase in traffic associated with the development would result in a reduction in pedestrian safety in the area.

Officer Comment

The KCTT report recommended that the development be designed with a one-way internal road system, with access into the development from Sellafield Bend and egress via Abbeytown Circle. It was also recommended that intersections should be raised and channelized to deter speeds greater than 10kph through the intersection, with consideration of channelization in both Abbeytown Circle and Sellafield Bend to ensure vehicles do not cut across the intersection. The future planning for any development submitted can take these points into consideration.

The City has assessed this concern and is satisfied that vehicle sight lines entering and exiting the development are consistent with safe intersection sight distances.

10. Lack of Parking

A submitter commented that there were an inadequate number of visitors carparking proposed for the development which would result in visitors parking on the street.

Proponent’s Response

Parking Calculations as per required ratios taken from the Residential Design Codes 2010:-

<table>
<thead>
<tr>
<th>Grouped Dwellings (1 bay per 4 dwellings, in excess of 4)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Number Grouped Dwellings: 15</td>
</tr>
<tr>
<td>Calculation (15-4)/4 = 2.75 = 3 bays</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Small Multiple Dwelling (Less than 75m² or 1 bedroom)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visitor Parking Rate (based on proximity within 800m of a train station): 0.25 bays per dwelling</td>
</tr>
<tr>
<td>Total Number Small Multiple Dwellings: 40</td>
</tr>
<tr>
<td>Calculation: 40 x 0.25 = 20 bays.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Medium Multiple Dwelling (75m² - 110m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Visitor Parking Rate (based on proximity within 800m of a train station): 0.25 bays per dwelling</td>
</tr>
<tr>
<td>Total Number Medium Multiple Dwellings: 80</td>
</tr>
<tr>
<td>Calculation: 80 x 0.25 = 20 bays.</td>
</tr>
</tbody>
</table>

Total Number Parking Bays Required

Calculation: 3 + 10 + 20 = 33 bays

Total Number of Parking Bays Provided: 34 bays.

With the above calculations in mind, it is noted that there is not a shortfall of parking. In fact, the proposed Concept Plan shows an excess of one visitor parking bay. As such, it is submitted that there is adequate visitor parking.

Furthermore, it is submitted that a detail such as parking is site specific, and is more appropriately dealt with at the development application stage, rather than as part of the current Structure Plan amendment.
Officer Comment
The design of any future development can be considered upon receipt of a development application.

It should be noted that the amount of carparking shown on the Concept Plan is compliant with the requirements of the Residential Design Codes.

11. Breach of Estate Covenants
Three submissioners raised concerns that the estate covenants, specifically relating to the provision of double garages, had not being shown on the Concept Plan and would not be complied with.

Proponent’s Response
Information provided by the proponent, Harrington Waters Partnership Pty Ltd, has clarified that estate covenants (ie requirement for double garages) are not applicable to grouped housing sites, of which the subject site is one.

Officer Comment
Estate covenants are not a valid planning consideration in the City's assessment of a proposed Structure Plan.

12. Establishment of a Precedent to Approve Rezoning
A submissioner noted that by approving the application for rezoning, a precedent to rezone other areas would be established.

Officer Comment
The City considers every application for rezoning on its individual merits.

b. Consultation with Government Agencies
Relevant servicing authorities were notified of the proposal in writing and invited to comment. In this regard, the City invited comments from the following agencies:-
- Department of Water
- Public Transport Authority
- Telstra
- Water Corporation
- Western Power
- Main Roads WA
- Fire and Emergency Services Australia
- Department of Environment and Conservation
- Alinta Gas
- Department of Education and Training
- Department of Indigenous Affairs

With the exception of advice received from the Water Corporation and Main Roads, all other service agencies provided general advice that did not require a response. Advice received from service agencies is contained within the Schedule of Submissions (Attachment No.3). The City's response to advice from the Water Corporation and Main Roads is provided below:-

Water Corporation
The Water Corporation raised no objection to the proposal in principle and advised that the lots have water and wastewater mains adjacent. It was noted however, that the capacity of the existing mains which are small in diameter (100mm water mains and 150mm sewer mains), should be checked by a Consulting Engineer for capacity to handle the increase in density, prior to building services application to the Water Corporation.
Officer Comment
On receipt of a development application, the City will require that the Proponent confirm that the existing water and sewer mains have the capacity to handle the increase in density.

Main Roads
Main Roads has no objection to the proposed Structure Plan provided:
- A transport noise assessment is undertaken in accordance with the guidelines of WAPC State Planning Policy 5.4 "Road and Rail Transport Noise and Freight Considerations in Land Use Planning" as the subject lots are close to Ennis Avenue (Primary Freight Road under Main Roads jurisdiction) and Safety Bay Road (Primary Freight Road under Local Government Jurisdiction);
- Proposed developments take the recommendation of the Transport Noise Assessment into consideration; and
- No access onto Ennis Avenue and Safety Bay Road.

Officer Comment
The requirement for a transport noise assessment will be considered at the development application stage.

The City has sought clarification on whether restricting access to Ennis Avenue and Safety Bay Road was applicable to vehicles and pedestrians, to which Main Roads advised the restriction was applicable to vehicles only.

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 Liveable Neighbourhoods
Liveable Neighbourhoods has been prepared to implement the objectives of the State Planning Strategy and State Sustainability Strategy, and operates as a sustainable development control policy to guide structure planning and subdivision. The document outlines all the requirements for new and modifications to Structure Plans and the supporting documentation needed to assess such. These requirements are intended to facilitate the State Government's objective to create communities that reduce dependency on private vehicles and are more energy and land efficient.

In this regard, Liveable Neighbourhoods recommends, as a guide, the following minimum residential densities be considered. Residential density proposed greater than the minimum range outlined in Liveable Neighbourhoods is considered to exceed the minimum requirement.

(i) A minimum of 12 to 20 dwellings per site hectare for standard lot layouts separated from high frequent public transport and activity centres;
(ii) A minimum of 20 to 30 dwellings per site hectare for areas within 400m of a Neighbourhood Centre and 250m of a main bus route; and
(iii) A minimum of 30 to 40 dwellings per site hectare for areas in 400m of town centres and metropolitan railway stations.

The proposed Structure Plan modification meets the objectives and density requirements of Liveable Neighbourhoods.
Directions 2031 and Beyond: Metropolitan Planning Beyond the Horizon ('Directions 2031') was released by the WAPC in August 2010 as the plan to provide a vision for the future growth of the Metropolitan and Peel region. It provides a broad framework to guide detailed planning and the delivery of the various elements that provide for growth.

Directions 2031 seeks to increase the proportion of infill development to the ratio of new 'greenfield' development sites. A target of 47% infill development is sought under the Policy. As of 2009, only 30% infill development was being achieved. This Policy seeks a 50% improvement from the existing trend.

To achieve this target, the Policy sets a density target of 15 dwellings per gross urban zoned hectare of land in new development areas. This equates to a minimum R25 code (average of 350m² lots) being applied to all greenfield and infill development.

The proposed modification to the Structure Plan meets the target densities provided for in Directions 2031.

State Planning Policy No.1.6 - Planning to Support Transit Use and Transit Orientated Development

This Policy seeks to maximise the benefits providing a mix of compatible land uses near public transport infrastructure. The integration of land uses around transport networks aims to reduce the car dependence.

The policy defines a transit orientated precinct as land located within a 10-15 minute walk (or 800m distance) to a rail station or major bus interchange and within a 5-10 minute walk (400m) distance from a frequent bus route (bus routes with a 15 minute interval or less between services during peak periods). It is recommended that within vicinity of these services that increased residential densities by applied to facilitate public transport use.

The subject site is located within the 400m catchment of the Warnbro Train Station, and thus the proposed density satisfies the objectives of this Policy.

State Planning Policy 5.4 - Road and Rail Transport Noise and Freight Considerations in Land Use Planning

This Policy seeks to minimise the adverse impact of transport noise, without place unreasonable restrictions on noise-sensitive residential development, or adding unduly to the cost to transport infrastructure. The Policy applies for the consideration and management of the impacts of transport noise and freight operations when development is proposed in the following manner: -

- New noise-sensitive development in the vicinity of existing or future major transport corridors or freight handling facilities;
- New major road or rail infrastructure projects, including major redevelopments, in the vicinity of existing or future noise-sensitive land uses; and
- The location of freight handling facilities.

On receipt of a development or subdivision proposal, the City should consider conditioning the requirement for notifications on titles, to ensure prospective purchasers are aware of the noise impacts associated with Ennis Avenue and Safety Bay Road.

e. Financial

Nil

f. Legal and Statutory

In accordance with Clause 4.2.6.7 of TPS2, the Council is required to consider all submissions received following the advertising period for a Proposed Structure Plan and resolve to either:-

(i) Adopt the Proposed Structure Plan with or without modifications; or
(ii) Refuse to adopt the Proposed Structure Plan and give reasons for this to the Proponent
Determination of a Proposed Structure Plan ultimately rests with the WAPC, notwithstanding the Council's resolution. Pursuant to Clause 4.2.6.9, the Council within 21 days of making its determination under Clause 4.2.6.7, is required to forward to the Commission:-

(i) A summary of all submissions and comments received by the Council in respect to the of the Proposed Structure Plan, and the Council's decisions or comments in relation to these;
(ii) The Council's recommendation to the Commission to approve, modify or refuse to approve the Proposed Structure Plan; and
(iii) Any information the Council considers may be relevant to the Commission's consideration of the Proposed Structure Plan.

Comments

The location of the site in close proximity to Warnbro Train Station makes it suitable for the density of development proposed, which is consistent with the objectives of State Planning Policy. Furthermore, the Indicative Concept Plan provided by the Proponent demonstrates a single-storey R40 interface to existing residential development, which addresses the concerns raised in submissions regarding privacy and amenity.

The traffic related matters raised in submissions have been addressed by the additional information supplied by the Proponent and as such, it is recommended that the Council adopt the proposed modification to the Structure Plan.

The following matters should however be considered in subsequent development applications for the subject site:-

Access:
Although the Proponent modified the original Concept Plan to include designated entry and exit lanes onto Abbeytown Circle to improve traffic safety, the findings of the KCTT report also supported the development of one-way internal road system, with access into the development from Sellafield Bend and egress via Abbeytown Circle. Any future development proposals received by the City should support this recommendation to improve pedestrian and vehicle safety on Sellafield Bend and Abbeytown Circle.

Drainage:
The City has identified that the existing drainage system within Harrington Waters estate may require upgrading to accommodate the development of 134 dwellings. On receipt of a development application, the City can further assess the drainage requirements of the development and require the applicant to upgrade the existing system if required.

Servicing
The City will require that the Proponent confirm that the existing water and sewer mains have the capacity to handle the increase in density.

Transport Noise Assessment
The requirement for a transport noise assessment.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ADOPT the Proposed Structure Plan Modification for Lot 1197 Abbeytown Circle and Lot 1198 Sellafield Bend, Waikiki.

Committee Recommendation

That Council ADOPT the Proposed Structure Plan Modification for Lot 1197 Abbeytown Circle and Lot 1198 Sellafield Bend, Waikiki.

Committee Voting – 4/0
<table>
<thead>
<tr>
<th><strong>The Committee’s Reason for Varying the Officer’s Recommendation</strong></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Not applicable</td>
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<table>
<thead>
<tr>
<th><strong>Implications of the Changes to the Officer’s Recommendation</strong></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Not applicable</td>
<td></td>
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</table>
**Planning Services**  
Strategic Planning and Environment Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>SPE-029/12 Proposed Amendment to Planning Policy 6.3 - Local Commercial Strategy - 'Singleton East' Neighbourhood Centre</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1593-07</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Development Planning Strategies on behalf of Gold Right Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Tristan Fernandes, Senior Strategic Planning Officer</td>
</tr>
</tbody>
</table>
| Other Contributors:     | Mr Jeff Bradbury, Coordinator Strategic Planning  
                         | Mr Brett Ashby, Manager Strategic Planning and Environment                                                         |
| Date of Committee Meeting: |                                                                                                                  |
| Previously before Council: | March 2012 (SPE-004/12); September 2012 (SPE-024/12)                                                             |
| Disclosure of Interest: | Executive Function                                                                                                  |
| Nature of Council’s Role in this Matter: |                                                                                                                |
| Site:                   | Lot 806 Mandurah Road, Karnup                                                                                    |
| Lot Area:               | 113.2790ha                                                                                                          |
| LA Zoning:              | Development                                                                                                        |
| MRS Zoning:             | Urban Deferred                                                                                                      |
| Attachments:            | 1. Adopted West Karnup Local Structure Plan  
                         | 2. Indicative Concept Plan for the Neighbourhood Centre                                                            |
| Maps/Diagrams:          | Figure 1 - Location of Advertising  
                         | Figure 2 - Hierarchy of Centres within the South Coastal Locality                                                  |

**Purpose of Report**

To consider a proposed amendment to Planning Policy 6.3 - Local Commercial Strategy (LCS) to increase the maximum shop/retail floor space of the 'Singleton East' Neighbourhood Centre, following the completion of public advertising.

**Background**

In March 2012, the Council resolved to advertise the West Karnup Structure Plan for comment and endorse the publishing of a notice for an amendment to the LCS to modify the maximum retail floor area for the designated 'Singleton East' Neighbourhood Centre from 4,240m² to 5,300m² to accommodate a full sized supermarket, local specialty retail, and fast food outlets. An indicative concept for the Neighbourhood Centre is attached to this Report.
In September 2012, the Council resolved to adopt to West Karnup Structure Plan subject to the following matters being addressed to the satisfaction of the City:

(i) The Neighbourhood Centre site being reconfigured to the satisfaction of the City to delete the left in left out access point onto Mandurah Road;
(ii) Provide a revised Neighbourhood Centre Concept Plan that accounts for the reconfigured site;
(iii) Remove the proposed left in left out connection point onto Mandurah Road from the Structure Plan; and
(iv) Update the Traffic and Structure Plan Reports accordingly.

Following the Council’s resolution, the Proponent appropriately demonstrated the Neighbourhood Centre configuration could function without left in left out access to Mandurah Road. The revised Concept Plan for the Neighbourhood Centre is provided in Attachment 2. The concepts provided in the attachment are indicative only and should not be construed as the final design for the centre.

The Structure Plan was subsequently referred to the Western Australian Planning Commission for determination.

**Details**

Nil

**Implications to Consider**

a. **Consultation with the Community**

   The application was advertised for public comments for a period of 42 days, commencing on the 5th September 2012 and concluding on the 18th October 2012, with consultation undertaken in the following manner:

   - A notice being published in the “Public Notices” section of the Sound Telegraph on the 5th and the 12th September 2012;
   - Nearby owners and occupiers (as shown on Figure 1), and Singleton Residents Association were notified of the proposal in writing and invited to comment; and
   - Details of the proposal being published on the City’s website for the duration of the consultation period.

   ![Figure 1 - Location of Advertising](image)
At the conclusion of the consultation period, the City had received no submissions pertaining to the proposal.

b. **Consultation with Government Agencies**

Not applicable.

c. **Strategic Community Plan**

This item addresses the Community’s Vision for the future and specifically the following Aspirations 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.

**Aspiration 14:** Economic development opportunities that make visiting, living, working and investing in the City of Rockingham an attractive proposition.

d. **Policy**

**Planning Policy 6.3 - Local Commercial Strategy**

Planning Policy 6.3 - *Local Commercial Strategy* provides guidance for the distribution and hierarchy of employment centres within the District. The subject land is located within Precinct 3 - South Coastal, which comprises the suburbs of Secret Harbour, Golden Bay a portion of Karnup and Singleton.

Part 2.4.3 of the *Local Commercial Strategy* identifies one District Centre for the Precinct being the Secret Harbour Town Centre, which is proposed to ultimately accommodate 15,000m² of retail floor space, four Neighbourhood Centres and four local (corner store) scale centres that identify a further 12,990m² retail floor space as shown in Figure 2: -
The Proposed Structure Plan makes provision for the identified 'Singleton East' Neighbourhood Centre. The Policy makes provision for 4,240m² retail floor area for the 'Singleton East' centre. The Proponent is seeking to increase this floor space to 5,300m².

State Planning Policy 4.2 - Activity Centres for Perth and Peel

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2) was adopted in August 2010.

SPP4.2 requires a Local Commercial Strategy to be prepared by the City to guide the long-term distribution of retail and commercial floor space and housing supply via a network of centres that:
- capitalise on opportunities to revitalise activity centres in established urban areas, as a catalyst for urban renewal in the surrounding catchment;
- provide sufficient development opportunities to enable a diverse supply of commercial and residential floor space to meet projected community needs;
- cater for a full range of needs from shopping, commercial and community services from local convenience to higher-order comparison retail/goods and services;
- mitigate the potential for an over-concentration of shopping floor space in large activity centres at the expense of a more equitable level of service to communities; and
- promote the walkable neighbourhoods principle of access to employment, retail and community facilities by distributing activity centres to improve access by foot or bicycle, rather than having to depend on access by car in urban areas.

SPP4.2 focuses strongly on the function and urban form of a centre, with reduced emphasis on maximum shop/retail floor space of a centre. Expansion of centres is dealt with by requiring proponents to prepare a Retail Sustainability Assessment (RSA) prior to major development (a building more than 10,000m² or extension more than 5,000m²) and prior to a neighbourhood centre exceeding 6,000m² or expanding by 3,000m². A RSA assesses the potential economic and related effects of a significant retail expansion on the network of activity centres in a locality.

The requirements of SPP4.2 are implemented via amendments to the City's Local Commercial Strategy.

Part 6.5 of SPP 4.2 outlines the requirements for the RSA. An RSA outlines the potential economic and related effects of a significant retail expansion [expansion greater than 5,000m² Net Lettable Area (NLA)] on the network of activity centres in a locality. It addresses such effects from a local community access or benefit perspective, and is limited to considering potential loss of services, and any associated detriment caused by a proposed development. Competition between businesses of itself is not considered a relevant planning consideration.

The RSA shall assess potential effects of the sustainable future provision of shopping by existing and planned centres in the locality taking into account:
- the supportive shop/retail floor space for an appropriate service population, based on normative primary service (trade) areas in Table 3.
- the Commission's Guidelines for Retail Sustainability Assessments (NB: these guidelines have not been prepared by the Department of Planning at the time of assessing the proposal and at the time of preparing this Report); and
- an assessment of costs imposed on public authorities by the proposed development, including implications for and optimal use of public infrastructure and services provided or planning in a locality.

The proposed expansion addresses the requirements of SPP4.2 as follows:

<table>
<thead>
<tr>
<th>Exert from Table 3 Activity Centre Functions, Typical Characteristics and Performance Targets (State Planning Policy 4.2 - Activity Centres for Perth and Peel)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Typical Characteristics</strong></td>
</tr>
<tr>
<td><strong>Main role/function</strong></td>
</tr>
<tr>
<td><strong>Transport connectivity and accessibility</strong></td>
</tr>
<tr>
<td><strong>Typical retail types</strong></td>
</tr>
<tr>
<td></td>
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<tr>
<td></td>
</tr>
</tbody>
</table>
Typical Office Development
- Local Professional Services
Potential for this land use to be located within the centre.

Future indicative service population (trade area)
2,000 - 15,000 persons
(about 1km radius)
~7,150 local residents ultimately serviced by the Neighbourhood Centre.

Walkable catchment for residential density target
200m
400m nominated on the Local Structure Plan

Residential density target per gross hectare

<table>
<thead>
<tr>
<th>Minimum</th>
<th>Desirable</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>15</td>
<td>25</td>
<td>12.5</td>
</tr>
</tbody>
</table>

Liveable Neighbourhood density requirements

<table>
<thead>
<tr>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum of 20 to 30 dwellings per site hectare within 400m of a Neighbourhood Centre and 250m of a main bus route</td>
<td>24 dwellings per site hectare</td>
</tr>
</tbody>
</table>

e. Financial
Nil

f. Legal and Statutory
The procedures for amending and adopting a Planning Policy are set out in section 8.9 of Town Planning Scheme No.2 (TPS2). Clause 8.9.5 provides that after the expiry of the period within which submissions may be made, the Council is to:
(a) review the proposed Policy in the light of any submissions received; and
(b) resolve to adopt the Policy with or without modification, or not to proceed with the policy.

The Policy has effect on publication of a notice in a newspaper.

Clause 4.6.6(a) of TPS2 allows the Council to modify the LCS, provided that it is satisfied that such modification is in the interest of orderly and proper planning and will not detract from the amenity of the locality.

There is no statutory requirement for the Western Australian Planning Commission to adopt, approve or endorse any modifications to the LCS, therefore the Council’s decision to adopt the amendments to the LCS is final. Clause 8.9.6(b) of TPS2 requires the Council to forward a copy of the adopted Policy to the Western Australian Planning Commission, for its information.

Comments
The location of the proposed Neighbourhood Centre abutting Mandurah Road, central to an existing and growing population catchment is supported. The Neighbourhood Centre is removed from direct competition from nearby local centres provides and will facilitate the needs of the community for daily and weekly household shopping and local services.

The City did not receive any submissions during the public consultation period for the Local Structure Plan and modification to the Local Commercial Strategy.

The justification provided by the Proponent as part of the West Karnup Structure Plan appropriately justifies a ‘minor’ expansion in commercial floor space prescribed by Planning Policy 6.3 - Local Commercial Strategy.

It is recommended that the Council adopt the proposed amendment to the LCS to increase the maximum shop/retail floor space of the 'Singleton East' Neighbourhood Centre from 4,240m² retail floor area to 5,300m², following the completion of the public advertising period without modification.

Voting Requirements
Simple Majority
Officer Recommendation

That Council adopt the following amendments to Planning Policy 6.3 - Local Commercial Strategy pursuant to clause 8.9.5 of Town Planning Scheme No.2: -

1. Modify reference in Table 1.4 Recommended Centres Sizes - Shop/Retail m² Net Lettable Area (NLA), Recommended Planning Land Use Category 5 (PLUC) NLA (m²) column for Singleton East from 4,240 to 5,300.

2. Modify Table 2.7 Recommendations for Neighbourhood and Local Shopping Centres in the South Coastal Precinct, Recommended PLUC5 NLA (m²) column for Singleton East from 4,240 to 5,300.

3. Modify the Figure 1 - City of Rockingham Local Commercial Strategy Precinct 3, Recommended PLUC5 NLA (m²) column for Singleton East from 4,240 to 5,300.

4. Modify the Figure 5.1 - City of Rockingham Local Commercial Strategy Precinct 3, Recommended PLUC5 NLA (m²) column for Singleton East from 4,240 to 5,300.

Committee Recommendation

That Council adopt the following amendments to Planning Policy 6.3 - Local Commercial Strategy pursuant to clause 8.9.5 of Town Planning Scheme No.2: -

1. Modify reference in Table 1.4 Recommended Centres Sizes - Shop/Retail m² Net Lettable Area (NLA), Recommended Planning Land Use Category 5 (PLUC) NLA (m²) column for Singleton East from 4,240 to 5,300.

2. Modify Table 2.7 Recommendations for Neighbourhood and Local Shopping Centres in the South Coastal Precinct, Recommended PLUC5 NLA (m²) column for Singleton East from 4,240 to 5,300.

3. Modify the Figure 1 - City of Rockingham Local Commercial Strategy Precinct 3, Recommended PLUC5 NLA (m²) column for Singleton East from 4,240 to 5,300.

4. Modify the Figure 5.1 - City of Rockingham Local Commercial Strategy Precinct 3, Recommended PLUC5 NLA (m²) column for Singleton East from 4,240 to 5,300.

Committee Voting – 4/0

The Committee's Reason for Varying the Officer's Recommendation

Not applicable

Implications of the Changes to the Officer’s Recommendation

Not applicable
Planning Services
Strategic Planning and Environment Services

Reference No & Subject: SPE-030/12 Review of the Local Commercial Strategy for Baldivis - Adoption

File No: LUP/1596

Proponent/s: Mr Jeff Bradbury, Coordinator Strategic Planning

Author: Mr Brett Ashby, Manager Strategic Planning & Environment

Other Contributors:

Date of Committee Meeting: 3rd December 2012

Previously before Council: August 2012 (SPE-019/12)

Disclosure of Interest:

Nature of Council’s Role in this Matter: Executive Function

Site: Lot Area: LA Zoning: MRS Zoning:

Attachments: 1. Schedule of Submissions

Maps/Diagrams:

- Figure 1. Location and maximum floorspace of commercial centres in Baldivis
- Figure 2. Proposed Activity Centre Hierarchy for Baldivis

Purpose of Report

To consider the adoption of modifications to the City’s Planning Policy 6.3 – Local Commercial Strategy (LCS), as it applies to the Baldivis area, in the context of State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2).

Background

In August 2012, the Council considered a review of the LCS as it applies to Baldivis. The review was prepared for the City by consultant, MacroPlanDimasi. The intent of the review is to:-

(i) Guide the long-term distribution of retail and commercial floorspace via a network of centres as per the direction of SPP4.2; and

(ii) Examine the retail needs of residents in the area and how this is likely to grow over time.

The Council resolved to advertise proposed modifications to the LCS, pursuant to clause 8.9.4 of Town Planning Scheme No.2.
Details

With or without intervention, new retail centres will continue to be built within Baldivis given the significant population growth, however, without a strategy new Centres may not meet the future needs of the population. The review of the LCS is intended to provide the City with recommendations and tools that can help proactively manage the current and future activity centre needs of Baldivis and ensure they respond to State-driven policy.

The review responds to these future needs by confirming an activity centre network and hierarchy and provides a strategic direction for centre development and future activity centre growth. It makes recommendations which are consistent with SPP4.2 by providing for retailing and associated activities within a defined and appropriate activity centre hierarchy. It also reinforces the need for these facilities to be accessible and encourages the concentration of future retail expansion.

The review proposes the replacement of sections 2.2.2 and 2.4.4 of the LCS (which relate to Centres in Baldivis). The changes include additional objectives relating to Centre development, and a reference to the new requirement to prepare a Retail Sustainability Assessment (RSA) for expansions to Centres throughout Baldivis. These requirements are consistent with SPP4.2.

The outcomes of MacroPlanDimasi’s assessment and proposed changes to the LCS are summarised below.

Baldivis Town Centre

Currently, the LCS explores a number of key issues and provides a minimal level of direction to the Baldivis Town Centre. The discussion in Section 2.2.2 of the LCS is largely centred around the quantum of floorspace which should be allowed at the Centre at different stages of development. Of key note is that the main inputs to the LCS were from the Indicative Development Plan (1996) and the Planning Policy 6.12 – Baldivis Town Centre (adopted by Council in 1999), both of which have been updated over time, with Planning Policy 6.12 being superseded by Planning Policy 3.2.4 – Baldivis Town Centre in 2009.

The LCS indicates that there has been conjecture surrounding the level of development at the Town Centre, and specifically the level of shop/retail floorspace at the site. A report by Shrapnel Urban Planning indicated that 15,300m² of floorspace would be viable by 2026, while the final recommended floorspace allowance was made for 25,000m² as outlined in the Indicative Development Plan (1996).

The LCS under 2.2.2 also discusses the concerns of the overall size of the Town Centre, with the land area of 43 hectares far exceeding the amount of land usually allocated to a Town Centre.

It should be noted that the Baldivis Town Centre has been allocated under Directions 2031 and Beyond as a District Centre that services a wider catchment. Further to this, much of the land may provide a mix of uses such as commercial, community and bulky goods which requires a higher volume of land than shop/retail uses.

Service and light industry uses are discretionary uses within the Baldivis Town Centre, and are discussed in the LCS as being important due to the lack of alternative locations within Baldivis. While there may be future provision for these uses in the northern part of Baldivis, a critical mass of such uses in the Baldivis Town Centre will further anchor the centre as the focal commercial and community hub for Baldivis and its surrounds.

The review identified that the delivery of significant supermarket floorspace within the Baldivis Town Centre may challenge or restrict the delivery of full line supermarkets within Neighbourhood Centres, noting that smaller supermarkets may still establish. Any major expansion of the Baldivis Town Centre, including any proposed supermarket, should include a RSA which outlines the sustainability and impacts of each retail type. The recent Activity Centre Structure Plan for the Baldivis Town Centre which was adopted by the Council in July 2012 included a RSA which demonstrated that the proposed expansion of the centre to 35,931m² (including a second supermarket) has the potential to slightly delay the delivery of a Neighbourhood Centre in Baldivis, but this delay is outweighed by the overall net community benefit.

Neighbourhood and Local Centres (in Baldivis)

The LCS in relation to Baldivis is based on inward looking neighbourhood principles where the primary roads are the boundaries of the suburbs. Current planning strategies divide Baldivis into Neighbourhood and Local Centres, however, previous retail plans have not adequately addressed the southern area of Baldivis between Sixty Eight Road and Stakehill Road.
The potential floorspace for this area estimated at 13,781m² takes into account competition from Baldivis Town Centre.

Some of the key concerns raised about the LCS surround the quantum of floorspace allowed at a number of the Centres at capacity. This has caused concerns for the City of Rockingham, the relevant developers and the community which require access to retail provision.

The LCS outlines general sizings for Local and Neighbourhood Centres as:

- Local Centres are generally smaller than 1,000m²; and
- Neighbourhood Centres are generally larger than 1,000m², but no larger than 4,500m².

More recent guiding principles for Activity Centres point to a need to assess the role and function of the Centre rather than the size of the centre in terms of retail floorspace. That is, the Centre may be larger than 4,500m² and include a supermarket, specialties and a number of community uses, but still perform a Neighbourhood Centre role.

The LCS further discusses how larger Neighbourhood Centres with supermarkets may cause distortions to District Centres. Generally, well performing Activity Centre hierarchies will have Neighbourhood Centres which play a complimentary role to the higher order Centre.

**Freeway Service Centre**

The review identifies that the proposed Freeway Service Centre, to be located on Kwinana Freeway between Mundijong Road and Safety Bay Road, will have negligible impact on the delivery of Neighbourhood and Local Centres in Baldivis.

**Retail Sustainability Assessments (RSA)**

A RSA addresses the effects of a significant retail expansion from a local community access or benefit perspective, and is limited to considering potential loss of services, and any associated detriment caused by a proposed development. Competition between businesses is not considered a relevant planning consideration.

Based on the requirements of SPP4.2, MacroPlanDimasi’s review has recommended that an RSA be required in the Baldivis Precinct in the following circumstances:

- Any proposal that facilitates major development in a District Centre, where that development results in an expansion of floorspace in that Centre by more than 5,000m² of shop/retail floorspace;
- Any proposal in a District Centre that facilitates the development of a supermarket, being food, grocery and associated uses greater than 1,000m²;
- Any proposal that facilitates an expansion of shop/retail floorspace in a Neighbourhood Centre by more than 3,000m², except where the total shop/retail floorspace of that Centre will be less than 6,000m²; and
- Any proposal that would result in the role and function of the Centre exceeding that of its designation in the activity centre hierarchy (for example by the development of a supermarket in a Local Centre, or a department store within a District Centre).

A RSA needs to outline:

- A need or demand for Activity Centre floorspace provision to serve the identified catchment;
- The current and forecast population level within the catchment for the next 5 to 10 years;
- Depending on the land use proposed, the assessment should highlight key demand factors, such as spending (retail), jobs (commercial) etc;
- Show where the proposed Activity Centre provision would fit within the hierarchy;
- Indicate the existing major competing supply serving the catchment;
- Provide details of any other proposals for new or expanded development which could have an effect on the viability of what is proposed;
- Indicate whether there are any existing gaps which the proposal will fill; and
- Provide details, where required by the City, on any relevant alternative sites to the proposed site, and demonstrate how the proposed site is the preferred site for the proposal.
Development Requirements

The review proposes to apply SPP4.2 to the development of Centres in Baldivis. SPP4.2 contains requirements relating to activities, movement, urban form and resource conservation. It is recommended that Detailed Area Plans be prepared for all new Neighbourhood and Local Centres to guide the orderly development of the Centre.

The development of the Baldivis Town Centre is guided by the City's Planning Policy 3.2.4 and the Integrated Development Guide Plan (IDGP) adopted under Town Planning Scheme No.2 (TPS2). The Policy and IDGP are supported by the Baldivis Activity Centre Structure Plan (BACSP) that was prepared under SPP4.2 by Urbis in 2012, and the Policy and IDGP will be amended to reflect the BACSP once it has been adopted by the Western Australian Planning Commission.

Proposed Changes to the Local Commercial Strategy

Baldivis District Centre: The review recommends that section 2.2.2 of the LCS dealing with the Baldivis District Centre be deleted and replaced with the following:

“This section was reviewed in 2012 to incorporate the recommendations of State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2).

The Baldivis Town Centre (sometimes referred to as the Baldivis District Centre) is identified as a District Centre in the hierarchy of centres, as per SPP4.2. District Centres have a strong focus on servicing the weekly needs of residents. Their relatively smaller-scale catchment than Strategic Metropolitan Centres like Rockingham enables them to have a greater local community focus and provide services, facilities and job opportunities that reflect the particular needs of their catchments.

Significant investment has been and will continue to be directed into the Baldivis Town Centre, which provides a valuable contribution to providing a critical mass of retail, community, services and other commercial land uses for residents and visitors to Baldivis. The Centre provides a focal point for Baldivis and a community hub for a high-amenity destination for Baldivis residents.

The Baldivis Town Centre should include a mix of non-retail land uses (including office, civic, business, health, community, entertainment cultural uses and showrooms) of at least 30% of the total retail and mix of land use floorspace in the Centre. Current estimates are that the Centre will have 45.3% mix of land uses by 2014.

With the Baldivis Town Centre being the highest-order centre within Baldivis, the delivery of lower order facilities such as supermarket floorspace within the Centre could have subsequent timing and delivery implications for surrounding Neighbourhood Centres. The demand analysis conducted in 2012 indicates there remains demand for food and grocery retail floorspace in Baldivis, and that with the delivery of a second supermarket anchor in the Baldivis Town Centre there will remain sufficient demand for delivery of neighbourhood and local centres within Baldivis, albeit likely to be smaller supermarkets. This uncertainty can be further reduced through the undertaking of a thoroughly peer reviewed Retail Sustainability Assessment (RSA) which examines the impacts of any future additional supermarket at the Centre on proposed surrounding developments.

Whilst the timing of development of the retail component of the Baldivis Town Centre has been subject to conjecture, given it represents the highest-order centre within the hierarchy it is considered that lower order facilities, such as food, grocery and supermarket floorspace, is the key element of consideration because of its implication on the development of the Neighbourhood and Local Centres in the hierarchy. Demand for Neighbourhood Centre floorspace within Baldivis is at 2012 estimated at 5,664m² and is forecast to almost triple by 2022. This will continue to drive demand for neighbourhood and local facilities within Baldivis.

Demand for retail floorspace for the Baldivis Town Centre, just from Baldivis residents, is estimated at over 26,000m² in the long term, with additional floorspace likely to be required for other mixed use elements. Noting that the Centre is likely to attract trade from residents outside Baldivis, it is likely that there will be potential for a higher level of retail floorspace at the Centre in the longer term.

A RSA, prepared in accordance with SPP4.2, will be required under any of the following circumstances:

- Any proposal that facilitates major development, where that development results in an expansion of floorspace in that Centre by more than 5,000m² of shop/retail floorspace;
- Any proposal that facilitates the development of a supermarket, being food, grocery and associated uses greater than 1,000m²;
• Any proposal that would result in the role and function of the Centre exceeding that of its designation in the activity centre hierarchy (for example by the development of a department store within the District Centre).

The development of the Baldivis District Town Centre is guided by the City’s Planning Policy 3.2.4 and the Integrated Development Guide Plan adopted under TPS2. The Policy and Plan are supported by the Baldivis Activity Centre Structure Plan that was prepared under SPP4.2 by Urbis in 2012.

Neighbourhood and Local Shopping Centres in the Baldivis Precinct: The review recommends that section 2.4.4 of the LCS – ‘Precinct 4 – Baldivis’ and Table 2.8 – ‘Recommendations for Neighbourhood and Local Shopping Centres in the Baldivis Precinct’ be deleted and replaced with the following (including inserting new Figure 2.4.2):

“This section was reviewed in 2012 to incorporate the recommendations of State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2).

The identification of floorspace maximums for neighbourhood and local activity centres has resulted in an undersupply of retail floorspace for residents. Recently, SPP4.2 adopted a more flexible approach for centres, particularly encouraging mixed-use development and the need to identify and assess the role and function of the Centre rather than a specific size of the Centre in terms of retail floorspace. Specific maximums on Neighbourhood and Local Centres in Baldivis have been removed, with a revised focus on the role and function of each Centre.

The role and function of the these Neighbourhood and Local Centres is detailed in Table 2.8, providing an overview of the key features of each centre type within the hierarchy including a review of the typical floorspace, ideal catchment population, common anchor tenants and other forms of activities.

Table 2.8 - Neighbourhood and Local Centre Descriptions in the Baldivis Precinct

<table>
<thead>
<tr>
<th>Level in hierarchy</th>
<th>Neighbourhood Centre (NC)</th>
<th>Local Centre (LC)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Approximate catchment served</td>
<td>5,000 to 20,000 residents</td>
<td>Up to 5,000 residents, walkable catchments</td>
</tr>
<tr>
<td>Typical floorspace provision</td>
<td>Generally 4,500m² to 10,000m²</td>
<td>Generally less than 1,500m²</td>
</tr>
<tr>
<td>Typical retail anchor tenants</td>
<td>Comparison, weekly and convenience services including a supermarket (variety of sizes including full, mid-size and discount offer), range of specialty stores and personal services.</td>
<td>Convenience shops, limited specialty stores, personal services. Supermarkets generally not appropriate for local activity centres.</td>
</tr>
<tr>
<td>Potential mix of uses</td>
<td>Local service and commercial facilities, including banks, post office, real estate agents and local commercial. Medium density and shop-top residential.</td>
<td>Local professional services. Shop-top housing.</td>
</tr>
</tbody>
</table>

Baldivis Centres  
NCs play an important ‘community’ based role in servicing the everyday needs of residents who live within close proximity to the Centre.  
Existing and Proposed Centres in Baldivis include:  
- Tuart Ridge  
- The Ridge  
- Stargate (Precinct E)  
LCs provide convenience shops or a small strip of shops serving a walkable catchment.  
Further LC development within Baldivis will not impact on the achievement of an appropriate hierarchy, and is encouraged as an overall net community benefit will result if additional LCs are established.  
It is noted that the development feasibility of LCs is very difficult to
A Retail Sustainability Assessment (RSA), prepared in accordance with SPP4.2, will be required under any of the following circumstances:

- Any proposal that facilitates an expansion of shop/retail floorspace in a Neighbourhood Centre by more than 3,000m², except where the total shop/retail floorspace of that centre will be less than 6,000m²; and
- Any proposal that would result in an alteration to the role and function of that Centre in the hierarchy of centres (e.g. by the development of a supermarket in a Local Centre or a DDS in a Neighbourhood Centre).

The RSA needs to outline:

- A need or demand for centre floorspace provision to serve the identified catchment;
- The current and forecast population level within the catchment for the next 5 to 10 years;
- Depending on the land use proposed, the assessment should highlight key demand factors, such as spending (retail), jobs (commercial), etc.;
- Show where the proposed Centre provision would fit within the hierarchy;
- Indicate the existing major competing supply serving the catchment;
- Provide details of any other proposals for new or expanded development which could have an effect on the viability of what is proposed;
- Indicate whether there are any existing gaps which the proposal will fill; and
- Provide details, where required by the City, on any relevant alternative sites to proposed site, and demonstrate how the proposed site is the preferred site for the proposal.

Expansion outside of the designation for Activity Centres should be considered in cases which:

- There is an assessment of the expected impact/trading effect on existing Centres;
- There is a demonstration of the extent to which the proposal is expected to lead to an overall improvement in the provision of facilities;
- An assessment is undertaken of the estimated employment outcome, including any loss of employment within other Centres;
- Significant net employment is generated during construction and operation;
- The Centre contributes to public transport usage;
- There is an increase in the choice and competition provided to the community - particularly for retail uses;
- There is a contribution to other community-related goals such as social interaction and safety; and
- There has been a consideration where appropriate of other factors such as traffic and parking impacts, amenity, etc.

If, after a period of time satisfactory to the City, it can be shown that a Local Centre is not commercially viable and the deletion of the Centre will not significantly compromise access to commercial facilities in the locality, the City may permit the site to be developed for a non-commercial use.

Detailed Area Plans should be prepared for all new Neighbourhood and Local Centres to guide the orderly development of the centre in accordance with SPP4.2.

An Activity Centre hierarchy is required to be more flexible to respond to the needs of residents, with the opening of market need and gaps. The Baldivis hierarchy is depicted in the Figure 2.4.2."
Figure 2 – Proposed Activity Centre Hierarchy for Baldivis
Other Changes Required to the Local Commercial Strategy

The review recommends that the following modifications are also required to the LCS.

Introduction: Include the following new paragraphs at the end of section 1.1 – ‘Introduction’:

“In August 2012, the City reviewed the Strategy as it applies to Baldivis, to guide the long-term distribution of retail and commercial floorspace via a network of centres that as per the direction of State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2), which supersedes the Metropolitan Centres Policy (2000). This review responded to these future needs by confirming an activity centre network and hierarchy and provides a strategic direction for centre development and future activity centre growth. It makes recommendations which are consistent with SPP4.2 by providing for retailing and associated activities within a defined and appropriate activity centre hierarchy. It also reinforced the need for these facilities to be accessible and encourages the concentration of future retail expansion.

The review resulted in the replacement of sections 2.2.2 and 2.4.4 of this Strategy (which relate to centres in Baldivis). The changes include additional objectives relating to centre development, and a reference to the new requirement to prepare a Retail Sustainability Assessment (RSA) for expansions to centres throughout Baldivis. These requirements are consistent with SPP4.2.”

Purpose: Include the following new dot point at the end of section 1.3 – ‘Purposes of the Local Commercial Strategy’:

- “With regard to Precinct 4 – Baldivis, apply the following objectives and principles in accordance with SPP4.2:
  - capitalise on opportunities to revitalise activity centres in established urban areas, as a catalyst for urban renewal in the surrounding catchment;
  - provide sufficient development opportunities to enable a diverse supply of commercial and residential floorspace to meet projected community needs;
  - cater for a full range of needs from shopping, commercial and community services from local convenience to higher-order comparison retail/goods and services;
  - mitigate the potential for an over-concentration of shopping floorspace in large activity centres at the expense of a more equitable level of service to communities; and
  - promote the walkable neighbourhoods principle of access to employment, retail and community facilities by distributing activity centres to improve access by foot or bicycle, rather than having to depend on access by car in urban areas.”

Table 1.2: Replace the ‘Precinct 4 Baldivis’ row of Table 1.2 – ‘Centres in Rockingham Related to the Metropolitan Centre Policy Hierarchy’ with the following:

<table>
<thead>
<tr>
<th>City of Rockingham</th>
<th>Strategic Regional Centres</th>
<th>Regional Centres</th>
<th>District Centres</th>
<th>N’hood and Local Centres</th>
<th>Traditional ‘Main Street’ Centres (all levels of the hierarchy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Precinct 4 Baldivis</td>
<td>None</td>
<td>None</td>
<td>Baldivis Town Centre</td>
<td>5 N’hood, 7 Local</td>
<td>All centres as per SPP4.2</td>
</tr>
</tbody>
</table>

Objectives: Include the following new dot point at the end of Section 1.8 – ‘Objectives for Rockingham’:

- “With regard to Precinct 4 – Baldivis, promote the objectives and principles as set out in section 1.3.”

Table 1.4: Modify Table 1.4 – ‘Recommended Centre Sizes – Shop/Retail m² NLA’ by:

(i) Replacing the ‘Recommended PLUC5 NLA (m²)’ for the ‘Baldivis Future District Centre’ with “see section 2.2.2”

Figure 1: Modify Figure 1 – ‘City of Rockingham Local Commercial Strategy’ by inserting a box over Precinct 4 – Baldivis (the map and the table) with the text “Precinct 4 – Baldivis - Refer to Figure 2.4.2”.

Policy renumbering: Under the new policy numbering system, the LCS will be renumbered as Planning Policy 3.1.2.

Implications to Consider

a. Consultation with the Community

The application was advertised for public comment for a period of 42 days, commencing on the 5th September 2012 and concluding on the 18th October 2012, with consultation undertaken in the following manner:

- A notice being published in the “Public Notices” section of the Sound Telegraph on the 5th and the 12th September 2012;
- Written notice being provided to all owners of land included in existing or proposed activity centres in Baldivis and competing centres outside of Baldivis; and
- Details of the proposal being published on the City’s website for the duration of the consultation period.

At the conclusion of the consultation period, a total of six submissions were received. A summary of the comments raised by the submissioners, and the City’s comment with respect to each submission, is included in the tables below. A full copy of each submission is set out in the Schedule of Submissions attached to this report.

<table>
<thead>
<tr>
<th>1. Impact on the Viability of the Precinct E Neighbourhood Centre</th>
</tr>
</thead>
</table>

**Submission:**
Increasing the floorspace of other Centres could affect the viability of the Stargate (Precinct E) Neighbourhood Centre (2 submissions).

**City’s Comment:**
The impact of the expansion of Centres on the viability of other Centres is anticipated in SPP4.2 which provides guidance for when a RSA should be required. In this regard, it is recommended that the LCS be amended to require a RSA for any proposal that facilitates an expansion of shop/retail floorspace in a Neighbourhood Centre by more than 3,000m², except where the total shop/retail floorspace of that Centre will be less than 6,000m²;

The role of a RSA includes assessing the potential impact of large expansions of a Centre on the viability of other Centres.

<table>
<thead>
<tr>
<th>2. Sub-hierarchies of Neighbourhood Centres</th>
</tr>
</thead>
</table>

**Submission:**
The review does not describe sub-hierarchies of Neighbourhood Centres, and the impact of expansion of a Neighbourhood Centre on surrounding Centres is not considered. The LCS should protect the hierarchy of Centres, and the Stargate (Precinct E) and Baldivis North Centres should be described as higher-order Neighbourhood Centres.

**City’s Comment:**
The identification of a sub-hierarchy of Neighbourhood Centres is inconsistent with the hierarchy of Centres in SPP4.2 and is not supported.
3. Retail Sustainability Assessments for Expansion of Neighbourhood Centres

**Submission:**
A RSA should be required for all expansions of Neighbourhood Centres, including expansions of less than 3,000 m².

**City’s Comment:**
The matter of addressing the impact on surrounding Centres is dealt with under section 6.5.2 of SPP4.2, which only requires a RSA for expansions of Neighbourhood Centres by more than 3,000 m². Requiring a RSA for expansions of less than 3,000 m² is not supported.

4. Location of Parkland Heights

**Submission:**
The location of the Parkland Heights Local Centre as identified in proposed Figure 2.4.2 should be moved to reflect the location of the Centre on the approved Structure Plan.

**City’s Comment:**
It is recommended that the location of the Parkland Heights Local Centre be moved further north to reflect the location on the approved Structure Plan.

5. Accuracy of Figure 2.4.2

**Submission:**
Proposed Figure 2.4.2 (included as Figure 2 above) should correctly identify the location of urban-zoned land in The Rivergums, show Lots 986 and 993 Baldivis Road as Urban Deferred in accordance with the Council’s October 2007 resolution, identify parkland on the plan, and show other retail demand generators.

**City’s Comment:**
It is recommended that Figure 2.4.2 be modified to show the extent of Urban, Urban Deferred and Rural zoned land and land reserved for Parks and Recreation under the Metropolitan Region Scheme. The identification of rural subdivisions on the plan would add a level of detail not necessary to the plan and is not supported.

6. Second Supermarket in the Baldivis Town Centre

**Submission:**
The review suggests that the development of a second supermarket in the Baldivis Town Centre could have timing and delivery implications for surrounding Neighbourhood Centres. This is contrary to the Retail Sustainability Assessment (RSA) prepared by Urbis and accepted by the City which stated the delivery of a second supermarket in the Town Centre would not constrain development in Neighbourhood Centres.

The requirement for a RSA for additional supermarkets in the Baldivis Town Centre is superfluous given a RSA has already been prepared and accepted by the City for a second supermarket.

The review also suggests that the timing of the retail component of the Baldivis District Town Centre has been subject to conjecture, which is not the case given this issue was resolved by the Urbis RSA.
CONFIRMED AT A PLANNING SERVICES MEETING
HELD ON MONDAY, 18 FEBRUARY 2013

City’s Comment:
It is recommended that the LCS be modified to confirm that the delivery of a second supermarket in the Baldivis District Town Centre has been supported by a RSA prepared by Urbis in 2012. Any future proposal to develop a third supermarket will need to be supported by a RSA.
The text in the LCS referring to the timing of retail development in the Baldivis District Town Centre is considered important for recognising the interaction between the Baldivis District Town Centre and the Neighbourhood Centres.

7. Demand for District Town Centre Floorspace

Submission:
The review suggests that demand for retail floorspace from Baldivis residents is estimated at over 26,000m² in the long term. This statement is unnecessary given the Urbis Retail Sustainability Assessment considers that the Baldivis District Town Centre can support 35,900m² of retail floorspace in the next 2-3 years.

City’s Comment:
It is recommended that the LCS be modified to remove reference to the 26,000m², and instead refer to the long term potential for 35,900m² as supported by the Urbis RSA.

8. Expansion of the Tuart Ridge Neighbourhood Centre

Submission:
The ‘owner’s consultation’ section of the review incorrectly states that the owner of the Tuart Ridge Centre has no intention to expand, and that the owner believes there to be no demand for development in the short term.

City’s Comment:
The Table on page 51 states that the owner of the ‘Tuart Ridge’ Centre believes the allowable size of the development should be bigger. On page 50, reference is made to the owner of ‘The Ridge’ Centre considering the current size of its Centre to be suitable, and it is believed that the similar names of the two Centres caused some confusion.
In reference to demand for development in the short term, it is acknowledged that the owner of the Tuart Ridge Centre has had a longstanding desire to expand. This is reflected in the designation of the Centre as a Neighbourhood Centre and changes to the review document are not necessary.

9. Reduction in the Floorspace of the Settlers Hills Centre

Submission:
The reduction in the allowable floorspace of the centre from 3,240m² to 1,500m² is not supported as it affects the future development potential of the site.

City’s Comment:
The reduction was proposed on the understanding that the landowners did not intend further expansion of the Centre. The City has been made aware that ownership of the Centre changed after commencement of the review, and that the current owners wish to retain the potential for expansion of the Centre in the future.
In the circumstances, it is recommended that the Settlers Hills Centre be designated as a Neighbourhood Centre.
10. Lack of Consultation for the Settlers Hills Centre

**Submission:**
The owner of the Settlers Hills Shopping Centre was not consulted in the initial stages of the review.

**City’s Comment:**
Preliminary consultation for the Review was undertaken prior to the Centre being acquired by the current owners. The current owners were, however, notified as part of the formal advertising process.

11. Conflict of Interest

**Submission:**
The City’s retail consultant, MacroPlanDimasi, has been employed by Stockland in the past.

**City’s Comment:**
MacroPlanDimasi does not represent Stockland with respect to its Baldivis landholdings.

b. Consultation with Government Agencies

The Department of Planning was consulted on this proposal; no response was received.

The City of Kwinana was also consulted; it advised that the review provides sufficient correlation to Kwinana as a ‘higher order’ activity centre (Secondary Centre) with reference to *Directions 2031 and Beyond* and therefore it is comfortable with the tenor and overall strategic direction of the draft revised LCS as it relates to Baldivis’ northern neighbour.

c. Strategic Community Plan

This item addresses the Community’s Vision for the future and specifically the following Aspirations 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

**Aspiration 14:** Economic development opportunities that make visiting, living, working and investing in the City of Rockingham an attractive proposition

d. Policy

This review applies the requirements of SPP4.2 to the Baldivis area. SPP4.2 includes the following nine objectives:

<table>
<thead>
<tr>
<th>Activity Centre Hierarchy</th>
<th>1. Distribute activity centres to meet different levels of community need and enable employment, goods and services to be accessed efficiently and equitably by the community.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2. Apply the activity centre hierarchy as part of a long-term and integrated approach by public authorities and private stakeholders to the development of economic and social infrastructure.</td>
</tr>
<tr>
<td></td>
<td>3. Plan activity centres to support a wide range of retail and commercial premises and promote a competitive retail and commercial market.</td>
</tr>
<tr>
<td></td>
<td>4. Increase the range of employment in activity centres and contribute to the achievement of sub-regional employment self-sufficiency targets.</td>
</tr>
<tr>
<td></td>
<td>5. Increase the density and diversity of housing in and around activity centres to improve land efficiency, housing variety and support centre facilities.</td>
</tr>
</tbody>
</table>
Movement

6. Ensure activity centres provide sufficient development intensity and land use mix to support high-frequency public transport.

7. Maximise access to activity centres by walking, cycling and public transport while reducing private car trips.

Urban Form

8. Plan activity centre development around a legible street network and quality public spaces.

Out-of-centre development

9. Concentrate activities, particularly those that generate high numbers of trips, within activity centres.

The review of the LCS for Baldivis is consistent with the above objectives. The review also proposes the introduction of new objectives for Baldivis that are generally consistent with the objectives of SPP4.2.

e. Financial

Nil

f. Legal and Statutory

The procedures for amending and adopting a Planning Policy are set out in section 8.9 of TPS2. Clause 8.9.5 provides that after the expiry of the period within which submissions may be made, the Council is to:

(a) review the proposed Policy in the light of any submissions received; and

(b) resolve to adopt the Policy with or without modification, or not to proceed with the Policy.

The Policy has effect on publication of a notice in a newspaper.

Clause 4.6.6(a) of TPS2 allows the Council to modify the LCS, provided that it is satisfied that such modification is in the interest of orderly and proper planning and will not detract from the amenity of the locality.

There is no statutory requirement for the Western Australian Planning Commission to adopt, approve or endorse any modifications to the LCS, therefore the Council’s decision to adopt the amendments to the LCS is final. Clause 8.9.6(b) of TPS2 requires the Council to forward a copy of the adopted Policy to the Western Australian Planning Commission, for its information.

Comments

This review of the LCS as it applies to Baldivis proposes to remove the floorspace restrictions that apply to Centres, and instead apply a more flexible approach to the hierarchy of Centres that is based on the function and design of a Centre, rather than its floorspace. This should provide more certainty to developers and apply a more equitable, outcome-based approach to Centres in Baldivis.

The review confirms an activity centre network and hierarchy and provides a strategic direction for centre development and future activity centre growth. It makes recommendations which are consistent with SPP4.2 by providing for retailing and associated activities within a defined and appropriate activity centre hierarchy. It also reinforces the need for these facilities to be accessible and encourages the concentration of future retail expansion.

It is recommended that the Council adopt the proposed modifications to the LCS, subject to the amendments supported in this report.

There are currently two outstanding applications to amend the LCS. These requests are satisfied by the recommendations of the review. As such, if the Council adopts this review, then it no longer needs to proceed with the following outstanding proposals:

- In October 2010, the Council resolved to endorse the publishing of a notice that is had prepared an amendment to the LCS to increase the maximum shop/retail floorspace of Tuart Ridge (Baldivis Precinct B) from 1,470m² to 3,200m². Following the conclusion of the advertising period and the receipt of a number of objections, the proponent asked for the matter to be deferred until further notice.
In November 2011, the Council resolved to endorse the publishing of a notice that it had prepared an amendment to the LCS to increase the maximum shop/retail floorspace of the Baldivis Town Centre to 27,500m², with 2,500m² being allocated to Lot 9001.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council:

1. **ADOPT** the following modifications to Planning Policy No.6.3– *Local Commercial Strategy* (amendments to the proposed modifications advertised for public comment are shown in red):

   (a) Replace the cover page with the following:

   “Planning Policy 3.1.2 – Local Commercial Strategy

   Endorsed by Council at its ordinary Meeting held on the 24th February 2004, and endorsed by the Western Australian Planning Commission on the 7th December 2006.

   Amended by Council at its ordinary Meeting held on the 24th August 2004.

   Amended by Council at its ordinary Meeting held on the 24th April 2012.

   Amended by Council at its ordinary Meeting held on the 22nd May 2012.

   Amended by Council at its ordinary Meeting held on the 11th December 2012.”

   (b) Include the following new paragraphs at the end of section 1.1 – ‘Introduction’:

   “In August 2012, the City reviewed the Strategy as it applies to Baldivis, to guide the long-term distribution of retail and commercial floorspace via a network of Centres that as per the direction of State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2), which supersedes the Metropolitan Centres Policy (2000). This review responded to these future needs by confirming an activity centre network and hierarchy and provides a strategic direction for centre development and future activity centre growth. It makes recommendations which are consistent with SPP4.2 by providing for retailing and associated activities within a defined and appropriate activity centre hierarchy. It also reinforced the need for these facilities to be accessible and encourages the concentration of future retail expansion.

   The review resulted in the replacement of sections 2.2.2 and 2.4.4 of this Strategy (which relate to centres in Baldivis). The changes include additional objectives relating to centre development, and a reference to the new requirement to prepare a Retail Sustainability Assessment (RSA) for expansions to Centres throughout Baldivis. These requirements are consistent with SPP4.2.”

   (c) Include the following new dot point at the end of section 1.3 – ‘Purposes of the Local Commercial Strategy’:

   • “With regard to Precinct 4 – Baldivis, apply the following objectives and principles in accordance with SPP4.2:

   - capitalise on opportunities to revitalise activity centres in established urban areas, as a catalyst for urban renewal in the surrounding catchment;

   - provide sufficient development opportunities to enable a diverse supply of commercial and residential floorspace to meet projected community needs;

   - cater for a full range of needs from shopping, commercial and community services from local convenience to higher-order comparison retail/goods and services;"
mitigate the potential for an over-concentration of shopping floorspace in large activity centres at the expense of a more equitable level of service to communities; and

- promote the walkable neighbourhoods principle of access to employment, retail and community facilities by distributing activity centres to improve access by foot or bicycle, rather than having to depend on access by car in urban areas.”

(d) Replace the ‘Precinct 4 Baldivis’ row of Table 1.2 – ‘Centres in Rockingham Related to the Metropolitan Centre Policy Hierarchy’ with the following:

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<tbody>
<tr>
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<td>None</td>
<td>None</td>
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(e) Include the following new dot point at the end of Section 1.8 – ‘Objectives for Rockingham’:

- “With regard to Precinct 4 – Baldivis, promote the objectives and principles as set out in section 1.3.”

(f) Modify Table 1.4 – ‘Recommended Centre Sizes – Shop/Retail m² NLA’ by:

(i) Replacing the ‘Recommended PLUC5 NLA (m²)’ for the ‘Baldivis Future District Centre’ with “see section 2.2.2”


(g) Modify Figure 1 – ‘City of Rockingham Local Commercial Strategy’ by inserting a box over Precinct 4 – Baldivis (the map and the table) with the text “Precinct 4 – Baldivis - Refer to Figure 2.4.2”.

(h) Replace the whole of section 2.2.2 – ‘Baldivis District Centre’ with the following:

“This section was reviewed in 2012 to incorporate the recommendations of State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2).

The Baldivis Town Centre (sometimes referred to as the Baldivis District Centre) is identified as a District Centre in the hierarchy of centres, as per SPP4.2. District Centres have a strong focus on servicing the weekly needs of residents. Their relatively smaller-scale catchment than Strategic Metropolitan Centres like Rockingham enables them to have a greater local community focus and provide services, facilities and job opportunities that reflect the particular needs of their catchments.

Significant investment has been and will continue to be directed into the Baldivis Town Centre, which provides a valuable contribution to providing a critical mass of retail, community, services and other commercial land uses for residents and visitors to Baldivis. The Centre provides a focal point for Baldivis and a community hub for a high-amenity destination for Baldivis residents.

The Baldivis Town Centre should include a mix of non-retail land uses (including office, civic, business, health, community, entertainment cultural uses and showrooms) of at least 30% of the total retail and mix of land use floorspace in the centre. Current estimates are that the centre will have 45.3% mix of land uses by 2014.”
With the Baldivis Town Centre being the highest-order centre within Baldivis, the delivery of lower order facilities such as supermarket floorspace within the Centre could have subsequent timing and delivery implications for surrounding Neighbourhood Centres. The demand analysis conducted in 2012 indicates there remains demand for food and grocery retail floorspace in Baldivis, and that with the delivery of a second supermarket anchor in the Baldivis Town Centre there will remain sufficient demand for delivery of Neighbourhood and Local Centres within Baldivis, albeit likely to be smaller supermarkets. This issue has been addressed in a peer reviewed Retail Sustainability Assessment (RSA) which was undertaken as part of the Baldivis Activity Centre Structure Plan (as adopted by the Council at its ordinary Meeting held on the 24th July 2012). This RSA examines the impacts of any future additional supermarket at the centre on proposed surrounding developments.

Whilst the timing of development of the retail component of the Baldivis Town Centre has been subject to conjecture, given it represents the highest-order centre within the hierarchy it is considered that lower order facilities, such as food, grocery and supermarket floorspace, is the key element of consideration because of its implication on the development of the Neighbourhood and Local Centres in the hierarchy. Demand for Neighbourhood Centre floorspace within Baldivis is at 2012 estimated at 5,664m² and is forecast to almost triple by 2022. This will continue to drive demand for neighbourhood and local facilities within Baldivis.

Demand for retail floorspace for the Baldivis Town Centre, just from Baldivis residents, is estimated at over 26,000m² based on anticipated market demand from forecast growth, with additional floorspace likely to be required for other mixed use elements. Additional demand from beyond the Baldivis trade area catchment would increase this floorspace demand and the Baldivis Activity Centre Structure Plan RSA concluded that market demand could support 35,900m² of shop-retail floorspace in the Centre. Noting that the centre is likely to attract trade from residents outside Baldivis, it is likely that there will be potential for a higher level of retail floorspace at the centre in the longer term.

A RSA, prepared in accordance with SPP4.2, will be required under any of the following circumstances:

- Any proposal that facilitates major development, where that development results in an expansion of floorspace in that Centre by more than 5,000m² of shop/retail floorspace;
- Any proposal that facilitates the development of a supermarket, being food, grocery and associated uses greater than 1,000m²;
- Any proposal that would result in the role and function of the Centre exceeding that of its designation in the activity centre hierarchy (for example by the development of a department store within the District Centre).

The development of the Baldivis District Town Centre is guided by the City’s Planning Policy 3.2.4 and the Integrated Development Guide Plan adopted under TPS2. The Policy and Plan are supported by the Baldivis Activity Centre Structure Plan that was prepared under SPP4.2 by Urbis in 2012.”

(i) Replace the whole of section 2.4.4 – ‘Precinct 4 – Baldivis’ and Table 2.8 – ‘Recommendations for Neighbourhood and Local Shopping Centres in the Baldivis Precinct’ with the following (including inserting new Figure 2.4.2):

“This section was reviewed in 2012 to incorporate the recommendations of State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2).

The identification of floorspace maximums for neighbourhood and local activity centres has resulted in an undersupply of retail floorspace for residents. Recently, SPP4.2 adopted a more flexible approach for Centres, particularly encouraging mixed-use development and the need to identify and assess the role and function of the Centre rather than a specific size of the centre in terms of retail floorspace. Specific maximums on Neighbourhood and Local Centres in Baldivis have been removed, with a revised focus on the role and function of each Centre.
The role and function of these Neighbourhood and Local Centres is detailed in Table 2.8, providing an overview of the key features of each Centre type within the hierarchy including a review of the typical floorspace, ideal catchment population, common anchor tenants and other forms of activities.

**Table 2.8 - Neighbourhood and Local Centre Descriptions in the Baldivis Precinct**

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<th>Level in hierarchy</th>
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<td>5,000 to 20,000 residents</td>
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</tr>
<tr>
<td>Typical floorspace provision</td>
<td>Generally 4,500m² to 10,000m²</td>
<td>Generally less than 1,500m²</td>
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<tr>
<td>Typical retail anchor tenants</td>
<td>Comparison, weekly and convenience services including a supermarket (variety of sizes including full, mid-size and discount offer), range of specialty stores and personal services.</td>
<td>Convenience shops, limited specialty stores, personal services. Supermarkets generally not appropriate for local activity centres.</td>
</tr>
<tr>
<td>Potential mix of uses</td>
<td>Local service and commercial facilities, including banks, post office, real estate agents and local commercial. Medium density and shop-top residential.</td>
<td>Local professional services. Shop-top housing.</td>
</tr>
<tr>
<td>Baldivis Centres</td>
<td>NCs play an important ‘community’ based role in servicing the every-day needs of residents who live within close proximity to the centre.</td>
<td>LCs provide convenience shops or a small strip of shops serving a walkable catchment. Further LC development within Baldivis will not impact on the achievement of an appropriate hierarchy, and is encouraged as an overall net community benefit will result if additional LCs are established. It is noted that the development feasibility of LCs is very difficult to achieve, and any development without a major anchor (such as a supermarket) should be viewed favourably.</td>
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</tbody>
</table>

Existing and Proposed Centres in Baldivis include:
- Tuart Ridge
- The Ridge
- Stargate (Precinct E)
- Baldivis North
- The Spud Shed
- Settlers Hills

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A Retail Sustainability Assessment (RSA), prepared in accordance with SPP4.2, will be required under any of the following circumstances:

- Any proposal that facilitates an expansion of shop/retail floorspace in a Neighbourhood Centre by more than 3,000m², except where the total shop/retail floorspace of that centre will be less than 6,000m²; and
- Any proposal that would result in an alteration to the role and function of that centre in the hierarchy of centres (e.g. by the development of a supermarket in a Local Centre or a department store in a Neighbourhood Centre).

The RSA needs to outline:
• A need or demand for Centre floorspace provision to serve the identified catchment;
• The current and forecast population level within the catchment for the next 5 to 10 years;
• Depending on the land use proposed, the assessment should highlight key demand factors, such as spending (retail), jobs (commercial), etc.;
• Show where the proposed Centre provision would fit within the hierarchy;
• Indicate the existing major competing supply serving the catchment;
• Provide details of any other proposals for new or expanded development which could have an effect on the viability of what is proposed;
• Indicate whether there are any existing gaps which the proposal will fill; and
• Provide details, where required by the City, on any relevant alternative sites to proposed site, and demonstrate how the proposed site is the preferred site for the proposal.

Expansion outside of the designation for Activity Centres should be considered in cases which:
• There is an assessment of the expected impact/trading effect on existing Centres;
• There is a demonstration of the extent to which the proposal is expected to lead to an overall improvement in the provision of facilities;
• An assessment is undertaken of the estimated employment outcome, including any loss of employment within other Centres;
• Significant net employment is generated during construction and operation;
• The Centre contributes to public transport usage;
• There is an increase in the choice and competition provided to the community - particularly for retail uses;
• There is a contribution to other community-related goals such as social interaction and safety; and
• There has been a consideration where appropriate of other factors such as traffic and parking impacts, amenity, etc.

If, after a period of time satisfactory to the City, it can be shown that a Local Centre is not commercially viable and the deletion of the Centre will not significantly compromise access to commercial facilities in the locality, the City may permit the site to be developed for a non-commercial use.

Detailed Area Plans should be prepared for all new Neighbourhood and Local Centres to guide the orderly development of the Centre in accordance with SPP4.2.
An Activity Centre hierarchy is required to be more flexible to respond to the needs of residents, with the opening of market need and gaps. The Baldivis hierarchy is depicted in the Figure 2.4.2.

(j) Modify Figure 2.4.2 – ‘Activity Centre Hierarchy for Baldivis’ by:
(i) relocating the Parkland Heights Local Centre further north to reflect the location on the approved Structure Plan;
(ii) showing the extent of Urban, Urban Deferred and Rural zoned land and land reserved for Parks and Recreation under the Metropolitan Region Scheme; and
(iii) changing the designation of the Settlers Hills Centre from Local Centre to Neighbourhood Centre.

2. **NOT PROCEED** with the proposed amendment to Planning Policy 6.3 – *Local Commercial Strategy* to increase the maximum shop/retail floorspace of Tuart Ridge (Baldivis Precinct B) from 1,470m² to 3,200m².
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### Committee Recommendation

That Council:

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   (c) Include the following new dot point at the end of section 1.3 – ‘Purposes of the Local Commercial Strategy’:

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The development of the Baldivis District Town Centre is guided by the City’s Planning Policy 3.2.4 and the Integrated Development Guide Plan adopted under TPS2. The Policy and Plan are supported by the Baldivis Activity Centre Structure Plan that was prepared under SPP4.2 by Urbis in 2012.”

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• The Centre contributes to public transport usage;
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• There is a contribution to other community-related goals such as social interaction and safety; and
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If, after a period of time satisfactory to the City, it can be shown that a Local Centre is not commercially viable and the deletion of the Centre will not significantly compromise access to commercial facilities in the locality, the City may permit the site to be developed for a non-commercial use.

Detailed Area Plans should be prepared for all new Neighbourhood and Local Centres to guide the orderly development of the Centre in accordance with SPP4.2.

An Activity Centre hierarchy is required to be more flexible to respond to the needs of residents, with the opening of market need and gaps. The Baldivis hierarchy is depicted in the Figure 2.4.2.

(j) Modify Figure 2.4.2 – 'Activity Centre Hierarchy for Baldivis' by:

(i) relocating the Parkland Heights Local Centre further north to reflect the location on the approved Structure Plan;

(ii) showing the extent of Urban, Urban Deferred and Rural zoned land and land reserved for Parks and Recreation under the Metropolitan Region Scheme; and

(iii) changing the designation of the Settlers Hills Centre from Local Centre to Neighbourhood Centre.

2. NOT PROCEED with the proposed amendment to Planning Policy 6.3 – Local Commercial Strategy to increase the maximum shop/retail floorspace of Tuart Ridge (Baldivis Precinct B) from 1,470m² to 3,200m².

3. NOT PROCEED with the proposed amendment to Planning Policy 6.3 – Local Commercial Strategy to increase the maximum shop/retail floorspace of the Baldivis Town Centre to 27,500m², with 2,500m² being allocated to Lot 9001.

Committee Voting – 4/0
<table>
<thead>
<tr>
<th>The Committee’s Reason for Varying the Officer’s Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not applicable</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Implications of the Changes to the Officer’s Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not applicable</td>
</tr>
</tbody>
</table>
Planning Services
Strategic Planning and Environment Services

Reference No & Subject: SPE-031/12 Contribution Review - Development Contribution Plan No.2

File No: LUP/909-03

Proponent/s: Mr Brett Ashby, Manager Strategic Planning and Environment

Author: Ms Helen Savage, Strategic Projects Co-ordinator

Other Contributors:

Date of Committee Meeting: 3rd December 2012

Previously before Council:

Previously before Council:

Previously before Council:

Disclosure of Interest:

Nature of Council’s Role in this Matter: Executive

Site:

Lot Area:

LA Zoning:

MRS Zoning:

Attachments:


Purpose of Report

To consider the adoption of revised estimates for Development Contribution Plan No.2.

Background

SPP3.6 was gazetted on the 20th November 2009. The objectives of the SPP3.6 are to:-

- promote the efficient and effective provision of public infrastructure and facilities to meet the demands arising from new growth and development;

- ensure that development contributions are necessary and relevant to the development to be permitted and are charged equitably among those benefiting from the infrastructure and facilities to be provided;

- ensure consistency and transparency in the system for apportioning, collecting and spending the development contributions; and

- ensure the social well-being of communities arising from, or affected by, development.

SPP3.6 contains draft Model Scheme Text provisions which are to be incorporated in Town Planning Schemes to facilitate the implementation of development contributions for infrastructure.

In June 2010, the Council resolved to initiate Amendment No.101 to Town Planning Scheme No.2 to introduce provisions pertaining to the implementation of Development Contributions for Infrastructure, as set out in SPP3.6.
Amendment No.101 was adopted by the Council in October 2010 and, following approval by the Minister, gazetted on the 12th April 2011.

In May 2011, the Council resolved to adopt (initiate) Amendment No.114 to Town Planning Scheme No.2 (TPS2) to introduce provisions pertaining to the implementation of Development Contributions for Infrastructure through the introduction of Development Contribution Plan No.2.

Amendment No.114 was adopted for Final Approval by the Council in December 2011 and is currently awaiting approval of the Hon Minister for Planning. At the same meeting, the Council also adopted an updated Development Contribution Plan Report, dated November 2011, incorporating the latest available cost estimates.

**Details**

Since the adoption of an updated Development Contribution Plan Report in December 2011, the content of the Development Contribution Plan Report has been further reviewed as follows:-

(i) the cost estimates have been reviewed by a Quantity Surveyor; and

(ii) the priority and timing of infrastructure being reviewed in conjunction with a review of the City’s Business Plan.

As a result of the above, the Development Contribution Plan Report has been updated and the estimated contributions per ‘Dwelling Unit’ revised as follows:-

<table>
<thead>
<tr>
<th>Sub-Area</th>
<th>July 2011 (as advertised)</th>
<th>December 2011</th>
<th>December 2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baldivis North</td>
<td>$2,579</td>
<td>$2,236</td>
<td>$2,217</td>
</tr>
<tr>
<td>Baldivis South</td>
<td>$3,282</td>
<td>$2,944</td>
<td>$2,925</td>
</tr>
<tr>
<td>Cooloongup</td>
<td>$1,926</td>
<td>$1,870</td>
<td>$1,880</td>
</tr>
<tr>
<td>Golden Bay</td>
<td>$2,916</td>
<td>$2,719</td>
<td>$2,737</td>
</tr>
<tr>
<td>Hillman</td>
<td>$1,926</td>
<td>$1,870</td>
<td>$1,880</td>
</tr>
<tr>
<td>Karnup</td>
<td>$1,768</td>
<td>$1,703</td>
<td>$1,714</td>
</tr>
<tr>
<td>Port Kennedy</td>
<td>$1,811</td>
<td>$1,740</td>
<td>$1,750</td>
</tr>
<tr>
<td>Rockingham</td>
<td>$1,926</td>
<td>$1,870</td>
<td>$1,880</td>
</tr>
<tr>
<td>Safety Bay</td>
<td>$1,926</td>
<td>$1,870</td>
<td>$1,880</td>
</tr>
<tr>
<td>Secret Harbour</td>
<td>$2,513</td>
<td>$2,445</td>
<td>$2,434</td>
</tr>
<tr>
<td>Shoalwater</td>
<td>$1,926</td>
<td>$1,870</td>
<td>$1,880</td>
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<tr>
<td>Singleton</td>
<td>$2,513</td>
<td>$2,719</td>
<td>$2,737</td>
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<tr>
<td>Waikiki</td>
<td>$1,800</td>
<td>$1,737</td>
<td>$1,748</td>
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<tr>
<td>Warnbro</td>
<td>$1,800</td>
<td>$1,737</td>
<td>$1,748</td>
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The priority and timing of infrastructure has been reviewed and is unchanged, as follows:

<table>
<thead>
<tr>
<th>Priority</th>
<th>Project</th>
<th>Timing</th>
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</thead>
<tbody>
<tr>
<td>24</td>
<td>Lark Hill Stage 2</td>
<td>2026/27</td>
</tr>
<tr>
<td>3</td>
<td>Secret Harbour Surf Life Saving Club Redevelopment</td>
<td>2013/14</td>
</tr>
<tr>
<td>Priority</td>
<td>Project</td>
<td>Timing</td>
</tr>
<tr>
<td>---------</td>
<td>-------------------------------------------------------------------------</td>
<td>---------</td>
</tr>
<tr>
<td>17</td>
<td>Rockingham Youth Recreation Space Redevelopment</td>
<td>2020/21</td>
</tr>
<tr>
<td>5</td>
<td>Baldivis District Sporting Complex (Land Acquisition)</td>
<td>2014/15</td>
</tr>
<tr>
<td>22</td>
<td>Baldivis District Sporting Complex (Works)</td>
<td>2021/22</td>
</tr>
<tr>
<td>1</td>
<td>Kent Street Community Arts Centre</td>
<td>2011/12</td>
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<td>9</td>
<td>Rockingham Youth Venue</td>
<td>2016/17</td>
</tr>
<tr>
<td>14</td>
<td>Baldivis Indoor Recreation Centre</td>
<td>2019/20</td>
</tr>
<tr>
<td>13</td>
<td>Rockingham Aquatic Centre Redevelopment/Relocation</td>
<td>2018/19</td>
</tr>
<tr>
<td>23</td>
<td>Aqua Jetty Stage 2</td>
<td>2025/26</td>
</tr>
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<td>2</td>
<td>Baldivis Library &amp; Community Centre</td>
<td>2012/13</td>
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<td>10</td>
<td>Secret Harbour Community Library</td>
<td>2016/17</td>
</tr>
<tr>
<td>15</td>
<td>Baldivis Youth Recreation Space</td>
<td>2020/21</td>
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<tr>
<td>16</td>
<td>Stan Twight Reserve Active POS Clubroom Redevelopment</td>
<td>2020/21</td>
</tr>
<tr>
<td>7</td>
<td>Lawrie Stanford Reserve Active POS Master Plan</td>
<td>2015/16</td>
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<td>6</td>
<td>Lot 1507 Active POS Development</td>
<td>2014/15</td>
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<tr>
<td>18</td>
<td>Baldivis South Youth Recreation Space</td>
<td>2020/21</td>
</tr>
<tr>
<td>19</td>
<td>Waikiki / Warnbro Youth Recreation Space</td>
<td>2020/21</td>
</tr>
<tr>
<td>20</td>
<td>Port Kennedy Outdoor Sport and Recreation Hardcourts</td>
<td>2020/21</td>
</tr>
<tr>
<td>8</td>
<td>Rhonda Scarrott Reserve Active POS Master Plan</td>
<td>2015/16</td>
</tr>
<tr>
<td>11</td>
<td>Baldivis South Active POS Development</td>
<td>2017/18</td>
</tr>
<tr>
<td>12</td>
<td>Baldivis South Multipurpose Community Centre</td>
<td>2017/18</td>
</tr>
<tr>
<td>21</td>
<td>Baldivis South HS Outdoor Sport &amp; Recreation Hardcourts</td>
<td>2020/21</td>
</tr>
<tr>
<td>4</td>
<td>Baldivis Primary Shared Use Reserve</td>
<td>2013/14</td>
</tr>
</tbody>
</table>

**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 5: Community facilities delivered in a timely manner, able to meet expectations and serve new and growing neighbourhoods.

d. Policy
Nil

e. Financial
The financial implications of the proposed DCP have been considered in the preparation of the Business Plan 2012/13 – 2021/22, which was most recently updated in December 2012.

f. Legal and Statutory
Amendment No.114 to Town Planning Scheme No.2 proposes to introduce provisions for the implementation of Development Contribution Plan No.2.

The provisions will require the City to review its cost estimates and the priority and timing of infrastructure at least annually.

Comments
The review of cost estimates, as described above, has resulted in only minor changes to the contribution per dwelling unit. These changes vary from a $19 reduction in some areas, to an $18 increase in others. Overall, the average contribution within the City is proposed to reduce slightly from $2,352 to $2,345.

It is recommended that the updated Development Contribution Plan Report, dated November 2012, be adopted.

Voting Requirements
Simple Majority

Officer Recommendation

Committee Recommendation

Committee Voting – 4/0

The Committee's Reason for Varying the Officer's Recommendation
Not applicable

Implications of the Changes to the Officer’s Recommendation
Not applicable
### Planning Services

#### Statutory Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>SP-067/12 Liquor Store – Window Treatments – Baldivis Town Centre</th>
</tr>
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<tbody>
<tr>
<td>Proponent/s:</td>
<td>The Planning Group Pty Ltd on behalf of Liquorland (Australia) Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>3rd December 2012</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Tribunal</td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 150 (No.5) Settlers Avenue, Baldivis</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>2462m²</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>District Centre</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Urban</td>
</tr>
<tr>
<td>Attachments:</td>
<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Aerial Photo</td>
</tr>
<tr>
<td></td>
<td>3. Site Plan</td>
</tr>
<tr>
<td></td>
<td>4. Internal Layout</td>
</tr>
<tr>
<td></td>
<td>5. Settlers Avenue Elevation</td>
</tr>
<tr>
<td></td>
<td>6. Midden Lane Elevation</td>
</tr>
<tr>
<td></td>
<td>7. Atwick Terrace Elevation</td>
</tr>
<tr>
<td></td>
<td>8. Sign Licence Plans</td>
</tr>
<tr>
<td></td>
<td>9. Settlers Avenue 1</td>
</tr>
<tr>
<td></td>
<td>10. Settlers Avenue 2</td>
</tr>
<tr>
<td></td>
<td>11. Atwick Terrace</td>
</tr>
<tr>
<td></td>
<td>12. Midden Lane 1</td>
</tr>
<tr>
<td></td>
<td>13. Midden Lane 2</td>
</tr>
<tr>
<td></td>
<td>14. Internal view towards Atwick Terrace</td>
</tr>
<tr>
<td></td>
<td>15. Internal view towards Settlers Avenue</td>
</tr>
</tbody>
</table>
Purpose of Report

To consider an application seeking Retrospective Planning Approval to allow vinyl advertising images (wine bottles) on the windows of the First Choice Liquor Store at Lot 150 (No.5) Settlers Avenue, Baldivis, within the Baldivis Town Centre.
Background

In May 2010, Planning Approval was granted for extensions to an existing Liquor Store incorporating the removal of the drive-thru, extensions to the building, provision of pedestrian entrances at the corner of Atwick Terrace/Settlers Avenue and facing the rear carpark, and various internal modifications. The Planning Approval was granted subject to the following conditions:

“16. The owner and occupiers of the street front tenancy are to ensure that the entries and window frontages to the tenancy from the public road are not covered, closed or screened off (including by means of shutters, curtains, blinds, rollerdoors or similar) to ensure that a commercial, interactive street frontage is available to the development from the street at all times.”

In June 2011, modifications to the Planning Approval were granted to delete three car parking bays and undertake minor internal changes. Condition 16 of the original Planning Approval continues to apply to the modified plans.

In November 2011, further modifications to the Planning Approval were granted to relocate the pedestrian entrance further south along Settlers Avenue, away from the corner of Atwick Terrace, and other minor internal and external changes. Condition 16 of the original Planning Approval continues to apply to the further modified plans.

Figure 3- Site Plan
Figure 4 – Internal Layout
CONFIRMED AT A PLANNING SERVICES MEETING
HELD ON MONDAY, 18 FEBRUARY 2013

PRESIDING MEMBER
In January 2012, a Sign Licence was granted by the City under the Signs, Bill Posting Local Law which includes plans showing the vinyl images (wine bottles) on the windows to Atwick Terrace and Settler Avenue. No Planning Approval was issued for the Signage.

Figure 8 - Sign Licence Plans

In March 2012, a compliance inspection of the completed extensions revealed that bottle images had been placed on 100% of windows facing the streets in contravention of condition 16 of the Planning Approval. The City subsequently contacted the owner of the property requesting an explanation in relation to the unauthorised window treatments that had been installed. The owner referred the City to First Choice Liquor, the occupier, which was responsible for the installation of the signage.
In August 2012, after repeated attempts to contact Liquorland (Australia) Pty Ltd, the tenant of the First Choice Liquor Store, the City wrote to Coles Supermarkets Australia Pty Ltd (the parent company) instructing the removal of the signage as it was a breach of Town Planning Scheme No.2. Coles Legal Counsel contacted the City and advised that The Planning Group would discuss the contravention of the Planning Approval with the City.
Figure 11 – Atwick Terrace

Figure 12 – Midden Lane 1
Figure 13 – Midden Lane 2

Figure 14 – Internal view towards Atwick Terrace
The proponent seeks retrospective Planning Approval to retain the signage that has been applied to windows of the Baldivis First Choice Liquor Store.

The Liquor Store is located in a prominent position along Settlers Avenue due to its frontage to two streets. The building takes up a significant frontage to Settlers Avenue and forms a large part of the urban form that has been developed. The development is considered to form an integral part of the Baldivis Town Centre streetscape.

The proponent has provided the following justification in support of the application:

“It is noted that based on the City’s interpretation, the window signage at the subject site would not comply with Clause 7.1.3(x), however it is considered unreasonable that this be the sole requirement for assessing signage and shopfronts within the precinct, especially given that it is a ‘performance requirement’.

The facade of the First Choice Liquor Store is considered to be visually attractive and positively contribute to the amenity of the town centre, which is in keeping with the urban design intention of LPP 3.2.4 as the images provide visual interest to the streetscape whilst being relevant to that tenancy.

It is also noted that there are a number of other commercial tenancies within the town centre core that cover far greater than 60% of the shopfront, in most cases completely covering any glazing. Furthermore these window signs are largely blank and therefore offer little to contribute to the visual amenity of the streetscape.

The above images represent various tenancies within the town centre, however the above tenancies are located closer to the centre core adjacent to the supermarket, where the pedestrian movement is far greater than near the subject site, which is located adjacent to the medical centre.
Conclusion

In light of the above, the unauthorised works are not considered to have any adverse impact on the streetscape or the amenity of the locality, especially when compared to other identical circumstances within the town centre core. The existing images on the windows of the First Choice tenancy provide visual interest to the streetscape, whilst being applicable to that tenancy. The images also shield the street from the unsightly view of the back of racks, which have been installed in accordance with the approved fitout, as shown on the Building Licence.”

Implications to Consider

a. Consultation with the Community
   Not Applicable
b. Consultation with Government Agencies
   Not Applicable
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 3.2.4 – Baldivis Town Centre
   The advertising window treatments are also considered in accordance with the requirements of Planning Policy 3.2.4 – Baldivis Town Centre (BTC Policy). The Policy is structured such that it contains a set of General Requirements, which pertain to the entire Baldivis Town Centre, and Precinct Requirements, that relate more specifically to the dedicated precincts within the Town Centre.

   The subject property is located in the ‘Core Precinct’ of the Baldivis Town Centre and is subject to specific policy requirements of the Core Precinct, the general objectives of the Policy and the Urban Design provisions.

   The relevant provisions pertaining to this development for these sections of the BTC Policy are outlined as follows:-

Core Precinct
   The Core Precinct comprises the major shopping and community facilities for the town centre and focus on the creation of an urban scaled, mixed use ‘main street’ that achieves a lively character with an emphasis on land uses which will generate interest and pedestrian activity.

   The proposal to retain the vinyl images coverage windows to both Atwick Terrace and Settlers Avenue restricts any visual interaction between the business and pedestrian at street level, other than that provided by the door access to Settlers Avenue. This is in direct conflict with Clause 7.1.3 (x) of the BTC Policy which “requires street entries and window frontages are to remain transparent to ensure that a commercial, interactive frontage is available to the development from the street at all times.”

   The provision of the images over the windows results a monotonous frontage that creates little interest in the public realm with the building’s focus having been totally internalised.

Policy Objectives
   The retention of the vinyl bottle images on the windows fails to comply with a number of the objectives of the BTC Policy, including developments to be designed in accordance with townscape principles which have a high quality public domain due to all windows facing Atwick Terrace and Settler obscuring any possible interaction at a street level.
Further to this, the development does not incorporate crime prevention through environmental design principles (CPTED) given that all views of the street from within the building would remain obstructed.

Urban Design

The Urban Design principles contained with the BTC Policy seek to encourage development that is appropriate for a 'main street' town centre environment that enhances public spaces, is robust, visually rich and reflects the objectives of the Baldivis Town Centre. Due to the provision of the signs over all of the street front windows, it is considered that the development does not allow for interaction at a pedestrian scale, and results in a ‘deadening’ of the pedestrian space around the building.

Planning Policy 3.3.1 - Control of Advertisements

Planning Policy 3.3.1 - Control of Advertisements (Signage Policy) provides guidance and specific requirements and objectives for each type of advertisement displayed within the district. The proposed vinyl images of the bottles are considered signage for the reasons discussed under the Legal and Statutory section.

From the information provided as part of the application, the proposed signage falls within the category of Signs on Buildings (Wall Panels) within the City's Policy. The Policy requires such signs to be in accordance with a Sign Strategy that complies with the objectives of the Policy. An overall signage Strategy has not been supplied as part of this application.

The Signage Policy specifies that for Signs under Verandahs or Awnings in the 'Baldivis Town Centre', a minimum of 50% of the façade is to be of clear or transparent glazing, unless a higher percentage is required by the relevant centre policy. Given all street front windows have been 100% covered by the vinyl images of the bottles the proposal fails to comply with this fundamental requirement of the Baldivis Town Centre.

It is considered that the signs are inappropriate for the site’s location as they are inconsistent with existing townscape character of the area. It is also considered that the sign would result in a proliferation of signage on site and erodes the planning principles behind the formulation and development of the Baldivis Town Centre ‘Main Street’.

e. Financial
Nil

f. Legal and Statutory

Compliance action regarding the unauthorised signage is pending the outcome of the application the subject of this report.

The proponent has also identified several buildings within the Baldivis Town Centre which may be in breach of the BTC Policy requirements and may also be subject to compliance action. The City's Planning Services will investigate the subject properties in due course.

Conversely the existing Liquor Store the subject of this report is considered to be in contravention of the May 2010, June 2011 and November 2011 Planning Approvals, pursuant to TPS.2.

Comments

The Council is guided by its BTC Policy and Signage Policy in respect of the size and location of signage.

Whilst it is understood that the internal arrangement of the store has been undertaken by the occupier in accordance with the Sign Licence obtained, this does not obviate the requirement to obtain Planning Approval and comply with the conditions imposed on the development.

In approving the additions and modifications to the liquor store, the City ensured that the facades fronting Settlers Avenue and Atwick Terrace were well articulated, through the provision of a significant number of windows. The proposed 100% coverage of the street windows is in direct contravention of the Planning Approval that was granted for the development and in fundamental conflict with ‘Main Street’ principles upon which the BTC Policy is based.

The proposed window signage treatments contribute poorly to the visual amenity of the Baldivis Town Centre. It is recommended that the proposed be refused on the basis that fails to comply with key objectives of the City’s BTC policy and Signage policy.

CONFIRMED AT A PLANNING SERVICES MEETING HELD ON MONDAY, 18 FEBRUARY 2013

PRESIDING MEMBER
### Voting Requirements

Simple Majority

### Officer Recommendation

That Council *REFUSE* the application seeking retrospective Planning Approval for Window Advertising Treatments on Lot 150 (No.5) Settlers Avenue, Baldivis for the following reasons:-

1. The proposal fails to comply with the 20th May 2010, 27th June 2011 and 9th June 2011 Planning Approvals for the Liquor Store in respect to Condition No.16 as follows:-

   "16. The owner and occupiers of the street front tenancy are to ensure that the entries and window frontages to the tenancy from the public road are not covered, closed or screened off (including by means of shutters, curtains, blinds, rollerdoors or similar) to ensure that a commercial, interactive street frontage is available to the development from the street at all times."

2. The proposal does not allow for interaction at a pedestrian scale in accordance with Clause 7.1.3 (x) of the City’s *Planning Policy 3.2.4 - Baldivis Town Centre* which requires Street entries and window frontages to remain transparent to ensure that a commercial, interactive frontage is available to the development from the street at all times.

3. The proposal is inconsistent with the objectives of *Planning Policy 3.3.1 - Control of Advertisement* as the signs are inappropriate for the sites location as they are inconsistent with existing townscape character of the Baldivis Town Centre.

### Committee Recommendation

That Council *REFUSE* the application seeking retrospective Planning Approval for Window Advertising Treatments on Lot 150 (No.5) Settlers Avenue, Baldivis for the following reasons:-

1. The proposal fails to comply with the 20th May 2010, 27th June 2011 and 9th June 2011 Planning Approvals for the Liquor Store in respect to Condition No.16 as follows:-

   "16. The owner and occupiers of the street front tenancy are to ensure that the entries and window frontages to the tenancy from the public road are not covered, closed or screened off (including by means of shutters, curtains, blinds, rollerdoors or similar) to ensure that a commercial, interactive street frontage is available to the development from the street at all times."

2. The proposal does not allow for interaction at a pedestrian scale in accordance with Clause 7.1.3 (x) of the City’s *Planning Policy 3.2.4 - Baldivis Town Centre* which requires Street entries and window frontages to remain transparent to ensure that a commercial, interactive frontage is available to the development from the street at all times.

3. The proposal is inconsistent with the objectives of *Planning Policy 3.3.1 - Control of Advertisement* as the signs are inappropriate for the sites location as they are inconsistent with existing townscape character of the Baldivis Town Centre.

Committee Voting – 4/0

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

Not applicable

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

Not applicable

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**CONFIRMED AT A PLANNING SERVICES MEETING**

**HELD ON MONDAY, 18 FEBRUARY 2013**

---

**PRESIDING MEMBER**
CONFIRMED AT A PLANNING SERVICES MEETING
HELD ON MONDAY, 18 FEBRUARY 2013

Planning Services Committee Minutes
Monday 3 December 2012

Planning Services
Statutory Planning Services

<table>
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<tr>
<th>Reference No &amp; Subject:</th>
<th>SP-068/12 Peel Region Scheme Amendment No.035/57 (Madora Bay Dunes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1671</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Western Australian Planning Commission</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Donna Shaw, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Dave Waller, Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Mike Ross, Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>3rd December 2012</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Cr C Elliott declared an interest affecting proximity as per Section 5.60B of the Local Government Act 1995, as his property abuts the land under consideration.</td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Advocacy</td>
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<tr>
<td>Site:</td>
<td>Madora Bay (North)</td>
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<td>Lot Area:</td>
<td>61ha</td>
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<td>LA Zoning:</td>
<td>Rural</td>
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Peel Region Scheme Zoning:

Attachments:

Maps/Diagrams:

1. Location Plan
2. Proposed Amendment Plan
3. Southern Metropolitan and Sub Regional Structure Plan (Subject Site)
4. Bush Forever Site 395
5. Planning Unit No.3 (Rural Land Strategy)
6. View west from Mandurah Road to the Madora Bay Dunes
7. View south from Mandurah Road to the Madora Bay Dunes
8. Views north from Mandurah Road to the Singleton Dunes

4.35pm - Cr Chris Elliot left the Planning Services Committee Meeting.
CONFIRMED AT A PLANNING SERVICES MEETING
HELD ON MONDAY, 18 FEBRUARY 2013

1. Location Plan (approximate)

Purpose of Report

To consider a proposal to rezone land in Madora Bay from ‘Rural’ to ‘Urban’ under the Peel Region Scheme (PRS), to facilitate the development of the land for urban purposes.

Background

The City’s Policy Position in respect to retaining the visual amenity and rural viewshed along Mandurah Road, is continuously challenged from time to time by initiatives and applications that are inconsistent with the City’s Rural Land Strategy.

In response to these challenges, in November 2009 the Council resolved to review its Policy position regarding the rural vista along Mandurah Road by commissioning a Visual Landscape Evaluation (VLE).

In February 2010, the Council resolved to endorse a Consultant’s Brief for a VLE, to enable quotations to be sought from suitable Consultants to undertake such a study. AECOM was subsequently appointed to undertake the preparation of the VLE in May 2010.
The purpose of the VLE was to:
- Describe the Visual Landscape Character;
- Evaluate the Way the Visual Landscape Character is Viewed, Experienced and Valued. To include a consultation programme to evaluate the way the visual landscape character is viewed, experienced and valued by the community (including the owners of land within the Study Area);
- Develop Strategies for Managing Visual Landscape Character; and
- Implement Strategies into Planning Outcomes.

In February 2012, the VLE was adopted by Council.

In relation to adjacent land within the City of Rockingham, the VLE acknowledged the following key points:

“The Study Area does provide a suitable transitional landscape between the intensively developed areas of the coastal strip to the west and more natural landscapes to the east;

- The vista from Mandurah Road across the Study Area is worthy of retention, protection and ongoing management; and

- Key aspects of the view that require consideration in future planning are the need to retain the tuart vegetation that creates a vegetated framework to the vista and the visibility of the locally distinctive dune systems.”

A key finding of the VLE was that the view to the south from Singleton was highly valued amongst the community.

Details

The Western Australian Planning Commission (WAPC) has sought the Council’s comments regarding an application seeking approval to amend the PRS by rezoning land in Madora Bay from ‘Rural’ to ‘Urban’. A plan of the proposed Amendment is shown in Figure 2 below.

The intent of the rezoning is to facilitate development of the land for urban purposes.

The site is bounded by Mandurah Road to the east and Special Rural and Special Residential zoned land in Singleton to the north, existing urban development to the south-west and undeveloped Urban zoned land to the west and south in Madora Bay.
2. Proposed Amendment Plan

**Implications to Consider**

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   Nil

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

Southern Metropolitan and Peel Sub-Regional Structure Plan (SSP)

The draft Southern Metropolitan and Peel Sub-Regional Structure Plan (SSP) was released for public comment in 2009 by the WAPC to provide a broad structure and framework for urban growth in the Southern Metropolitan and Peel region.

The SSP depicts specific areas to be considered for urban development as either:

- Future Urban: Land which is proposed in the structure plan for future urban development; or
- Urban Investigation: Land areas potentially suitable for future urban development, but with significant development constraints (drainage, water management, other environmental) that need to be assessed in order for the land to be considered for future urban development.

The draft SSP identified the site as ‘Future Urban’, as shown in Figure 3 below.

The SSP was not finalised and does not provide sufficient detail on the process that will be undertaken to move the status from ‘Urban Investigation’, ‘Future Urban’ or similar.

In this regard, the proposed PRS amendment is considered premature and consideration of the proposal should be deferred until such time as the SSP is finalised.

3. Southern Metropolitan and Peel Sub-Regional Structure Plan (Subject Site)

Outer Metropolitan Perth and Peel Sub-regional Strategy

The Outer Metropolitan Perth and Peel Sub-regional Strategy (PPSS) was released for public comment in August 2010 by the WAPC, which identified the subject land for ‘Urban Expansion – 2011 to 2015’. These ‘Urban Expansion’ areas were identified as being areas to be assessed for potential rezoning to urban in the short term 2011 to 2015.

The PPSS is not finalised and as with the SSP, consideration of rezoning the land to Urban should be deferred until such time as the PPSS is finalised.
Directions 2031

Directions 2031 was also released by the WAPC in August 2010 as a plan to provide a vision for the future growth of the region and to provide a framework to guide detailed planning and the delivery of various elements that provide for growth.

The subject site is marked ‘Rural’ on the Peel sub-region plan contained in Directions 2031. Although the intent of the document is to provide guidance on land use planning matters to accommodate future population growth, Directions 2031 also provides the following:

"It should not be assumed that these areas (ie areas under investigation) will be rezoned for urban or industrial development at any time. The suitability for development of the areas identified for investigation for residential or industrial use and the staging of such development will require comprehensive assessment in the context of existing and future transport and servicing, employment potential, environmental and social impact...

With respect to areas under investigation for residential use, given the amount of land already available for urban development, a compelling case will need to be made to rezone these areas."

Directions 2031 also identifies a preferred growth scenario in that land that is already zoned for urban purposes should be prioritised.

The proposed Amendment to rezone the subject land to Urban is considered to be in contrast to the objectives of Directions 2031, in that land that is already zoned for urban purposes should be developed as a priority over land not zoned for this purpose.

State Planning Policy 2.8 – Bushland Policy for the Perth Metropolitan Region

In June 2010, the WAPC prepared State Planning Policy 2.8 – Bushland Policy for the Perth Metropolitan Region (SPP2.8). The purpose of SPP2.8 was to:-

- establish a conservation system at the regional level (through Bush Forever areas and to operate with the clearing controls under the Environmental Protection Act 1986) that is, as far as is achievable, comprehensive, adequate and representative of the ecological communities of the Swan Coastal Plain portion of the Perth Metropolitan Region;

- to seek to protect and manage significant bushland recommended for protection and management for conservation purposes through a range of implementation mechanisms and as a collective and shared responsibility and general duty of care on the part of government, landowners and the community; and

- to provide a policy and implementation framework for significant bushland areas recommended for protection and management to assist conservation planning, planning assessment and decision-making processes."

SPP2.8 identified ‘Bush Forever’ sites, which are regionally significant bushland that have been identified for retention and protection. The Bush Forever conservation initiative seeks to protect at least 10% of the 26 original vegetation complexes within the Swan Coastal Plain and protect threatened ecological communities.

Bush Forever site 395 is located directly north-east of the subject site, and forms part of the larger Rockingham Regional Park (as shown on Figure 4 below)

Whilst it is acknowledged that the proposed Amendment does not directly impact Bush Forever site 395, areas of significant bushland within the subject site should be retained to create linkages between the site and Bush Forever site 395, to facilitate the movement of fauna.
Rural Land Strategy

The City's Planning Policy No.5.2 - Rural Land Strategy seeks to retain the visual amenity of the rural viewshed along Mandurah Road and the natural landscape features of the dune system of the Singleton and Golden Bay Special Rural/Special Residential Precincts by the retention of the existing 'Special Rural' and 'Special Residential' zonings. This objective is established within Planning Unit No.3 of the Rural Land Strategy, with minimum lot area requirements for Special Rural land directly to the north of the subject site in Singleton. Land contained within Planning Unit No.3 is shown on Figure 5 below. In this respect, lot sizes adjacent to Mandurah Road are also required to be larger to maintain the rural viewshed, with the minimum lot size for Singleton, including areas adjacent to Mandurah Road, being 2ha. A 40m landscape buffer strip implemented via setback controls is also been established along Mandurah Road, to enhance the rural viewshed.

Upon completion of the VLE, the City's Rural Land Strategy was amended in August 2012 to incorporate the recommendations of the VLE. The following was included within the text for Planning Unit No.3 in the Rural Land Strategy:-

“The VLE confirmed that Planning Unit No.3 has considerable visual character and contains important natural elements, valued by the local community, which it is desirable to maintain. This particularly includes the vista obtained from Mandurah Road that provides a positive natural/rural outlook across much of the VLE Study Area and the natural dune system that is a highly valued and significant natural asset that is worthy of ongoing preservation.”
5. Planning Unit No.3 (Rural Land Strategy)

Views to the dune system from various directions off Mandurah Road have been included in Figures 6, 7 and 8 below.
6. View west from Mandurah Road to the Madora Bay Dunes

7. View south from Mandurah Road to the Madora Bay Dunes
8. View north from Mandurah Road to the Singleton Dunes

e. Financial
   Nil

f. Legal and Statutory
   Nil

Comments

The natural dune system of the VLE Study Area within the City of Rockingham is highly valued and a significant natural asset that is worth of ongoing preservation. The levitated and undulating character is particularly valued by the local community who rated the ‘dunes’ as a particularly important landscape element in the VLE. The natural landform and associated dune vegetation is vulnerable to development due to the difficulty of establishing access roads and building pads without significant cut and fill that degrades the natural flowing contours of the landscape and destabilises natural vegetation systems. It is considered that the same planning principles that apply to the Singleton and Golden Bay Dunes (VLE Study Area) should apply to the land the subject of the PRS Amendment in Madora Bay, because there are significant similarities in the sensitive dune land form, landscape and vegetation characteristics.

It is recommended that the Council not support the proposed Amendment.

Voting Requirements

Simple Majority

Officer Recommendation

That Council NOT SUPPORT proposed Amendment No.035/57 to the Peel Region Scheme, as the natural dune system is a natural asset that is worthy of preservation, as it provides a rural viewshed from Mandurah Road, which is compatible with the continuation of the Rural zoning and landscape values of the Singleton and Golden Bay Dunes within the City of Rockingham. Urban zoning is not considered to be a compatible form of development in the circumstances.
Committee Recommendation

That Council NOT SUPPORT proposed Amendment No.035/57 to the Peel Region Scheme, as the natural dune system is a natural asset that is worthy of preservation, as it provides a rural viewshed from Mandurah Road, which is compatible with the continuation of the Rural zoning and landscape values of the Singleton and Golden Bay Dunes within the City of Rockingham. Urban zoning is not considered to be a compatible form of development in the circumstances.

Committee Voting – 3/0

The Committee's Reason for Varying the Officer's Recommendation

Not applicable

Implications of the Changes to the Officer’s Recommendation

Not applicable

4.37pm - Cr Chris Elliot returned to the Planning Services Committee Meeting.
## Planning Services
### Statutory Planning Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>DPD-010/12 Proposed Integrated Development Guide Plan - Rockingham City Centre</th>
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<tr>
<td>File No:</td>
<td>28/3337-02</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Urbis (on behalf of LandCorp)</td>
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<tr>
<td>Author:</td>
<td>Ms Erika Barton, Senior Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Bob Jeans, Director Planning and Development Services</td>
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<td>Date of Committee Meeting:</td>
<td>3rd December 2012</td>
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<td>Tribunal</td>
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<td>Nature of Council’s Role in this Matter:</td>
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<td>Site:</td>
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<td>1. Market Street Upgrade Design</td>
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<td>2. IDGP</td>
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<td>3. Urban Designer comments</td>
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<td>1. Location Plan</td>
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<td>2. Aerial Photo</td>
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<td>3. Residential Density Plan</td>
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CONFIRMED AT A PLANNING SERVICES MEETING
HELD ON MONDAY, 18 FEBRUARY 2013

PRESIDING MEMBER
Purpose of Report

To consider a proposed Integrated Development Guide Plan (IDGP) on Lot 359 Goddard Street, Rockingham.

Background

The subject site was formerly set aside as part of the planned route of the South West Metropolitan Railway, which was to extend throughout the Rockingham Strategic Regional Centre. The Western Australian Planning Commission (WAPC) purchased the site to secure this future land use.

The railway concept was subsequently abandoned and replaced with a concept of the Rockingham City Centre Transit System (RCCTS), which will connect the Rockingham Railway Station with the Waterfront Village. The light rail route is now proposed to run along McNicholl and Market Streets in the vicinity of the site. Preliminary designs are being undertaken for the light rail corridor, which in particular involves realignment of Market Street as shown in Attachment 1.

Details

The City has received a proposed IDGP which is illustrated in Attachment 2.

The Plan proposes a concept development layout and associated subdivision. Density targets over the site range from 160+ dwellings/ha at the Market Street end of the site, to 100+ dwellings/ha in the central portion, and 80-100 dwellings/ha at the Marks Place end. Commensurately the building heights increase from 3-9 storeys adjacent to Market Street, 2-6 storeys in the central portion, and 2-3 storeys adjacent to Marks Place.

Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   Nil

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 No.3.2.1 - Development Policy Plan City Centre Sector

Planning Policy No.3.2.1 - Development Policy Plan City Centre Sector (PP3.2.1) guides development within the Primary Centre City Centre Zone. The Policy divides the Zone into seven Precincts. The subject site is located within the Goddard Precinct. Section 5.4 of the Policy outlines the requirements for this Precinct, with which any future development needs to comply.

The Policy requires that any subdivision is to be prepared in concert with an IDGP. Such IDGPs are to illustrate building envelopes, indicative building configurations, setbacks, pedestrian and vehicular access, indicative car parking layouts and any rights of way of access easements required.

Liveable Neighbourhoods

Liveable Neighbourhoods is an operational policy of the WAPC the guides the design and assessment of inter alia subdivision for new urban development. It contains eight design elements of good neighbourhoods being: Community Design, Movement Network, Lot Layout, Public Parkland, Urban Water Management, Utilities, Activity Centres and Employment, and Schools.
The proposed IDGP, being a guide for future subdivision and development, should follow the design elements of LN.

e. Financial

Nil

f. Legal and Statutory

Town Planning Scheme No. 2

Clause 4.3.5 of Town Planning Scheme No.2 (TPS2) requires an Integrated Development Guide Plan (IDGP) to be adopted by Council before it can support an application for subdivision of land within the Primary Centre, which includes the Primary Centre City Centre Zone in which the subject site is located.

In considering a proposal for an IDGP, Council is required to either refuse to adopt it or adopt it without modification.

**Comments**

**Consistency with Planning Policy**

The proposed IDGP is generally consistent with PP3.2.1, subject to the following comments outlined below.

**Density and Height**

The target densities proposed in the IDGP are consistent with PP3.2.1. The proposed building heights provide a lower height maximum than PP3.2.1, however, this is considered acceptable given density targets are still achieved. Figure 3 illustrates the proposed densities.

![Figure 3 - Residential Density Plan](image-url)
Frontage Types

The proposed IDGP is generally consistent with the frontage requirements of PP3.2.1. It proposes a higher activation of Goddard and McNicholl Streets, which is considered appropriate as outlined in Figure 4.

Liveable Neighbourhoods

Movement Network

The proposed IDGP is generally consistent with LN. It proposes streets designed in accordance with the 'Small Town Centre Street' and 'Laneway' Street Types illustrated in LN. The streets are intended to provide a low speed environment to enable both pedestrians and vehicles to travel safely along it. Consistent with LN, the proponent will need to determine any special designation for such shared zones under appropriate legislation such as the Road Traffic Act 1974 or the like.

Public Parkland

The proposed IDGP has not provided any parkland on site. LN requires a minimum contribution of 10% of the gross subdivisible area to be given up free of cost by the subdivider for public open space (POS). Discussions will need to be entered into as to the acceptability of accepting cash in lieu of the physical POS provision.

Urban Water Management

A very preliminary description of the proposed stormwater management has been provided as part of the IDGP. A Drainage Strategy shall be submitted with any future application for subdivision or development, demonstrating compliance with LN and to the satisfaction of the City.
Utilities
Consistent with LN, the street verges need to be of sufficient width to accommodate all of the anticipated services. The laneways are not to include the placement of any trunk or metered services. A servicing report will be required; including site specific cross sections, demonstrating the road reserve widths can adequately accommodate essential services, street trees, footpaths, shared paths, on-street parking, and road pavement width in accordance with LN, to be submitted with any future subdivision or development applications.

Market Street Upgrade
Market Street is to be upgraded to facilitate the transit corridor. AECOM has prepared design options for the upgrade, with the preferred option shown in Attachment 1.

Minor Errors, Misdescriptions
There are a number of minor errors and misdescriptions throughout the IDGP. These are to be amended prior to finalising the plan and will not impact on the content of the plan.

Urban Design Comments
The City's Urban Design, Max Margetts reviewed the proposed IDGP. His comments are provided as Attachment 3, and generally support the proposed IDGP.

Conclusion
In light of the above comments, it is considered that the IDGP is suitable for approval, subject to the minor errors and misdescriptions being addressed.

Voting Requirements

Simple Majority

Officer Recommendation

That Council **APPROVE** the Lot 359 Goddard Street Integrated Development Guide Plan prepared by Urbis on behalf of LandCorp dated November 2012, as follows:-
Committee Recommendation

That Council *APPROVE* the Lot 359 Goddard Street Integrated Development Guide Plan prepared by Urbis on behalf of LandCorp dated November 2012, as follows:-

Committee Voting – 4/0

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

Not applicable

Implications of the Changes to the Officer’s Recommendation

Not applicable
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<th>Reports of Councillors</th>
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<tbody>
<tr>
<td>14</td>
<td>Addendum Agenda</td>
<td>Nil</td>
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<tr>
<td>15</td>
<td>Motions of which Previous Notice has been given</td>
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<td>Notices of Motion for Consideration at the Following Meeting</td>
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<td>Urgent Business Approved by the Person Presiding or by Decision of the Committee</td>
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<td>Matters Behind Closed Doors</td>
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<td>19</td>
<td>Date and Time of Next Meeting</td>
<td>The next Planning Services Committee Meeting will be held on <strong>Monday, 18 February 2013</strong> in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.</td>
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<td>20</td>
<td>Closure</td>
<td>There being no further business, the Chairman of the Planning Services Standing Committee wished all Councillors, staff and their families compliments of the season and a Happy New Year, thanked them for their contribution over the past year and declared the meeting closed at 4.44pm.</td>
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