MINUTES
Planning Services Committee Meeting
Held on Monday, 20 August 2012 at 4:00pm
City of Rockingham Boardroom
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1. **Declaration of Opening**

The Chairperson declared the Planning Services Committee Meeting open at 4.08 pm and welcomed all present.

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

2.1 **Councillors**

Cr Richard Smith Chairperson
Cr Chris Elliott
Cr Leigh Liley
Cr Joy Stewart Observer

2.2 **Executive**

Mr Andrew Hammond Chief Executive Officer
Mr Bob Jeans Director Planning and Development Services
Mr Peter Ricci Project Manager Keralup
Mr Brett Ashby Manager Strategic Planning and Environment
Mr Richard Rodgers Manager Building Services (until 4.20 pm)
Mr Mike Ross Manager Statutory Planning
Mr Rod Fielding Manager Health Services (until 4.20 pm)
Ms Melinda Wellburn PA to Director Planning and Development Services

**Members of the Public:** 3

**Press:** 1

2.3 **Apologies:**

Cr Allan Hill

2.4 **Approved Leave of Absence:** Nil

3. **Responses to Previous Public Questions Taken on Notice**

Nil

4. **Public Question Time**

4.08 pm The Chairperson invited members of the Public Gallery to ask questions. There were none.

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

Moved Cr Liley, seconded Cr Elliott:

That Council **CONFIRM** the Minutes of the Planning Services Committee Meeting held on 16 July 2012, as a true and accurate record.

Committee Voting – 3/0
6. **Matters Arising from the Previous Planning Services Committee Meeting Minutes**

Nil

7. **Announcement by the Presiding Person without Discussion**

4.09pm 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**

4.10pm The Chairperson asked if there were any interests to declare. There were none.

9. **Petitions/Deputations/Presentations/Submissions**

9.1 Presentations

4.11pm The Chairperson noted that representatives of the Water Corporation will attend the Committee meeting to make a presentation on the current and future activities of the Water Corporation within Rockingham. For the convenience of the Committee, the Chairman deferred the presentation until after Item 18 on the Agenda.

10. **Matters for which the Meeting may be Closed**

Nil

11. **Bulletin Items**

Planning Services Information Bulletin – August 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 & Wellbeing Plan
   3.4 Healthy Communities Initiative
   3.5 Health Promotion
   3.6 Mosquito Control Program
   3.7 Ocean Water Sampling
4. Information Items
   4.1 Mosquito-Borne Disease Notifications
   4.2 Food Recalls - July 2012
   4.3 Food Premises Inspections
   4.4 Public Building Inspections
   4.5 Outdoor Public Event Approvals - July 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 Care
4.15 Evaluation Report
4.16 Update On Zelda’s/Vibe Nightclub

Building Services
1. Building Services Team Overview
2. Human Resource Update
3. Project Status Reports
4. Information Items
   4.1 Legal Proceedings
   4.2 Legislation Update
   4.3 Private Swimming Pool and Spa Inspection Program
   4.4 Monthly Building Licence Approvals - (All Building Types)
   4.5 Occupancy Permits
   4.6 Demolition Permit
   4.7 Permanent Sign Licence
   4.8 Community Sign Approval
   4.9 Temporary Sign Licence
   4.10 Building Approval Certificates for Unauthorised Building Works
   4.11 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)
4. Information Items
   4.1 Delegated Final Adoption of Structure Plan
   4.2 Delegated Minor Change to Structure Plan
   4.3 Local Planning Strategy - Community Engagement Programme (LUP/1487-02
   4.4 Water Campaign- Achievement of Milestone 4
   4.5 Proposed Lifting of Urban Deferment – Baldivis (Northern Cell) - Lots 447, 459, 460 - 463 & 709 Baldivis Road, Baldivis

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
4.12 Removal of Disused Materials and Vehicles - No.48 Hercules Street, Rockingham

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
   3.2 Smart Village Sector – Development Policy Plan and Masterplan
   3.3 Northern Waterfront Sector - Development Policy Plan and Masterplan
   3.4 Campus Sector - Development Policy Plan and Masterplan
   3.5 Eastern Sector - Development Policy Plan and Masterplan
   3.6 Keralup
   3.7 Karnup Station Transit Oriented Development
4. Information Items
   4.1 Metropolitan Region Scheme Amendment - Strategic Regional Centre - Review of Air Quality Buffer – Activity Centre North (Area 3; Sector 5) (LUP/1416)

Appendices

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

Committee Voting – 3/0

4.20pm - Mr Richard Rodgers, Manager Building Services and Mr Rod Fielding, Manager Health Services left the Planning Services Committee meeting.
12. Agenda Items

Strategic Planning and Environment

Planning Services
Strategic Planning & Environment Services

<table>
<thead>
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<th>Reference No &amp; Subject:</th>
<th>SPE-017/12 Proposed Amendment to Planning Policy No.5.2 – Rural Land Strategy</th>
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<td>File No:</td>
<td>LUP/815-01 and LUP/1419-05</td>
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<tr>
<td>Proponent/s:</td>
<td>Mr Jeff Bradbury, Coordinator Strategic Planning</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Brett Ashby, Manager Strategic Planning &amp; Environment</td>
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<tr>
<td>Other Contributors:</td>
<td></td>
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<tr>
<td>Date of Committee Meeting:</td>
<td>20th August 2012</td>
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<tr>
<td>Disclosure of Interest:</td>
<td></td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive Function</td>
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Site:

Lot Area:

Attachments:

1. Rural Land Strategy – Planning Unit Map
2. Rural Land Strategy – Planning Unit No.3 Map
3. Rural Land Strategy – Appendix 3: Landscape Character Unit Map
4. Rural Land Strategy – Appendix 4: Landscape Character Unit Summary Table
5. Rural Land Strategy – Appendix 5: Summary of Capacity to Absorb Development Change Table

Maps/Diagrams:

Purpose of Report

To consider proposed amendments to Planning Policy No.5.2 – Rural Land Strategy in light of the Council’s adoption of the Visual Landscape Evaluation prepared for the land in proximity to Mandurah Road in Singleton, Golden Bay and Secret Harbour.
Background

Planning Policy No.5.2 - Rural Land Strategy (RLS) seeks to retain the visual amenity (the rural vista 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.

Given that the City's Policy position was being challenged by regional planning initiatives and applications, the Council (at its November 2009 Meeting) resolved to review its Policy position by commissioning a Visual Landscape Evaluation (VLE) for the land in proximity to Mandurah Road in Singleton, Golden Bay and Secret Harbour.

At its ordinary Meeting held in February 2010, the Council resolved to endorse a Consultant's Brief for a Visual Landscape Evaluation (VLE), to enable quotations to be sought from suitable Consultants to undertake the Study. AECOM was subsequently appointed to undertake the preparation of the VLE in May 2010.

AECOM prepared a draft VLE Report that was advertised for public comment in February 2011. The intent of the consultation programme was to evaluate the way the visual landscape character of the Study Area was viewed, experienced and valued by the community (including the owners of land within the Study Area).

The conclusions and recommendations as set out in the VLE are based on a detailed analysis of the landscape and visual character of the Study Area and have been complemented by an extensive community consultation process.

The VLE concluded that the City's current statutory and policy position as set out in Town Planning Scheme No.2 and the RLS is sound and justified; and should be maintained. The landscape of the Study Area has considerable visual character and contains important natural elements, valued by the local community, which it is desirable to maintain.

The draft VLE Report was further refined following the community engagement process and was considered by the Council at its meeting held in February 2012, when it resolved as follows:-

1. To adopt the Visual Landscape Evaluation - Singleton, Golden Bay and Secret Harbour and that it be used to inform the City's consideration of regional and local planning initiatives and proposals.
2. To review Planning Policy No.5.2 - Rural Land Strategy in light of the recommendations of the Visual Landscape Evaluation - Singleton, Golden Bay and Secret Harbour.

Details

The RLS has been assessed against the recommendations of the VLE and as a result, the following amendments are recommended to the RLS (additional wording shown in red):-

- That the 'Introduction' section of the RLS include the following summary of the VLE:

  Visual Landscape Evaluation – Singleton, Golden Bay and Secret Harbour

  The City undertook a Visual Landscape Evaluation (VLE) looking at the areas of Singleton and Golden Bay that are zoned 'Rural' in the Metropolitan Region Scheme and the section of Secret Harbour that is zoned 'Special Residential' in the City of Rockingham Town Planning Scheme No.2 (located within Planning Unit No.3 of this Rural Land Strategy). The intent of the VLE was to test the validity and appropriateness of the City’s Policy position regarding the rural vista along Mandurah Road.

  The VLE concluded that the City’s current statutory and policy position as set out in Town Planning Scheme No.2 and this Rural Land Strategy is sound and justified; and should be maintained. The landscape of the VLE Study Area 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.

The conclusions and recommendations as set out in the VLE are based on a detailed analysis of the landscape and visual character of the Study Area and have been complemented by an extensive community consultation process.

The VLE was considered by the Council at its ordinary Meeting held on the 28th February 2012, when it was resolved that it be adopted and used to inform the City’s consideration of regional and local planning initiatives and proposals. In this regard, the recommendations of the VLE have been incorporated into Precinct No.3 of this Rural Land Strategy.

- That ‘Objective 3’ of the RLS be reworded as follows:

3. **Protect and conserve landscape values.**

It is an objective of the Strategy to maintain valued landscapes that contribute to the sense of place of the City of Rockingham and maintain an open landscape character as a means to giving form and definition to the built up area avoiding urban sprawl and providing accessible countryside close to the City.

- That in the ‘Planning Units and Precincts’ section, the paragraph dealing with Planning Unit 3 be reworded as follows

Planning Unit 3 to the west of Mandurah Road is associated more with the coastal urban corridor and is predominantly developed. 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.

- That the following specific reference to Planning Unit 3 be included in the ‘Landscape Protection’ section:

With respect to Planning Unit 3, it will be necessary to ensure that cut and fill activities do not degrade the natural landform (particularly of the dunes) and to ensure that important vegetation (particularly Tuart trees) can be successfully retained within the site.

- That the section dealing specifically with Planning Unit 3 be reworded as:

**PLANNING UNIT NO.3**

**Special Rural/Special Residential – West of Mandurah Road**

**Location**

Planning Unit No. 3 comprises the City’s Rural Lands to the west of Mandurah Road. The northern precinct is generally bounded by Warnbro Sound Avenue to the west, the Secret Harbour urban area to the south, Mandurah Road to the east and the Larkhill horse training facility to the north.

The southern precinct is bounded by the Singleton and Golden Bay urban settlements to the west, Secret Harbour urban area to the north, Mandurah Road to the east and the Municipal boundary to the south.

A narrow line of special residential lots abutting Mandurah Road connects the two portions (see Planning Unit Map).

**Landuse Characteristics**

The existing rural based landuses in the northern precinct comprise perennial horticulture/orchards and horse stabling/ training.

The southern precinct is developed primarily for Special Rural/Special Residential purposes.

A Service Station and commercial uses are located on the corner of Mandurah and Singleton Beach Roads.
Environmental Characteristics

Landscape Character Units

The Visual Landscape Evaluation for Singleton, Golden Bay and Secret Harbour (VLE) identified nine Landscape Character Units (LCU's) in the Study Area (refer to Appendix 3 for a Plan illustrating these LCU’s and Appendix 4 for a Table summarising the landscape character of each LCU). The Landscape Character Summary Table identifies the key landscape elements that define the character of the LCU. The community values of these LCU’s were determined through the community consultation activities undertaken a part of the VLE.

Capacity to Absorb Change

The VLE assessed each LCU for its capacity to absorb development change and assigned one of the following capacity classes (“high”, “moderate”, “low” and “negligible”) over three typical categories of development density: “Special Rural”, “Special Residential” and “Residential”. Refer to Appendix 5 for a Table that summarises the capacity to absorb development change for each LCU and development density.

Note: The term “development change” refers to alterations to a place usually associated with changes in land use or intensity of use. Development change is not limited to but may include any or all of the following factors: built form, urban density, landscape and visual environment.

Land Type and Capability

- Predominantly Quindalup soil-landscape association to the west with portions of Spearwood soil-landscape system to the east.

- Land capability for:
  - Grazing - predominantly ‘low’ capability, but also some areas of ‘fair’, ‘high’ and ‘very low’ capability.
  - Perennial horticulture - predominantly ‘fair’ to ‘high’ capability.
  - Annual horticulture - predominantly ‘low’ capability; some ‘fair’ and ‘very low’.

Groundwater

- Churcher groundwater subarea (northern portion) - relatively high amounts potentially available.

- Karnup groundwater subarea (southern portion) - nil available in superficial formation.

Areas of Conservation Significance

- Southern portion within System 6 area M107 (Singleton).

- Contains conservation category wetland (Turtle Swamp).

- The Larkhill precinct contains dense to sparse coastal trees and grasses.

- The Golden Bay precinct (north of Crystaluna Drive) is predominantly a gentle undulating landform with consistent to dense vegetation.

- The Singleton precinct (south of Crystaluna Drive) is characterised by its undulating dune landform and consistent coastal vegetation.

- For more detailed information regarding areas of conservation significance, refer to the VLE.

Planning Context

- Planning Unit No. 3 is zoned “Rural” in the MRS.

- Larkhill is zoned “Rural” in TPS No. 2 (draft).

- The Golden Bay and Singleton precincts are predominantly zoned special rural or special residential with only a small portion of rural land remaining available for subdivision.

- The South West Corridor Structure Plan identifies Planning Unit No. 3 as rural reflecting its buffer between Mandurah Road and the urban corridor to the west.
The VLE concluded that the City’s current statutory and policy position as set out in Town Planning Scheme No.2 and this Rural Land Strategy is sound and justified; and should be maintained.

**Issues and Constraints**

- The impact of future development on the coastal dune environment.
- Existing landuses within the Larkhill precinct.
- Proposals for the Lark Hill Regional Recreation facility to the north.
- The other existing and proposed landuses that surround Larkhill.
- Proximity to Mandurah Road.
- Landscape amenity - medium - high scenic quality.
- Management of wetlands.
- Possible presence of unexploded ordinance.
- Retention of buffer quality of area from Mandurah Road.
- Interface with existing and proposed residential development.
- High-medium fire danger throughout the Unit.
- Retention of significant vegetation.
- Proximity to proposed Stakehill Karnup Railway Station and portion of the walkable catchment to the Station being within the Unit (The feasibility of Transit Oriented Development at the Station is being investigated by the Western Australian Planning Commission).

- The following matters are specifically identified by the VLE:
  - Turtle Swamp Sunpland;
  - The value to the community of views obtained from Mandurah Road;
  - The presence of elevated vantage points from within the VLE Study Area; and
  - Key landscape elements identified in the VLE and valued by the community, particularly Tuart vegetation and dunes.

**PLANNING UNIT STRATEGY**

**Analysis**

Planning Unit No. 3 and Planning Unit No. 4 provide a transition between the western urban corridor (coastal) and the eastern urban corridor (inland). However Planning Unit No. 3 is distinctive from Planning Unit No. 4 in that it relates primarily to the coastal corridor being part of the Quindalup dune system. As with PU No. 4 it provides a low visual impact to Mandurah Road.

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.

Wetlands have generally been incorporated as open space systems in development proposals. Wetlands remaining in private ownership need to comply with the provisions of the EPP.

The existing Scheme provisions and building envelopes are intended to ensure that cut and fill activities do not degrade the natural landform (particularly of the dunes) and to ensure that important vegetation - particularly Tuart trees - can be successfully retained within the site; which in turn will enhance the rural/natural vista from Mandurah Road viewshed.

**Objective**

The primary objective for Planning Unit No. 3 is to encourage special rural/special residential development which is compatible with the land capability of the Quindalup dune system and that subdivision and development accords with landscape protection criteria for Mandurah Road, and the recommendations of the VLE.
Strategy

The Larkhill precinct forms part of the non-urban buffer between the built-up areas of Port Kennedy to the north and Secret Harbour to the south. Given the proximity of the land to the Larkhill horse training facility, the strategy for this precinct is to generally allow for the land to be subdivided to accommodate equine landuses. A minimum lot size of 1 hectare is recommended to maintain the landscape value of the area.

The Special Residential/Special Rural zoning of the Golden Bay and Singleton precincts presently serves as a transition between the existing and future urban lands to the west and north and Mandurah Road to the east.

In terms of land capability the Golden Bay precinct demonstrates the potential for closer subdivision and in this regard, a minimum lot size of 1 hectare is recommended. For Singleton the recommended minimum lot size is 2 hectares consistent with the prevailing lot sizes.

A 40m landscape buffer strip implemented via setback control has been established along Mandurah Road to enhance the viewshed.

Special Residential development will be considered in the balance of the precincts if it can be demonstrated that the landscape value of the region will not be compromised. The capacity of land within the Study Area of the VLE to absorb development change will be assessed against the criteria and recommendations set out in the VLE for each Landscape Character Unit. For the balance of Planning Unit No.3 not affected by the VLE (the Larkhill precinct), Special Residential development will be considered in the balance of the precincts if it can be demonstrated that the landscape value of the region will not be compromised.

Lot densities adjacent to Mandurah Road are required to be lower to maintain the rural vista. The servicing requirements for Special Residential development should be investigated thoroughly through the relevant authorities.

A Rural Concept Plan is required to support an application to amend the existing Scheme provisions to realise the development potential recommended in the Strategy. In the meantime, existing development will be guided by the provisions of Council’s District Zoning Scheme and Statement’s of Planning Policies.

Proposals for subdivision/development need to comply with the following guidelines:

- **Existing and proposed rural uses to be guided by the provisions of the District Zoning Scheme and Statements of Planning Policy.**
- **Appropriate zoning in District Zoning Scheme is a prerequisite to development in accordance with Strategy recommendations.**
- **Subdivision and development to be carried out in accordance with an approved Rural Concept Plan, where the following performance standards apply:**
  - Minimum lot size 1ha (Larkhill/Golden Bay)* 2ha (Singleton).
  - Provision of a reticulated water supply for lots less than 2 hectares in area. The optimum method of water supply being provided as determined by WRC.
  - One dwelling house per lot.
  - No clearing being permitted without the specific approval of Council.
  - Provision of an Aerobic Treatment Unit (ATU) for effluent disposal purposes.
  - Buildings to be setback 40m from Mandurah Road, 30m from all subdivisional roads and 10m from all other boundaries unless building envelope location causes otherwise.
  - No clearing of setback area except for the purposes of a firebreak or for vehicular access as approved by Council.
  - Existing special rural/special residential development to comply with the provisions of the relevant amendment under which subdivision/development was initiated.
- Development affecting wetlands to comply with provisions of Environmental Protection (Swan Coastal Plain Lakes) Policy 1992.
- Subdivision/development proposals are to include a landscaping plan detailing a proposed tree planting programme.
- Development shall be of a scale that minimises intrusion into the landscape.
- Cut and fill activities to not degrade the natural landform (particularly of the dunes) and to ensure that important vegetation (particularly Tuart trees) can be successfully retained within the site.
- Stocking rates to be in accordance with the standards applied by the Department of Agriculture (refer to Appendix 2 for general guide).
- Development shall comply with Landscape Management Guidelines.
- Fire Management is to be addressed in accordance with the Western Australian Planning Commission Development Control Policy No. 3.7 - Planning for Bushfire Protection.

The UXO Branch of the WA Police advise that the Secret Harbour and Golden Bay areas are included in the eastern extreme of the former Rockingham Artillery Range and as such the land is required to be searched for unexploded ordinance prior to subdivision works commencing.

* The Larkhill area may need to be further investigated when details of the proposed railway service and the siting of the proposed railway stations are finalised.

The following Tables set out key landscape and visual management issues, strategies and recommendations that apply specifically to the land contained within Study Area of the VLE.

### Key Visual Management Issues and Recommendations

<table>
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<tr>
<th>Consideration</th>
<th>Recommendation</th>
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<tbody>
<tr>
<td>Subdivision lot size</td>
<td>L1: As per Town Planning Scheme No.2.</td>
</tr>
<tr>
<td>Development setbacks</td>
<td>S1: As per Town Planning Scheme No.2.</td>
</tr>
<tr>
<td>Grading (cut and fill)</td>
<td>F1: Minimise cut and fill to retain natural landform contours (all LCUs)</td>
</tr>
<tr>
<td>Development footprint and vegetation clearance</td>
<td>Minimise clearance of all native vegetation to maintain visual character, minimise erosion and protect biodiversity values. Development footprint, including for access tracks, should be kept to the minimum possible to enable retention of the greatest area of native vegetation possible. Seek approval from Council for all native vegetation to be removed. Permission will generally not be given except under special circumstances#. In particular seek to retain the following within the relevant LCUs: V1: Seek to maintain vegetation buffer of 40m width adjacent to key thoroughfares (Mandurah Road). Where this width falls within land in private ownership, the property owner shall be responsible for maintaining a visual buffer using endemic species. V2: Seek to maintain mature trees – particularly Tuarts V3: Seek to maintain mature trees – particularly Melaleuca V4: Seek to maintain wetland vegetation V5: Seek to maintain key areas of dune vegetation – particularly coastal scrub</td>
</tr>
<tr>
<td>Planting schemes</td>
<td>Planting schemes should be as follows:</td>
</tr>
<tr>
<td></td>
<td>P1: Avoid planting of non-native vegetation</td>
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<td></td>
<td>P2: Minimise planting of non-native vegetation</td>
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Development height

Recommendations for development heights (of all buildings, outbuildings, and structures) for each LCU as follows:

H1: Maintain height below the tree line as viewed from key thoroughfares
H2: Maintain height below the dune ridge as viewed from key thoroughfares (distant views)

Development character

C1: All buildings and outbuildings are to be sympathetic in design, materials and colour to complement surrounding landscape elements and be sited away from focal points and located where screening or landform can be utilised.
C2: All buildings and outbuildings are to be sympathetic in design, materials and colour to existing adjoining residential areas.

Other recommendations

As noted for each LCU in the Table below..

Summary of Landscape and Visual Management Strategies for Each LCU

<table>
<thead>
<tr>
<th>Landscape Character Unit</th>
<th>Subdivision lot size</th>
<th>Development setbacks</th>
<th>Grading (cut and fill)</th>
<th>Development footprint/land vegetation clearance</th>
<th>Planting schemes</th>
<th>Development height</th>
<th>Development character</th>
<th>Other recommendations</th>
</tr>
</thead>
</table>
| LCU1: Mandurah Road Roadside Buffer                          | L1                   | S1                   | F1                     | V1 V2                                           | P2               | H1                | C2                   | Vegetation to be retained in zone 1b  
Strengthen roadside buffer to curtail views    |
| LCU2: Rural Residential in Herdsman Lowland                   | L1                   | S1                   | F1                     | V1 V2                                           | P2               | H1                | C2                   | n/a                                             |
| LCU3: Turtle Swamp Swampland                                   | L1                   | S1                   | -                      | V4                                              | -                | -                 | -                    | Enhance management particularly if areas adjacent intensify |
| LCU4: Rural Residential in Tuart Woodland                     | L1                   | S1                   | F1                     | V1 (4b) V2                                      | P2               | H1                | C2                   | Protection of Peelhurst Heritage Site                                                |
| LCU5: Sawley Close Melaleuca Swamp                            | L1                   | S1                   | F1                     | V3 V4                                           | P1               | H1                | C1                   | Protect hydrological integrity of the landscape                                     |
| LCU6: Golden Bay Remnant Parabolic Dune                       | L1                   | S1                   | F1                     | V5 V1                                           | P1               | H2                | C1                   | Post and wire fence to retain open character. Enhancement and protection of Mandurah Hill Lookout |
| LCU7: Rural Residential on Remnant Dune                        | L1                   | S1                   | F1                     | V5 V1 (next to Mandurah Rd)                     | P1               | H2                | C1                   | Particular importance of ensuring H2 as this area is prominent in many views from the coastal strip |
| LCU8: Singleton Coastal Lowlands                               | L1                   | S1                   | F1                     | V2 V5                                           | P1               | H2                | C1                   | Enhance landscape management to ensure removal of rubbish/prevention of fly-tipping    |
LCU9: Singleton Coastal Scrub on Dune Edge

Development to be suited to the open character. Consider opportunities for formalising informal recreation access.

Implications to Consider

a. Consultation with the Community

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

(i) where the draft Policy may be inspected;
(ii) the subject and nature of the draft Policy; and
(iii) in what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made.

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

b. Consultation with Government Agencies

Clause 4.11.5(a) of Town Planning Scheme No.2 requires that the Council consult with the Western Australian Planning Commission (WAPC) in respect of a proposed amendment to the RLS and shall have due regard to the comments and recommendations of the WAPC.

Consultation with other Government agencies is not required.

c. Strategic

Community Plan

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

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

d. Policy

Planning Policy No.5.2 – Rural Land Strategy: The City of Rockingham Rural Land Strategy provides the basis for land use planning in the rural areas of the municipality. In particular, it provides the City with a framework for the assessment of proposals to rezone, subdivide, manage and develop rural land in the City.

e. Financial

Nil

f. Legal and Statutory

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

Comments

It is recommended that the proposed amendments to the RLS be advertised for a period of 28 days in accordance with the requirements of Town Planning Scheme No.2 and that the proposed amendments be referred to the WAPC for comment.

Voting Requirements

Simple Majority
Officer Recommendation

That Council ENDORSE the publishing of a notice that it has prepared the following amendments (shown in red) to Planning Policy No.5.2 – Rural Land Strategy for public inspection for a period of 28 days, pursuant to clause 8.9.4 of Town Planning Scheme No.2:

1. That the ‘Introduction’ section include the following summary of the Visual Landscape Evaluation – Singleton, Golden Bay and Secret Harbour:-

   Visual Landscape Evaluation – Singleton, Golden Bay and Secret Harbour

   The City undertook a Visual Landscape Evaluation (VLE) looking at the areas of Singleton and Golden Bay that are zoned ‘Rural’ in the Metropolitan Region Scheme and the section of Secret Harbour that is zoned “Special Residential” in the City of Rockingham Town Planning Scheme No.2 (located within Planning Unit No.3 of this Rural Land Strategy). The intent of the VLE was to test the validity and appropriateness of the City’s Policy position regarding the rural vista along Mandurah Road.

   The VLE concluded that the City’s current statutory and policy position as set out in Town Planning Scheme No.2 and this Rural Land Strategy is sound and justified; and should be maintained. The landscape of the VLE Study Area 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.

   The conclusions and recommendations as set out in the VLE are based on a detailed analysis of the landscape and visual character of the Study Area and have been complemented by an extensive community consultation process.

   The VLE was considered by the Council at its ordinary Meeting held on the 28th February 2012, when it was resolved that it be adopted and used to inform the City’s consideration of regional and local planning initiatives and proposals. In this regard, the recommendations of the VLE have been incorporated into Precinct No.3 of this Rural Land Strategy.

2. That ‘Objective 3’ be reworded as follows:

   3. Protect and conserve landscape values.

   It is an objective of the Strategy to maintain valued landscapes that contribute to the sense of place of the City of Rockingham and maintain an open landscape character as a means to giving form and definition to the built up area avoiding urban sprawl and providing accessible countryside close to the City.

3. That in the ‘Planning Units and Precincts’ section, the paragraph dealing with Planning Unit 3 be reworded as follows:

   Planning Unit 3 to the west of Mandurah Road is associated more with the coastal urban corridor and is predominantly developed, 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.

4. That the following specific reference to Planning Unit 3 be included in the ‘Landscape Protection’ section:

   With respect to Planning Unit 3, it will be necessary to ensure that cut and fill activities do not degrade the natural landform (particularly of the dunes) and to ensure that important vegetation (particularly Tuart trees) can be successfully retained within the site.

5. That the section dealing specifically with Planning Unit 3 be reworded as:

   PLANNING UNIT NO.3

   Special Rural/Special Residential – West of Mandurah Road
Location
Planning Unit No. 3 comprises the City’s Rural Lands to the west of Mandurah Road. The northern precinct is generally bounded by Warnbro Sound Avenue to the west, the Secret Harbour urban area to the south, Mandurah Road to the east and the Larkhill horse training facility to the north.

The southern precinct is bounded by the Singleton and Golden Bay urban settlements to the west, Secret Harbour urban area to the north, Mandurah Road to the east and the Municipal boundary to the south.

A narrow line of special residential lots abutting Mandurah Road connects the two portions (see Planning Unit Map).

Landuse Characteristics
The existing rural based landuses in the northern precinct comprise perennial horticulture/orchards and horse stabling/training.

The southern precinct is developed primarily for Special Rural/Special Residential purposes.

A Service Station and commercial uses are located on the corner of Mandurah and Singleton Beach Roads.

Environmental Characteristics

Landscape Character Units
The Visual Landscape Evaluation for Singleton, Golden Bay and Secret Harbour (VLE) identified nine Landscape Character Units (LCU’s) in the Study Area (refer to Appendix 3 for a Plan illustrating these LCU’s and Appendix 4 for a Table summarising the landscape character of each LCU). The Landscape Character Summary Table identifies the key landscape elements that define the character of the LCU. The community values of these LCU’s were determined through the community consultation activities undertaken a part of the VLE.

Capacity to Absorb Change
The VLE assessed each LCU for its capacity to absorb development change and assigned one of the following capacity classes (“high”, “moderate”, “low” and “negligible”) over three typical categories of development density: “Special Rural”, “Special Residential” and “Residential”. Refer to Appendix 5 for a Table that summarises the capacity to absorb development change for each LCU and development density.

Note: The term “development change” refers to alterations to a place usually associated with changes in land use or intensity of use. Development change is not limited to but may include any or all of the following factors: built form, urban density, landscape and visual environment.

Land Type and Capability

- Predominantly Quindalup soil-landscape association to the west with portions of Spearwood soil-landscape system to the east.
- Land capability for:
  Grazing - predominantly ‘low’ capability, but also some areas of ‘fair’, ‘high’ and ‘very low’ capability.
  Perennial horticulture - predominantly ‘fair’ to ‘high’ capability.
  Annual horticulture - predominantly ‘low’ capability; some ‘fair’ and ‘very low’.

Groundwater
- Churcher groundwater subarea (northern portion) - relatively high amounts potentially available.
- Karnup groundwater subarea (southern portion) - nil available in superficial formation.
Areas of Conservation Significance
- Southern portion within System 6 area M107 (Singleton).
- Contains conservation category wetland (Turtle Swamp).
- The Larkhill precinct contains dense to sparse coastal trees and grasses.
- The Golden Bay precinct (north of Crystaluna Drive) is predominantly a gentle undulating landform with consistent to dense vegetation.
- The Singleton precinct (south of Crystaluna Drive) is characterised by its undulating dune landform and consistent coastal vegetation.
- For more detailed information regarding areas of conservation significance, refer to the VLE.

Planning Context
- Planning Unit No. 3 is zoned “Rural” in the MRS.
- Larkhill is zoned “Rural” in TPS No. 2 (draft).
- The Golden Bay and Singleton precincts are predominantly zoned special rural or special residential with only a small portion of rural land remaining available for subdivision.
- The South West Corridor Structure Plan identifies Planning Unit No. 3 as rural reflecting its buffer between Mandurah Road and the urban corridor to the west.
- The VLE concluded that the City’s current statutory and policy position as set out in Town Planning Scheme No.2 and this Rural Land Strategy is sound and justified; and should be maintained.

Issues and Constraints
- The impact of future development on the coastal dune environment.
- Existing landuses within the Larkhill precinct.
- Proposals for the Lark Hill Regional Recreation facility to the north.
- The other existing and proposed landuses that surround Larkhill.
- Proximity to Mandurah Road.
- Landscape amenity - medium - high scenic quality.
- Management of wetlands.
- Possible presence of unexploded ordinance.
- Retention of buffer quality of area from Mandurah Road.
- Interface with existing and proposed residential development.
- High-medium fire danger throughout the Unit.
- Retention of significant vegetation.
- Proximity to proposed Stakehill Karnup Railway Station and portion of the walkable catchment to the Station being within the Unit (The feasibility of Transit Oriented Development at the Station is being investigated by the Western Australian Planning Commission).
- The following matters are specifically identified by the VLE:-
  - Turtle Swamp Sumpland;
  - The value to the community of views obtained from Mandurah Road;
  - The presence of elevated vantage points from within the VLE Study Area; and
  - Key landscape elements identified in the VLE and valued by the community, particularly Tuart vegetation and dunes.
PLANNING UNIT STRATEGY

Analysis

Planning Unit No. 3 and Planning Unit No. 4 provide a transition between the western urban corridor (coastal) and the eastern urban corridor (inland). However Planning Unit No. 3 is distinctive from Planning Unit No. 4 in that it relates primarily to the coastal corridor being part of the Quindalup dune system. As with PU No. 4 it provides a low visual impact to Mandurah Road.

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.

Wetlands have generally been incorporated as open space systems in development proposals. Wetlands remaining in private ownership need to comply with the provisions of the EPP.

The existing Scheme provisions and building envelopes are intended to ensure that cut and fill activities do not degrade the natural landform (particularly of the dunes) and to ensure that important vegetation - particularly Tuart trees - can be successfully retained within the site; which in turn will enhance the rural/natural vista from Mandurah Road viewshed.

Objective

The primary objective for Planning Unit No. 3 is to encourage special rural/special residential development which is compatible with the land capability of the Quindalup dune system and that subdivision and development accords with landscape protection criteria for Mandurah Road the recommendations of the VLE.

Strategy

The Larkhill precinct forms part of the non-urban buffer between the built-up areas of Port Kennedy to the north and Secret Harbour to the south. Given the proximity of the land to the Larkhill horse training facility, the strategy for this precinct is to generally allow for the land to be subdivided to accommodate equine landuses. A minimum lot size of 1 hectare is recommended to maintain the landscape value of the area.

The Special Residential/Special Rural zoning of the Golden Bay and Singleton precincts presently serves as a transition between the existing and future urban lands to the west and north and Mandurah Road to the east.

In terms of land capability the Golden Bay precinct demonstrates the potential for closer subdivision and in this regard, a minimum lot size of 1 hectare is recommended. For Singleton the recommended minimum lot size is 2 hectares consistent with the prevailing lot sizes.

A 40m landscape buffer strip implemented via setback control has been established along Mandurah Road to enhance the viewshed vista.

Special Residential development will be considered in the balance of the precincts if it can be demonstrated that the landscape value of the region will not be compromised. The capacity of land within the Study Area of the VLE to absorb development change will be assessed against the criteria and recommendations set out in the VLE for each Landscape Character Unit. For the balance of Planning Unit No.3 not affected by the VLE (the Larkhill precinct), Special Residential development will be considered in the balance of the precincts if it can be demonstrated that the landscape value of the region will not be compromised.

Lot densities adjacent to Mandurah Road are required to be lower to maintain the rural vista. The servicing requirements for Special Residential development should be investigated thoroughly through the relevant authorities.

A Rural Concept Plan is required to support an application to amend the existing Scheme provisions to realise the development potential recommended in the Strategy. In the meantime, existing development will be guided by the provisions of Council's District Zoning Scheme and Statement of Planning Policies.
Proposals for subdivision/development need to comply with the following guidelines:

- **Existing and proposed rural uses** to be guided by the provisions of the District Zoning Scheme and Statements of Planning Policy.
- **Appropriate zoning** in District Zoning Scheme is a prerequisite to development in accordance with Strategy recommendations.
- **Subdivision and development** to be carried out in accordance with an approved Rural Concept Plan, where the following performance standards apply:
  - Minimum lot size 1ha (Larkhill/Golden Bay)* 2ha (Singleton).
  - Provision of a reticulated water supply for lots less than 2 hectares in area. The optimum method of water supply being provided as determined by WRC.
  - One dwelling house per lot.
  - No clearing being permitted without the specific approval of Council.
  - Provision of an Aerobic Treatment Unit (ATU) for effluent disposal purposes.
  - Buildings to be setback 40m from Mandurah Road, 30m from all subdivisional roads and 10m from all other boundaries unless building envelope location causes otherwise.
  - No clearing of setback area except for the purposes of a firebreak or for vehicular access as approved by Council.
  - Existing special rural/special residential development to comply with the provisions of the relevant amendment under which subdivision/development was initiated.
  - Development affecting wetlands to comply with provisions of Environmental Protection (Swan Coastal Plain Lakes) Policy 1992.
  - Subdivision/development proposals are to include a landscaping plan detailing a proposed tree planting programme.
  - Development shall be of a scale that minimises intrusion into the landscape.
  - Cut and fill activities to not degrade the natural landform (particularly of the dunes) and to ensure that important vegetation (particularly Tuart trees) can be successfully retained within the site.
  - Stocking rates to be in accordance with the standards applied by the Department of Agriculture (refer to Appendix 2 for general guide).
  - Development shall comply with Landscape Management Guidelines.
  - Fire Management is to be addressed in accordance with the Western Australian Planning Commission Development Control Policy No. 3.7 - Planning for Bushfire Protection.

- The UXO Branch of the WA Police advise that the Secret Harbour and Golden Bay areas are included in the eastern extreme of the former Rockingham Artillery Range and as such the land is required to be searched for unexploded ordnance prior to subdivision works commencing.

*The Larkhill area may need to be further investigated when details of the proposed railway service and the siting of the proposed railway stations are finalised.*

The following Tables set out key landscape and visual management issues, strategies and recommendations that apply specifically to the land contained within Study Area of the VLE.

### Key Visual Management Issues and Recommendations

<table>
<thead>
<tr>
<th>Consideration</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivision lot size</td>
<td>L1: As per Town Planning Scheme No.2.</td>
</tr>
</tbody>
</table>
### Development setbacks

| S1 | As per Town Planning Scheme No.2. |

### Grading (cut and fill)

| F1 | Minimise cut and fill to retain natural landform contours (all LCUs) |

### Development footprint and vegetation clearance recommendations

Minimise clearance of all native vegetation to maintain visual character, minimise erosion and protect biodiversity values. Development footprint, including for access tracks, should be kept to the minimum possible to enable retention of the greatest area of native vegetation possible. Seek approval from Council for all native vegetation to be removed. Permission will generally not be given except under special circumstances. In particular seek to retain the following within the relevant LCUs:

- V1: Seek to maintain vegetation buffer of 40m width adjacent to key thoroughfares (Mandurah Road). Where this width falls within land in private ownership, the property owner shall be responsible for maintaining a visual buffer using endemic species.
- V2: Seek to maintain mature trees – particularly Tuarts
- V3: Seek to maintain mature trees – particularly Melaleuca
- V4: Seek to maintain wetland vegetation
- V5: Seek to maintain key areas of dune vegetation – particularly coastal scrub

### Planting schemes

Planting schemes should be as follows:

- P1: Avoid planting of non-native vegetation
- P2: Minimise planting of non-native vegetation

### Development height

Recommendations for development heights (of all buildings, outbuildings, and structures) for each LCU as follows:

- H1: Maintain height below the tree line as viewed from key thoroughfares
- H2: Maintain height below the dune ridge as viewed from key thoroughfares (distant views)

### Development character

C1: All buildings and outbuildings are to be sympathetic in design, materials and colour to complement surrounding landscape elements and be sited away from focal points and located where screening or landform can be utilised.

C2: All buildings and outbuildings are to be sympathetic in design, materials and colour to existing adjoining residential areas.

### Other recommendations

As noted for each LCU in the Table below.

### Summary of Landscape and Visual Management Strategies for Each LCU

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<tbody>
<tr>
<td>LCU1: Mandurah Road Roadside Buffer</td>
<td>L1</td>
<td>S1</td>
<td>F1</td>
<td>V1, V2</td>
<td>P2</td>
<td>H1</td>
<td>C2</td>
<td>Vegetation to be retained in zone 1b. Strengthen roadside buffer to curtail views</td>
</tr>
<tr>
<td>LCU2: Rural Residential in Herdsman Lowland</td>
<td>L1</td>
<td>S1</td>
<td>F1</td>
<td>V1</td>
<td>V2</td>
<td>P2</td>
<td>H1</td>
<td>C2</td>
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<tr>
<td>LCU3: Turtle Swamp Sumpland</td>
<td>L1</td>
<td>S1</td>
<td>-</td>
<td>V4</td>
<td>-</td>
<td></td>
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<td></td>
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<tr>
<td>LCU4: Rural Residential in Tuart Woodland</td>
<td>L1</td>
<td>S1</td>
<td>F1</td>
<td>V1 (4b)</td>
<td>V2</td>
<td>P2</td>
<td>H1</td>
<td>C2</td>
</tr>
<tr>
<td>LCU5: Sawley Close Melaleuca Swamp</td>
<td>L1</td>
<td>S1</td>
<td>F1</td>
<td>V3</td>
<td>V4</td>
<td>P1</td>
<td>H1</td>
<td>C1</td>
</tr>
<tr>
<td>LCU6: Golden Bay Remnant Parabolic Dune</td>
<td>L1</td>
<td>S1</td>
<td>F1</td>
<td>V5</td>
<td>V1</td>
<td>P1</td>
<td>H2</td>
<td>C1</td>
</tr>
<tr>
<td>LCU7: Rural Residential on Remnant Dune</td>
<td>L1</td>
<td>S1</td>
<td>F1</td>
<td>V5</td>
<td>V1 (next to Mandurah Rd)</td>
<td>P1</td>
<td>H2</td>
<td>C1</td>
</tr>
<tr>
<td>LCU8: Singleton Coastal Lowlands</td>
<td>L1</td>
<td>S1</td>
<td>F1</td>
<td>V2</td>
<td>V5</td>
<td>P1</td>
<td>H2</td>
<td>C1</td>
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<td>LCU9: Singleton Coastal Scrub on Dune Edge</td>
<td>L1</td>
<td>S1</td>
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<td></td>
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6. That the following appendices be included:

   (i) Appendix 3: Landscape Character Unit Map;
   (ii) Appendix 4: Landscape Character Unit Summary Table; and
   (iii) Appendix 5: Summary of Capacity to Absorb Development Change Table.

**Committee Recommendation**

That Council **ENDORSE** the publishing of a notice that it has prepared the following amendments (shown in red) to Planning Policy No.5.2 – Rural Land Strategy for public inspection for a period of 28 days, pursuant to clause 8.9.4 of Town Planning Scheme No.2:

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   **Visual Landscape Evaluation – Singleton, Golden Bay and Secret Harbour**

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PLANNING UNIT NO.3

Special Rural/Special Residential – West of Mandurah Road

Location

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A narrow line of special residential lots abutting Mandurah Road connects the two portions (see Planning Unit Map).

Landuse Characteristics

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The southern precinct is developed primarily for Special Rural/Special Residential purposes.
A Service Station and commercial uses are located on the corner of Mandurah and Singleton Beach Roads.

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  - Perennial horticulture - predominantly ‘fair’ to ‘high’ capability.
  - Annual horticulture - predominantly ‘low’ capability; some ‘fair’ and ‘very low’.

Groundwater

- Churcher groundwater subarea (northern portion) - relatively high amounts potentially available.
- Karnup groundwater subarea (southern portion) - nil available in superficial formation.

Areas of Conservation Significance

- Southern portion within System 6 area M107 (Singleton).
- Contains conservation category wetland (Turtle Swamp).
- The Larkhill precinct contains dense to sparse coastal trees and grasses.
- The Golden Bay precinct (north of Crystaluna Drive) is predominantly a gentle undulating landform with consistent to dense vegetation.
- The Singleton precinct (south of Crystaluna Drive) is characterised by its undulating dune landform and consistent coastal vegetation.
- For more detailed information regarding areas of conservation significance, refer to the VLE.

Planning Context

- Planning Unit No. 3 is zoned “Rural” in the MRS.
- Larkhill is zoned “Rural” in TPS No. 2 (draft).
- The Golden Bay and Singleton precincts are predominantly zoned special rural or special residential with only a small portion of rural land remaining available for subdivision.
- The South West Corridor Structure Plan identifies Planning Unit No. 3 as rural reflecting its buffer between Mandurah Road and the urban corridor to the west.
- The VLE concluded that the City’s current statutory and policy position as set out in Town Planning Scheme No.2 and this Rural Land Strategy is sound and justified; and should be maintained.

Issues and Constraints
- The impact of future development on the coastal dune environment.
- Existing landuses within the Larkhill precinct.
- Proposals for the Lark Hill Regional Recreation facility to the north.
- The other existing and proposed landuses that surround Larkhill.
- Proximity to Mandurah Road.
- Landscape amenity - medium - high scenic quality.
- Management of wetlands.
- Possible presence of unexploded ordinance.
- Retention of buffer quality of area from Mandurah Road.
- Interface with existing and proposed residential development.
- High-medium fire danger throughout the Unit.
- Retention of significant vegetation.
- Proximity to proposed Stakehill Karnup Railway Station and portion of the walkable catchment to the Station being within the Unit (The feasibility of Transit Oriented Development at the Station is being investigated by the Western Australian Planning Commission).
- The following matters are specifically identified by the VLE:-
  - Turtle Swamp Sumpland;
  - The value to the community of views obtained from Mandurah Road;
  - The presence of elevated vantage points from within the VLE Study Area; and
  - Key landscape elements identified in the VLE and valued by the community, particularly Tuart vegetation and dunes.

PLANNING UNIT STRATEGY

Analysis
Planning Unit No. 3 and Planning Unit No. 4 provide a transition between the western urban corridor (coastal) and the eastern urban corridor (inland). However Planning Unit No. 3 is distinctive from Planning Unit No. 4 in that it relates primarily to the coastal corridor being part of the Quindalup dune system. As with PU No. 4 it provides a low visual impact to Mandurah Road.

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.

Wetlands have generally been incorporated as open space systems in development proposals. Wetlands remaining in private ownership need to comply with the provisions of the EPP.

The existing Scheme provisions and building envelopes are intended to ensure that cut and fill activities do not degrade the natural landform (particularly of the dunes) and to ensure that important vegetation - particularly Tuart trees - can be successfully retained within the site; which in turn will enhance the rural/natural vista from Mandurah Road viewed.
Objective

The primary objective for Planning Unit No. 3 is to encourage special rural/special residential development which is compatible with the land capability of the Quindalup dune system and that subdivision and development accords with the recommendations of the VLE.

Strategy

The Larkhill precinct forms part of the non-urban buffer between the built-up areas of Port Kennedy to the north and Secret Harbour to the south. Given the proximity of the land to the Larkhill horse training facility, the strategy for this precinct is to generally allow for the land to be subdivided to accommodate equine landuses. A minimum lot size of 1 hectare is recommended to maintain the landscape value of the area.

The Special Residential/Special Rural zoning of the Golden Bay and Singleton precincts presently serves as a transition between the existing and future urban lands to the west and north and Mandurah Road to the east.

In terms of land capability the Golden Bay precinct demonstrates the potential for closer subdivision and in this regard, a minimum lot size of 1 hectare is recommended. For Singleton the recommended minimum lot size is 2 hectares consistent with the prevailing lot sizes.

A 40m landscape buffer strip implemented via setback control has been established along Mandurah Road to enhance the viewshed vista.

Special Residential development will be considered in the balance of the precincts if it can be demonstrated that the landscape value of the region will not be compromised. The capacity of land within the Study Area of the VLE to absorb development change will be assessed against the criteria and recommendations set out in the VLE for each Landscape Character Unit. For the balance of Planning Unit No.3 not affected by the VLE (the Larkhill precinct), Special Residential development will be considered in the balance of the precincts if it can be demonstrated that the landscape value of the region will not be compromised.

Lot densities adjacent to Mandurah Road are required to be lower to maintain the rural vista. The servicing requirements for Special Residential development should be investigated thoroughly through the relevant authorities.

A Rural Concept Plan is required to support an application to amend the existing Scheme provisions to realise the development potential recommended in the Strategy. In the meantime, existing development will be guided by the provisions of Council's District Zoning Scheme and Statements of Planning Policies.

Proposals for subdivision/development need to comply with the following guidelines:

- **Existing and proposed rural uses to be guided by the provisions of the District Zoning Scheme and Statements of Planning Policy.**

- **Appropriate zoning in District Zoning Scheme is a prerequisite to development in accordance with Strategy recommendations.**

- **Subdivision and development to be carried out in accordance with an approved Rural Concept Plan, where the following performance standards apply:-**
  - Minimum lot size 1ha (Larkhill/Golden Bay)* 2ha (Singleton).
  - Provision of a reticulated water supply for lots less than 2 hectares in area. The optimum method of water supply being provided as determined by WRC.
  - One dwelling house per lot.
  - No clearing being permitted without the specific approval of Council.
  - Provision of an Aerobic Treatment Unit (ATU) for effluent disposal purposes.
  - Buildings to be setback 40m from Mandurah Road, 30m from all subdivisional roads and 10m from all other boundaries unless building envelope location causes otherwise.
- No clearing of setback area except for the purposes of a firebreak or for vehicular access as approved by Council.
- Existing special rural/special residential development to comply with the provisions of the relevant amendment under which subdivision/development was initiated.
- Development affecting wetlands to comply with provisions of Environmental Protection (Swan Coastal Plain Lakes) Policy 1992.
- Subdivision/development proposals are to include a landscaping plan detailing a proposed tree planting programme.
- Development shall be of a scale that minimises intrusion into the landscape.
- Cut and fill activities to not degrade the natural landform (particularly of the dunes) and to ensure that important vegetation (particularly Tuart trees) can be successfully retained within the site.
- Stocking rates to be in accordance with the standards applied by the Department of Agriculture (refer to Appendix 2 for general guide).
- Development shall comply with Landscape Management Guidelines.
- Fire Management is to be addressed in accordance with the Western Australian Planning Commission Development Control Policy No. 3.7 - Planning for Bushfire Protection.

* The UXO Branch of the WA Police advise that the Secret Harbour and Golden Bay areas are included in the eastern extreme of the former Rockingham Artillery Range and as such the land is required to be searched for unexploded ordinance prior to subdivision works commencing.

* The Larkhill area may need to be further investigated when details of the proposed railway service and the siting of the proposed railway stations are finalised.

The following Tables set out key landscape and visual management issues, strategies and recommendations that apply specifically to the land contained within Study Area of the VLE.

### Key Visual Management Issues and Recommendations

<table>
<thead>
<tr>
<th>Consideration</th>
<th>Recommendation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subdivision lot size</td>
<td>L1: As per Town Planning Scheme No.2.</td>
</tr>
<tr>
<td>Development setbacks</td>
<td>S1: As per Town Planning Scheme No.2.</td>
</tr>
<tr>
<td>Grading (cut and fill)</td>
<td>F1: Minimise cut and fill to retain natural landform contours (all LCUs)</td>
</tr>
</tbody>
</table>

**Development footprint and vegetation clearance recommendations**

- Minimise clearance of all native vegetation to maintain visual character, minimise erosion and protect biodiversity values. Development footprint, including for access tracks, should be kept to the minimum possible to enable retention of the greatest area of native vegetation possible. Seek approval from Council for all native vegetation to be removed. Permission will generally not be given except under special circumstances#. In particular seek to retain the following within the relevant LCUs:
  - V1: Seek to maintain vegetation buffer of 40m width adjacent to key thoroughfares (Mandurah Road). Where this width falls within land in private ownership, the property owner shall be responsible for maintaining a visual buffer using endemic species.
  - V2: Seek to maintain mature trees – particularly Tuarts
  - V3: Seek to maintain mature trees – particularly Melaleuca
  - V4: Seek to maintain wetland vegetation
  - V5: Seek to maintain key areas of dune vegetation – particularly coastal scrub
| Planning schemes | Planting schemes should be as follows:  
|                  | P1: Avoid planting of non-native vegetation  
|                  | P2: Minimise planting of non-native vegetation |
| Development height | Recommendations for development heights (of all buildings, outbuildings, and structures) for each LCU as follows:  
|                  | H1: Maintain height below the tree line as viewed from key thoroughfares  
|                  | H2: Maintain height below the dune ridge as viewed from key thoroughfares (distant views) |
| Development character | C1: All buildings and outbuildings are to be sympathetic in design, materials and colour to complement surrounding landscape elements and be sited away from focal points and located where screening or landform can be utilised.  
|                  | C2: All buildings and outbuildings are to be sympathetic in design, materials and colour to existing adjoining residential areas. |
| Other recommendations | As noted for each LCU in the Table below. |

**Summary of Landscape and Visual Management Strategies for Each LCU**

<table>
<thead>
<tr>
<th>Landscape Character Unit</th>
<th>Subdivision lot size</th>
<th>Development setbacks</th>
<th>Grading (cut and fill)</th>
<th>Development footprint and vegetation clearance</th>
<th>Planting schemes</th>
<th>Development height</th>
<th>Development character</th>
<th>Other recommendations</th>
</tr>
</thead>
</table>
| LCU1: Mandurah Road Roadside Buffer | L1 | S1 | F1 | V1 | V2 | P2 | H1 | C2 | Vegetation to be retained in zone 1b  
|                            |       |       |      |    |    |    |    |    | Strengthen roadside buffer to curtail views |
| LCU2: Rural Residential in Herdsman Lowland | L1 | S1 | F1 | V1 | V2 | P2 | H1 | C2 | n/a |
| LCU3: Turtle Swamp Sumpland | L1 | S1 | - | V4 | - | - | - | Enhance management particularly if areas adjacent intensify |
| LCU4: Rural Residential in Tuart Woodland | L1 | S1 | F1 | V1 (4b) | V2 | P2 | H1 | C2 | Protection of Peelhurst Heritage Site |
| LCU5: Sawley Close Melaleuca Swamp | L1 | S1 | F1 | V3 | V4 | P1 | H1 | C1 | Protect hydrological integrity of the landscape |
| LCU6: Golden Bay Remnant Parabolic Dune | L1 | S1 | F1 | V5 | V1 | P1 | H2 | C1 | Post and wire fence to retain open character.  
<p>|                            |       |       |      |    |    |    |    |    | Enhancement and protection of Mandurah Hill Lookout |
| LCU7: Rural Residential on Remnant Dune | L1 | S1 | F1 | V5 | V1 (next to Mandurah Rd) | P1 | H2 | C1 | Particular importance of ensuring H2 as this area is prominent in many views from the coastal strip. |</p>
<table>
<thead>
<tr>
<th>LCU8: Singleton Coastal Lowlands</th>
<th>L1</th>
<th>S1</th>
<th>F1</th>
<th>V2</th>
<th>P1</th>
<th>H2</th>
<th>C1</th>
<th>Enhance landscape management to ensure removal of rubbish/prevention of fly-tipping</th>
</tr>
</thead>
<tbody>
<tr>
<td>LCU9: Singleton Coastal Scrub on Dune Edge</td>
<td>L1</td>
<td>S1</td>
<td>F1</td>
<td>V5</td>
<td>P1</td>
<td>H2</td>
<td>C1</td>
<td>Development to be suited to the open character. Consider opportunities for formalising informal recreation access.</td>
</tr>
</tbody>
</table>

6. That the following appendices be included:
   (i) Appendix 3: Landscape Character Unit Map;
   (ii) Appendix 4: Landscape Character Unit Summary Table; and
   (iii) Appendix 5: Summary of Capacity to Absorb Development Change Table.

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
Planning Services
Strategic Planning and Environment Services

**Reference No & Subject:**
SPE-018/12 Proposed Modification to Evermore Heights Structure Plan - Adoption

**File No:**
LUP/422-04

**Proponent/s:**
Greg Rowe & Associates

**Author:**
Mr Ross Underwood, Senior Planning Officer

**Other Contributors:**
Mr Jeff Bradbury, Coordinator Strategic Planning
Mr Brett Ashby, Manager Strategic Planning & Environment

**Date of Committee Meeting:**
20th August 2012

**Previously before Council:**

**Disclosure of Interest:**

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

**Site:**
Lot 9004 Bristlebird Approach, Baldivis

**Lot Area:**
12.3864ha

**LA Zoning:**
Development

**MRS Zoning:**
Urban

**Attachments:**
1. Schedule of Submissions
2. Proposed Modification to Evermore Heights Structure Plan

**Maps/Diagrams:**
1. Figure 1 – Location Plan
2. Figure 2 – Existing Approved Structure Plan
3. Figure 3 – Proposed Changes to Structure Plan
4. Figure 4 – Consultation Plan
5. Figure 5 – Community Purpose Sites in South Baldivis

**Purpose of Report**
To consider a proposed modification to the approved Structure Plan over the Evermore Heights estate, following the completion of public consultation.
Background

The Structure Plan for the Evermore Heights estate was originally adopted by the Council in May 2007; this Structure Plan excluded the eastern portion of the estate. In May 2011 the Council adopted a major modification to the Structure Plan to include the eastern portion of the estate.

A minor change to this Structure Plan was adopted by the City under delegated authority on the 23rd February 2012. The intent of the application was to modify the density of lots near the eastern end of the Structure Plan area from R20 to R30. The existing Structure Plan is included in Figure 2 below.

Figure 1 – Location Plan

Figure 2 – Existing Approved Structure Plan
There are two community purpose sites shown on the Structure Plan:

1. A 5,000m² public community purpose site on Numbat Approach at the western edge of the Structure Plan area. This site has been created and is owned by the City of Rockingham in freehold, and forms part of the estate’s public open space contribution.

2. A 3,000m² private community purpose site at the eastern edge of the Structure Plan area. This site is provided for private sale to community organisations such as churches and child care centres. This site does not contribute to the estate’s public open space.

**Details**

The City has received an application seeking approval to modify the Evermore Heights Structure Plan as follows:

1. Modifying a street block by replacing the private ‘Community Purpose’ site and adjoining ‘Residential (R25)’ lots with ‘Residential (R30)’ lots;

2. Modifying part of a street block west of the abovementioned block by changing the coding from R20 to R30;

3. Extending the R60 code adjacent to Laricina Lane further west by 1m; and

4. Altering the colours of the Structure Plan to improve legibility.

The changes are shown on Figure 3 below.

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**Figure 3 – Proposed Changes to Structure Plan**

Due to the proposal to delete the private community purpose site, the application was deemed to be a major modification to the Structure Plan requiring consultation with the community.
Implications to Consider

a. Consultation with the Community

The application was advertised to the community for a period of 21 days commencing on the 28th June 2012 and concluding on the 20th July 2012 in the following manner:-

- Written notice was provided to 487 owners and occupiers of land within 400m of the private community purpose site, the Baldivis Residents Association and the Settlers Hills Residents Association;
- A sign was erected on Arpenteur Drive near Bristlebird Approach for the duration of the consultation period;
- A notice was published in the “Public Notices” section of the Weekend Courier property on the 29th June and 6th July 2012; and
- Details of the proposal were made available for viewing on the City’s website.

At the conclusion of the consultation period, a total of five submissions were received, with one submission providing no comment and four submissions making the following comments:-

- Deletion of the private community purpose site will reduce access to community facilities by nearby residents (one submission);
- Deletion of the private community purpose site will put pressure on other community purpose sites (one submission);
- Deletion of the private community purpose site will place pressure on existing parks and public land (two submissions); and
- Nairn Drive should be constructed through the estate (one submission).

The location of submissioners is identified on the following figure:-

Figure 4 – Consultation Plan
The following comment is provided in relation to the issues raised by the submissioners:

Access to community facilities

The deletion of the private community purpose site is not considered to reduce residents’ access to community facilities. The land is close to an existing public community facility site at 6 Wattlebird Way, Baldivis, and there are other public and private community purpose sites elsewhere in the locality including a public community purpose site within the Evermore Heights estate to the west and sites on Regency Avenue to the south; these are shown in Figure 5 below. The deletion of the private community purpose site will not affect local access to community facilities.

Pressure on community facilities

The deletion of the private community purpose site is not considered to place pressure on other community purpose sites. The City currently has several undeveloped public community purpose sites (including the Wattlebird Way site), some of which have no identified use. The proponent has demonstrated that there is no market interest in developing private community purpose sites, following advertising of the site in November 2011 and February 2012. One expression of interest was received, but the expresser (a child care centre developer) elected not to proceed on the basis of other similar proposals progressing in the area. The City’s Community Infrastructure Planning Services considers the proponent’s attempt to sell the site reasonable, and on the basis of the outcome it is accepted that the no community organisation has any short or long-term interest in the site.
Pressure on parks and public spaces
The private community purpose site is a commercial, not public, site, and as such the deletion of the site will have no impact on the provision of public space and parks.

Nairn Drive
The proposed modification to the Structure Plan has no impact on the timing of the construction of Nairn Drive. It is expected that Nairn Drive will be constructed when Evermore Heights and Elevation estates are developed up to the Nairn Drive reserve.

b. Consultation with Government Agencies
Comment on the proposal was sought from the Water Corporation, Western Power and Telstra. At the end of the consultation period comment was received from all three agencies, providing no objection.

The Water Corporation provided the following additional advice:

Non-Potable Water
- The additional demand for non-potable water should be shown to be within the Department of Water’s Licence to Take Water.

Evermore Heights is provided with a non-potable water supply, also known as a ‘third pipe’, which supplies water for gardens in the estate. The water is extracted from the ground under a Licence to Take Water issued by the Department of Water. The Water Corporation’s advice will be provided to the proponent.

Water Efficient Design
- The subdivider should incorporate water efficient design.

The Water Corporation Guidelines for Waterwise Criteria is a non-binding set of documents provided by the Water Corporation. The advice will be forwarded to the proponent for its information.

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
The City's Planning Policy 3.3 – Planning for Community Facilities in New Suburbs states “if after a period of time satisfactory to Council, it can be shown that no organisation has any short or long term interest in the site, the developer may be permitted to sell the site for a use agreed to by Council.” On the basis of the proponent’s attempt to find interest in the site and on the basis of a number of other community purpose sites being unused in the area, it is recommended that the Council agree to the site being developed for residential purposes.

e. Financial
Nil

f. Legal and Statutory
Clause 4.2.6.7 of the City’s Town Planning Scheme No.2 requires that within 60 days of the conclusion of the consultation period, the Council is required to consider all submissions received and to either adopt the proposed structure plan with or without modification, or refuse to adopt the proposed structure plan and give reasons for this to the proponent.

Once the Council has made the above decision, the City will forward the proposed structure plan to the Western Australian Planning Commission for its approval, pursuant to clause 4.2.6.8.
Comments

The proposal to modify the Structure Plan by deleting the private community purpose site and making is considered acceptable, given that there is no interest in the site from any community organisation. The proposed changes to residential densities are consistent with the existing approved densities shown on the Structure Plan and are supported. It is recommended that the Council adopt the Structure Plan. The proponent should also be provided with a copy of the Water Corporation’s advice relating to the non-potable water supply and waterwise design.

Voting Requirements

Simple Majority

Officer Recommendation

That Council ADOPT for approval the proposed modification to the Evermore Heights Structure Plan, without modification.

Committee Recommendation

That Council ADOPT for approval the proposed modification to the Evermore Heights Structure Plan, without modification.

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
Planning Services
Strategic Planning and Environment Services

Reference No & Subject: SPE-019/12 Review of the Local Commercial Strategy for Baldivis - Advertising

File No: LUP/1596

Proponent/s: Mr Ross Underwood, Senior Planning Officer

Author: Mr Jeff Bradbury, Coordinator Strategic Planning

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

Date of Committee Meeting: 20th August 2012

Previously before Council: February 2004 (PD27/2/04), May 2010 (PD55/5/10), October 2010 (SPE-006/10), November 2011 (SPE-031/11), July 2011 (SPE-015/12)

Disclosure of Interest: Executive Function

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

<table>
<thead>
<tr>
<th>Site:</th>
<th>Lot Area:</th>
<th>LA Zoning:</th>
<th>MRS Zoning:</th>
<th>Attachments:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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<td></td>
<td>Figure 1. Location and maximum floorspace of Commercial Centres in Baldivis.</td>
</tr>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Figure 2. Proposed Activity Centre Hierarchy for Baldivis</td>
</tr>
</tbody>
</table>

Purpose of Report
To consider a review of 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

Adoption of the Local Commercial Strategy
The LCS was adopted by the Council in February 2004. It was prepared in accordance with State Planning Policy 4.2 – Metropolitan Centres Policy Statement for the Perth Metropolitan Region (MCP) which applied at the time that the LCS was prepared. The principal purpose of the MCP was to provide a broad regional planning framework to coordinate the location and development of retail and commercial activities in the metropolitan region.
The LCS has a strong emphasis on the protection of the centres hierarchy by applying a maximum shop/retail floorspace to each centre. “Shop/Retail”, in this context, refers to the sale of food, clothing and other convenience goods and the provision of personal services like hairdressing, but excludes the sale of bulky goods, offices and industrial floorspace – it is also known as “Planning Land Use Category 5” (PLUC 5). The LCS’s principal objective is to promote commercial development in its widest sense for the benefit of the community and to maximise employment opportunities. The LCS identifies one district centre and eight neighbourhood centres for the Baldivis area, as identified on the following extract from the LCS:

![Figure 1. Location and maximum floorspace of commercial centres in Baldivis](image)

The LCS deals with proposals to expand the size of centres as follows:-

"Wherever a new centre or expansion of an existing centre is proposed beyond the shop/retail floor areas which are recommended [in Figure 1 above], it should be in accordance with an approved Centre Plan as contemplated in Section 5.6 and Appendices 1.1.3 and 1.1.4 of the [MCP]. The onus should be on the proponent to demonstrate to Council’s satisfaction, that the proposal to increase beyond the recommended floor areas would not have a significant adverse impact on any other existing or planned centre."

Proposals to amend the Local Commercial Strategy in Baldivis

Recent growth in the Baldivis area has led to proponents challenging the shop/retail floorspace limits set by the LCS, including:
- In May 2010, the Council considered a Proposed Structure Plan for Lots 14, 15 and 299 Kerosene Lane (where The Spud Shed is located). The proponent noted that the LCS has an unallocated 2,500m² of shop/retail floorspace in the North Baldivis area, and asked for the floorspace to be allocated to the site. The City supported the location of the retail centre and shop/retail allocation. The development of a neighbourhood centre in this location is supported by section 4.6A of the City's Town Planning Scheme No.2 (TPS2).

- 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.

- In July 2012, the Council resolved to endorse an Activity Centre Structure Plan for the Baldivis District Town Centre to support a total shop/retail floorspace of 35,931m² (which includes 2,500m² within Lot 9001). It proposes that the LCS be amended to reflect the proposed shop/retail floorspace.

The development of new areas, such as the land comprising the East Baldivis District Structure Plan located between Baldivis Road and Kwinana Freeway north of Safety Bay Road, also places pressure on the LCS as the additional population is used to argue for increased floorspace allocations. Questions have also been raised on the viability of smaller centres which are unable to attract a supermarket tenant.

Activity Centres for Perth and Peel

State Planning Policy 4.2 – Activity Centres for Perth and Peel (SPP4.2) was adopted in August 2010 and supersedes the MCP. SPP4.2 requires local commercial strategies to guide the long-term distribution of retail and commercial floorspace 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 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.

SPP4.2 focuses strongly on the function and urban form of a centre, with reduced emphasis on maximum shop/retail floorspace 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 local commercial strategies and local planning schemes.

Details

The City has undertaken a review of the LCS as it applies to Baldivis. The intent of the review is to:-

(i) Guide the long-term distribution of retail and commercial floorspace via a network of centres that 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.

A full copy of the review report, prepared by MacroPlan Dimasi, will be made available on request.
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 RSA for expansions to centres throughout Baldivis. These requirements are consistent with SPP4.2. The outcomes of MacroPlan Dimasi’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 (adopted by Council in 1999), both of which have been updated over time.

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 which 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, 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 of itself is not considered a relevant planning consideration.

Based on the requirements of SPP4.2 and the recommendations of MacroPlan Dimasi’s review, it is proposed 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 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 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 LCS

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

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."
Policy Objectives: It is recommended following be included at the end of section 1.3 – ‘Purposes of the Local Commercial Strategy’: -

CONFIRMED AT A PLANNING SERVICES MEETING
HELD ON MONDAY, 17 SEPTEMBER 2012

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

- to capitalise on opportunities to revitalise activity centres in established urban areas, as a catalyst for urban renewal in the surrounding catchment;
- to provide sufficient development opportunities to enable a diverse supply of commercial and residential floorspace to meet projected community needs;
- to cater for a full range of needs from shopping, commercial and community services from local convenience to higher-order comparison retail/goods and services;
- to 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
- to 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.

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

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

(i) where the draft Policy may be inspected;
(ii) the subject and nature of the draft Policy; and
(iii) in what form and during what period (being not less than 21 days from the day the notice is published) submissions may be made.

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

Given the scope and technical nature of the proposal, it is proposed that the amendments to the LCS be advertised for a period of 42 days. The owners of all affected and competing commercial centres will be given notice of the proposal.

b. Consultation with Government Agencies

The Department of Planning will be consulted on this proposal.

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

- **Aspiration 15**: Governance systems that ensure decision making and resource allocation is accountable, participative and legally and ethically compliant

d. Policy

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

| Activity Centre Hierarchy | 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. |

CONFIRMED AT A PLANNING SERVICES MEETING
HELD ON MONDAY, 17 SEPTEMBER 2012

PRESIDING MEMBER
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.

### Activity

3. Plan activity centres to support a wide range of retail and commercial premises and promote a competitive retail and commercial market.

4. Increase the range of employment in activity centres and contribute to the achievement of sub-regional employment self-sufficiency targets.

5. Increase the density and diversity of housing in and around activity centres to improve land efficiency, housing variety and support centre facilities.

### 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**

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

### 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.

It is recommended that the proposed amendments to the LCS be advertised for a period of 42 days in accordance with the requirements of Town Planning Scheme No.2 and that the proposed amendments be referred to affected landowners and the Department of Planning for comment.

### Voting Requirements

Simple Majority

**Officer Recommendation**

That Council **ENDORSE** the publishing of a notice that it has prepared the following amendments to Planning Policy No.6.3 – Local Commercial Strategy for public inspection for a period of 42 days, pursuant to clause 8.9.4 of Town Planning Scheme No.2:

1. 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.”

2. 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 RSA for expansions to centres throughout Baldivis. These requirements are consistent with SPP4.2.”

3. 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.”

4. 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>

5. 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.”

6. 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”

7. 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”.

8. 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.

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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.

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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;
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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 Draft Baldivis Activity Centre Structure Plan that was prepared under SPP4.2 by Urbis in 2012.”

9. 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>
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<tr>
<th>Level in hierarchy</th>
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<th>Local Centre (LC)</th>
</tr>
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<tbody>
<tr>
<td>Approximate catchment served</td>
<td>5,000 to 20,000 residents</td>
<td>Up to 5,000 residents, walkable catchments</td>
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<td>Typical floorspace provision</td>
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<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 every-day needs of residents who live within close proximity to the centre.

Proposes centres in Baldivis include:
- Tuart Ridge
- The Ridge
- Stargate (Precinct E)
- Baldivis North
- The Spud Shed

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.
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.
Committee Recommendation

That Council ENDORSE the publishing of a notice that it has prepared the following amendments to Planning Policy No.6.3– Local Commercial Strategy for public inspection for a period of 42 days, pursuant to clause 8.9.4 of Town Planning Scheme No.2:

1. 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.”
2. 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 RSA for expansions to centres throughout Baldivis. These requirements are consistent with SPP4.2.”

3. 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.”

4. 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>

5. 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.”

6. 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”

7. 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”.

8. 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 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 Draft Baldivis Activity Centre Structure Plan that was prepared under SPP4.2 by Urbis in 2012.”

9. 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 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>
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<td>NCs play an important ‘community’ based role in servicing the every-day needs of residents who live within close proximity to the centre. Proposes centres in Baldivis include: - Tuart Ridge - The Ridge - Stargate (Precinct E) - Baldivis North - The Spud Shed</td>
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- 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.
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
<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>SP-046/12 Proposed Home Occupation (Music Lessons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>28/6484</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mrs M Holland</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Regan Travers, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Ms Erika Barton, A/Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr David Waller, A/Manager Statutory Planning</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>20th August 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>Tribunal</td>
</tr>
<tr>
<td>Site:</td>
<td>Lot 2065 (No.11) Zaraffa Avenue, Shoalwater</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>471m²</td>
</tr>
<tr>
<td>LA Zoning:</td>
<td>Development (Residential - R20)</td>
</tr>
<tr>
<td>MRS Zoning:</td>
<td>Urban</td>
</tr>
<tr>
<td>Attachments:</td>
<td>1. Schedule of Submissions</td>
</tr>
<tr>
<td></td>
<td>2. Noise Management Plan</td>
</tr>
<tr>
<td></td>
<td>3. Site Plan</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Consultation Plan</td>
</tr>
</tbody>
</table>

![Subject Site](image)
Purpose of Report

To consider an application seeking retrospective Planning Approval for a Home Occupation (Music Lessons) at Lot 2065 (No.11) Zaraffa Avenue, Shoalwater.

Background

In April 2012, a complaint was received that Music Lessons were being conducted at Lot 2065 (No.11) Zaraffa Avenue, Shoalwater. The complainant raised concern regarding the noise generated by musical instruments played during lessons.

In April 2012, the City advised the proponent to cease operating the business within 28 days, or alternatively, submit an application seeking Planning Approval for a Home Occupation within 28 days.

In May 2012, the City received an application seeking retrospective Planning Approval. The City has been negotiating with the applicant, following the completion of the public comment period on the 12th June 2012, to amend the proposal to minimise the impacts from noise on surrounding residents. On the 25th July 2012 the City received written response which included Noise Management Plan techniques to address the City’s and submissioner’s noise concerns.

Details

The proponent seeks retrospective Planning Approval to operate a Home Occupation (Music Lessons). The Home Occupation is proposed to operate in the following manner:-

- One employee (landowner);
- Music lessons in piano, violin and cello;
- Operating hours of Monday to Friday 9.00am to 6.30pm;
- Three clients per day, one client at any one time;
- A maximum of three (3) classes per day;
- A maximum class length of 30 minutes, up to three times per day;
- Windows, doors and curtains to remain closed during lessons;
- Utilise silencing bridge for violin; and
- Utilise silencing pedals for piano;

Implications to Consider

a. Consultation with the Community

In accordance with Planning Policy 3.3.10 – Home Occupations & Home Businesses (‘the Policy’), the application was referred to adjacent and nearby land owners for comment for a period of 14 days.

At close of the advertising period, three submissions of objection were received, which raised the following concerns:-

(i) Noise volume;
(ii) Frequency of lessons;
(iii) Noise from family members playing instruments;
(iv) Negative lifestyle impacts; and
(v) Noise attenuation measures previously suggested by neighbours having been ignored when suggested.

The consultation plan shows which residents were consulted and the location of the submissioners.
2. Consultation Plan

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 3.3.10 – Home Occupations and Home Businesses
Planning Policy 3.3.10 – Home Occupations and Home Businesses (the Policy) sets out policy objectives and provisions which the Council must have regard to in the assessment and determination of applications for planning approval for Home Occupations and Home Businesses.

The objectives of the Policy are as follows:

“(a) To promote the orderly and proper development of land by making suitable provisions to guide applicants who wish to operate a Home Occupation or a Home Business from a dwelling;

(b) To secure the amenity, health and convenience of the neighbourhood through appropriate development requirements; and

(c) To provide for economic growth and employment opportunities by facilitating the development of home based businesses.”

The Policy assessment criteria includes, among other requirements:

(i) Method of Operation – The operation of the Home Occupation must not cause injury to or adversely affect the amenity of the neighbourhood.

The key element of this proposal is the noise generated by musical instruments, the extent to which the musical instruments are played throughout the day, and whether the business is consistent with the objectives of the Policy.
The Noise Management Plan submitted post-advertising has demonstrated to the satisfaction of the City, that the proposed Home Occupation is consistent with the Policy objectives (a) and (b) above and the Policy assessment criteria for the method of operation.

Environmental Protection (Noise) Regulations

The Environmental Protection (Noise) Regulations 1997 (the Regulations) allow for musical instruments to be played for no longer than 1 hour a day between 7.00am and 7.00pm Monday to Saturday, and between 9.00am and 7.00pm on Sundays or Public Holidays, providing the noise does not adversely affect the health, welfare, convenience, comfort or amenity of the neighbours.

e. Financial
Nil

f. Legal and Statutory

A Home Occupation is a (‘D’) use that is not permitted in the Residential Zone, unless the Council has exercised its discretion by granting Planning Approval.

Comments

Response to Submissions

With respect to the issues raised in the submissions, the following comments are made:-

1. Noise

Submissioners raised concerns that noise generated by the musical instruments is disruptive when trying to relax after work and instruments are played throughout the day for both lessons and the proponent’s leisure.

Proponent’s response

The proponent has advised that all doors, windows, curtains and blinds will be closed and drawn to reduce noise. The proponent has also purchased a silencing bridge which can make a violin play quieter, along with activating a quieting pedal on the piano.

Comment

The proposed changes to the operation of the Home Occupation detailed above are considered satisfactory. The City’s Health Services is satisfied that the measures to reduce noise, including closing doors and windows, will result in the music lessons complying with the Regulations. It is recommended that an advice note be added to the approval advising the Proponent of her ongoing obligations for compliance with the Regulations.

2. Frequency of Lessons

One submissioner raised concerns that the music lessons were too long and has affected their ability to utilise outside areas of their house. The Regulations allow an exemption for music to be played for one hour, however, the applicant is proposing to conduct Music Lessons in excess of this maximum time limit.

Proponent’s response

The proponent has advised that the number of lessons will be reduced to a maximum of three per day and will restrict the length of lessons to no longer than 30 minutes.

Comment

The City agrees that prolonged exposure of noise from musical instruments would affect the amenity of the adjoining neighbours, even if the level of sound was reduced. The Proponent’s response to reduce the playing time, from the original proposal, as well as introducing measures to reduce the level of noise, demonstrates compliance with Policy objective (b) and the Policy assessment criteria for the method of operation. Conditions limiting the maximum number of lessons to three per day and limiting the length of lessons to thirty minutes will ensure this occurs.

3. Family members play music throughout the day

A submissioner noted that the proponent plays musical instruments for leisure outside of lesson times. The submissioner noted that this compounds the adverse impacts of the amenity of adjoining landowners.
Proponent's response
No specific comments provided.

Comment
The City notes that playing musical instruments which are not associated with the proposed Home Occupation would have to be considered under the Regulations, not as part of the subject application seeking Planning Approval for a Home Occupation (Music Lessons). The City is satisfied that the noise abatement measures outlined in the Proponent’s Noise Management Plan will ensure that both the lessons and recreational playing of instruments will comply with the Regulations.

4. Negative Lifestyle Impacts
Two of the submissioners advised that their lifestyles were being negatively affected by the noise from musical instruments. One noted that they are unable to sit in their back garden because the noise is annoying and the other noted that a member of their household was working from home but was forced to move elsewhere.

Proponent's response
The Proponent has advised that since they have become aware of neighbours’ concerns, they have already started closing doors and drawing the curtains.

Comment
If the music is compliant with the Regulations it is considered unlikely that it will have adverse impacts on the lifestyle of adjoining landowners.

5. Noise Management Measures
One submissioner advised that prior to making a written complaint to the City, she approached the proponent and requested that doors and windows be closed when musical instruments were being played. The proponent declined due to hot summer weather and not having air conditioning.

Proponent's response
No specific comments provided.

Comment
The Proponent's changes to the operation of the Home Occupation are considered satisfactory to address the City's and submissioners' concerns.

Conclusion
The proponent has demonstrated that the proposed Home Occupation will operate in a manner which is consistent with the objectives of the Policy. It is recommended that the application seeking Planning Approval to operate a Home Occupation for Music Lessons be approved, subject to conditions.

Voting Requirements
Simple Majority

Officer Recommendation
That Council APPROVE the application seeking Planning Approval for a Home Occupation (Music Lessons) at Lot 2065 (No.11) Zaraffa Avenue, Shoalwater, subject to the following conditions:-
1. Development must be carried out in accordance with the terms of the application as approved herein and any approved plan.
2. Any proposed advertising sign shall not exceed 0.2 square metres in area.
3. A maximum of three clients/students per day are permitted to attend the premises between the hours of 9:00am to 6:30pm, Monday to Friday and not at all on Saturdays, Sundays or public holidays.
4. Music lessons being limited to a maximum length of 30 minutes.
5. All clients/students to attend the premises by appointment only, with an interval of at least fifteen (15) minutes between clients.
6. The windows and doors of the music room to be closed while undertaking music lessons.
7. Compliance with noise management methods outlined in the Management Plan received on the 25th July 2012.

Footnotes
(i) The development must comply with Planning Policy 3.3.10 – Home Occupations and Home Businesses, a copy of which is attached to this approval.
(ii) Compliance with the provisions of the Environmental Protection (Noise) Regulations 1997.

Committee Recommendation

That Council APPROVE the application seeking Planning Approval for a Home Occupation (Music Lessons) at Lot 2065 (No.11) Zaraffa Avenue, Shoalwater, subject to the following conditions:

1. This Planning Approval is valid for a period of 12 months only from the date of this approval. A renewal of Planning Approval must be obtained for continuation of the Home Occupation (Music Lessons) beyond this date.
2. Development must be carried out in accordance with the terms of the application as approved herein and any approved plan.
3. Any proposed advertising sign shall not exceed 0.2 square metres in area.
4. A maximum of three clients/students per day are permitted to attend the premises between the hours of 9:00am to 6:30pm, Monday to Friday and not at all on Saturdays, Sundays or public holidays.
5. Music lessons being limited to a maximum length of 30 minutes.
6. All clients/students to attend the premises by appointment only, with an interval of at least fifteen (15) minutes between clients.
7. The windows and doors of the music room to be closed while undertaking music lessons.

Footnotes
(i) The development must comply with Planning Policy 3.3.10 – Home Occupations and Home Businesses, a copy of which is attached to this approval.
(ii) Compliance with the provisions of the Environmental Protection (Noise) Regulations 1997.

Committee Voting – 3/0

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

Having regard to the concerns raised by objectors, the Committee considered that the approval period of 12 months should apply, following which a fresh application for Planning Approval would be required to allow the matter to be reassessed by Council at that time.

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-047/12</th>
<th>Retrospective Planning Application - Modification to Rural Pursuit (Relocation of Horse Track)</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>28/4816</td>
<td></td>
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<tr>
<td>Proponent/s:</td>
<td>Mr Kristian Hawkins</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Regan Travers, Planning Officer</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Ms Erika Barton, A/Coordinator Statutory Planning</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mr David Waller, A/Manager Statutory Planning</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>20th August 2012</td>
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</tr>
<tr>
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<td></td>
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<tr>
<td>Disclosure of Interest:</td>
<td>Tribunal</td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Site:

| Lot:                          | Lot 554 (No.391) St Albans Road, Baldivis               |
| Lot Area:                     | 10.37ha                                                   |
| LA Zoning:                    | Rural                                                     |
| MRS Zoning:                   | Rural                                                     |

#### Attachments:

1. Submission

#### Maps/Diagrams:

1. Location Plan
2. Aerial Photo
3. Consultation Plan

### Purpose of Report

To consider an application seeking Retrospective Planning Approval to modify the location of the Horse Track on Lot 554 (No.391) St Albans Road, Baldivis.
1. Location Plan

2. Aerial photo
Background

In December 2008, a Rural Pursuit (Horse Keeping, Track and Stables) was approved under delegated authority subject to the following conditions:-

1. *Development must be carried out in accordance with the terms of the application as approved herein and any approved plan.*
2. *All stormwater being contained and disposed of on-site.*
3. *Earthworks over the site being stabilised to prevent sand blowing and dust nuisance.*
4. *The owner complying at all times with the City of Rockingham “Guidelines for the Keeping of Horses” and any Land Management Plan submitted to and approved by the City, showing the extent of paddocks and waste management and protection of an environmental areas of significance.*
5. *The design and external materials used in the construction of the development shall be compatible with the environment and not adversely affect the rural character of the locality.*
6. *A washdown bay connected to a separate septic system is to be provided consisting of a floor waste gully to enable the removal of hair and other debris prior to entry into an adequate septic/leach drain system to the satisfaction of the City.*
7. *The race track to be setback a minimum 10 metres from side boundaries and 30 metres from Cobby Lane.*

In March 2011, a complaint was received by a nearby resident regarding dust from a horse track blowing west across Cobby Lane and affecting nearby properties. The complainant’s submission included photos of dust arising from horses using the track.

In April 2011, the Proponent was advised that a retrospective Planning Application would be required for a variation to the Planning Approval regarding Condition 7, which required a 10 metre setback from side boundaries and a 30 metre setback from Cobby Lane.

Application

In September 2011, the Proponent submitted an incomplete application seeking retrospective Planning Approval for the relocation of the Horse Track. Additional information including details on how dust would be managed and a survey plan for the horse track was requested in October 2011, and which was provided in part, in December 2011.

In January 2012, February 2012 and March 2012 missing information regarding dust management was requested from the Proponent. In April 2012, after numerous discussions with the Proponent, additional information was provided which was considered satisfactory to enable advertising to commence. In July the City received confirmation that dust would be managed by a water cart, as well as details of vegetation screening.

Details

The Proponent seeks to reduce the setback specified as Condition 7 on the original Planning Approval which required a 30m setback to Cobby Lane and 10m setback to adjoining property boundaries. This new application proposed to reduce the setback of the horse track to 2m from side boundaries and 8m from Cobby Lane.

To mitigate the adverse impacts of the variation, specifically dust, the Proponent has advised that a water truck will be purchased and used during horse training sessions to manage dust from the track. The Proponent has advised that the water truck will be used between 3.00pm to 6.00pm for approximately 30 to 45 minutes. The Proponent also proposes to plant a vegetation screen along Cobby Lane to further address dust concerns.

Implications to Consider

a. **Consultation with the Community**

   The application was referred to landowners of the lots adjoining Lot 554 (No.391) St Albans Road, Baldivis, in accordance clause 6.3.2 and 6.3.3 (a) of TPS2 (see figure 3).

   One submission raising concerns with the proposal was received during the 14 day advertising period. The concerns raised in the submission were:-


• Dust needs to be suppressed daily by the use of water;
• Suggest an alternative material for the track instead of fine sand;
• Hedge should be 5 metres tall instead of the 2-3 metres proposed; and
• Believe that the borrow pit (where the sand was taken from to build up the horse track) is causing nearby properties to dry out and crack.

3. Consultation plan

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
Rural Land Strategy
The City's Planning Policy 5.2, Rural Land Strategy provides guidance in determining applications for development in rural areas. Proposals for development are required to comply with the following:-

- Include a Landscaping Plan detailing a proposed tree planting programme.
- Minimum building level 0.5m above 1:100 year flood level in areas subject to inundation as identified.
- Sand pads or the like shall be graded and landscaped to the Council’s specifications.
- No development being permitted within 20 metres of the 1:100 floodway.
- Stocking rates to be in accordance with the standards applied by Agriculture Western Australia.

There are no requirements in the *Rural Land Strategy* specific to proposals for Rural Pursuits.

The proposal complies with the above requirements and the development is within 20 metres of the 1:100 floodway.

The development within the floodway is not considered to have an adverse impact as the will not result in any additional fill being placed on the site. Therefore, the development would not result in any additional flooding impacts.

**The Peel-Harvey Coastal Plain Catchment**

The subject site is located within the Peel-Harvey Catchment Area.

The *Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992* sets out environmental quality objectives for the Estuary which if achieved will rehabilitate the Estuary and protect it from further degradation, and outline the means by which the environmental quality objectives are to be achieved and maintained. It requires the City to ensure that decisions and actions are compatible with the achievement and maintenance of the environmental quality objectives. This is normally achieved if the proposal is consistent with *State Planning Policy 2.1 – The Peel-Harvey Coastal Plain Catchment (SPP 2.1).*

SPP 2.1 encourages the retention and rehabilitation of existing remnant vegetation. There are no provisions specific requirements relating to proposals for Rural Pursuits.

e. **Financial**
   
   Nil

f. **Legal and Statutory**

Under TPS2, the proposed development is classed as a Rural Pursuit, which is a (‘D’) use. This means that the use is not permitted unless the local government has exercised its discretion by granting Planning Approval. The Council has discretion to either approve the proposal, with or without conditions, or refuse the application.

**Comments**

**Response to Submission**

**Dust Management**

The Proponent has advised that the water truck will be used daily between 3.00pm and 6.00pm for 30 to 45 minutes. It is considered that this addresses the submissioner’s concern and that dust will be able to be management appropriately. It is recommended that a condition be added to the planning approval requiring that the water be used as described above, as well as any other time (such as windy days during summer) where dust from the horse track could adversely affect nearby properties.

**Alternative Material**

The City discussed alternative materials for the surface of the track which would be less likely to create a dust issue. The Proponent advised that the sand used is typical for training tracks and that he was unaware of any alternatives. The City believes that if dust management measures are undertaken in accordance with the Proponent’s application, then no adverse dust impacts should arise.

**Height of Vegetation should be five (5) metres**

The information provided to the submissioner noted that trees, when planted, would be two metres high, growing much higher in the future. The Proponent provided a number of species to be planted to form the vegetation screen, however, these are not considered acceptable to the City.

It is therefore recommended that a condition be added to the approval that vegetation must be installed in accordance with the recommended species and size information, to the satisfaction of the City.
Borrow pit is causing cracking in nearby dwellings

This is not a planning issue, as the Horse Track is not retaining any more water, or drawing any more water than would occur naturally.

**Conclusion**

As the submissioner’s concerns are able to be appropriately addressed and dust will be able to be managed and controlled, it is considered appropriate that the proposal be supported.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **APPROVE** the application seeking retrospective planning approval for a Rural Pursuit (Relocation of Horse Track) at Lot 554 (No.391) St Albans Road, subject to the following conditions:-

1. Development must be carried out in accordance with the terms of the application as approved herein and any approved plan.
2. A water truck must be used on the horse track to ensure that no visible dust is emitted off-site at any time.
3. The water truck must be used to water the track for 30 minutes, prior to any horses using the track.
4. Vegetation screening must be provided with the street setback area for the full length of the property boundary adjoining Cobby Lane. The species, size, spacing and location of trees (minimum 100 Litres) to be to the satisfaction to the City and planted within 60 days of this approval and maintained for the life of the development.

**Advice Notes**

(i) The following species are recommended for the vegetation screen:-
- Melaleuca rhaphiophylla
- Melaleuca pressiana
- Melaleuca cuticularis
- Melaleuca viminea
- Eucalyptus rudis
- Eucalyptus cameldulensis
- Casurina obesa
- Casurina glauca

These species are to be installed as per the City’s planting standards.

4.38pm - Cr Leigh Liley left the Planning Services Committee meeting. Meeting adjourned for the lack of quorum.

4.40pm - Cr Leigh Liley returned to the Planning Services Committee meeting. Meeting reconvened.

**Committee Recommendation**

That Council **APPROVE** the application seeking retrospective planning approval for a Rural Pursuit (Relocation of Horse Track) at Lot 554 (No.391) St Albans Road, subject to the following conditions:-

1. Development must be carried out in accordance with the terms of the application as approved herein and any approved plan.
2. A water truck must be used on the horse track to ensure that no visible dust is emitted off-site at any time.
3. The water truck must be used to water the track for 30 minutes, prior to any horses using the track.

4. Vegetation screening must be provided with the street setback area for the full length of the property boundary adjoining Cobby Lane. The species, size, spacing and location of trees (minimum 100 Litres) to be to the satisfaction of the City and planted within 60 days of this approval and maintained for the life of the development.

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- Melaleuca viminea
- Eucalyptus rudis
- Eucalyptus camelulensis
- Casurina obesa
- Casurina glauca

These species are to be installed as per the City's planting standards.

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
**Planning Services**

**Statutory Planning Services**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>SP-048/12 Proposed Street Naming Theme – Lot 9000 Fifty Road, Baldivis</th>
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</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1637</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Peet Limited</td>
</tr>
<tr>
<td>Author:</td>
<td>Miss Nicole D’Alessandro, Planning Administration 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>
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<td>Date of Committee Meeting:</td>
<td>20th August 2012</td>
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<td>Previously before Council:</td>
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<td>Legislative</td>
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<td>Site:</td>
<td>Lot 9000 Fifty Road, Baldivis</td>
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<tr>
<td>Lot Area:</td>
<td>20.1978ha</td>
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<td>LA Zoning:</td>
<td>Development</td>
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<tr>
<td>MRS Zoning:</td>
<td>Urban</td>
</tr>
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<td>Attachments:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
</tbody>
</table>

[Location Plan Diagram]
Purpose of Report

To consider an application seeking approval for a street naming theme for the subdivision at Lot 9000 Fifty Road, Baldivis, based on ‘Native Australian Tree and Wildflower Species’.

Background

The existing Local Structure Plan for Lot 9000 Fifty Road (originally Lots 18, 54 & 55 Fifty Road) was approved in late 2007, with a Minor Modification submitted in January 2012 which reflected an increase in lot yield from 246 to 306.

In March 2012, approval was received for the Minor Modification to the Local Structure Plan from the City of Rockingham and the Western Australian Planning Commission.

Details

The proponent seeks Council’s approval for the theme of ‘Native Australian Tree and Wildflower Species’, with particular emphasis on those that are native to Western Australia.

This theme recognises the previous semi-rural use and the native bushland that was extensive throughout the locality. Although a significant portion has now been developed for residential, species of native plants and shrubs are still found throughout some uncleared land parcels and surrounding areas.

Examples of the proposed street names to be applied are as follows:-

- Kempsey
- Molonglo
- Poorinda
- Cappuccino
- Kanooka
- Starflame
- Splendour
- Snowflake
- Firebrand
- Belbra
- Daisy
- Luina

Implications to Consider

a. Consultation with the Community
   Nil

b. Consultation with Government Agencies
   Consultation with the Geographic Names Committee is required following the Council’s decision.

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

   **Aspiration 15:** Governance systems that ensure decision making and resource allocation is accountable, participative, legally and ethically compliant.

d. Policy
   The proposed street naming theme is consistent with Planning Procedure 1.4 – Street Names and Their Themes. The preferred source of names includes names identified with the general area, pioneers of the estate or citizens, who have made a significant community contribution.

e. Financial
   Nil

f. Legal and Statutory
   The responsibility for approving street names rests with the Geographic Names Committee. The proposed theme is in accordance with Geographic Names Committee principles, procedures and guidelines.
<table>
<thead>
<tr>
<th>Comments</th>
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<tbody>
<tr>
<td>It is recommended that the Council support the proposed theme based on ‘Native Australian Tree and Wildflower Species’, with particular emphasis on those that are native to Western Australia, as it reflects the original nature of the Baldivis area.</td>
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<table>
<thead>
<tr>
<th>Voting Requirements</th>
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<tr>
<td>Simple Majority</td>
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<tr>
<td>That Council <strong>ENDORSE</strong> the proposed street naming theme of ‘Native Australian Tree and Wildflower Species’ for the subdivision located at Lot 9000 Fifty Road, Baldivis.</td>
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Committee Voting – 3/0

<table>
<thead>
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<th>The Committee’s Reason for Varying the Officer’s Recommendation</th>
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<tr>
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<tr>
<th>Implications of the Changes to the Officer’s Recommendation</th>
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<tbody>
<tr>
<td>Not applicable</td>
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### Planning Services
#### Statutory Planning Services

<table>
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<tr>
<th>Reference No &amp; Subject:</th>
<th>SP-049/12 Proposed Three Storey Grouped Dwelling (Single)</th>
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<tbody>
<tr>
<td>File No:</td>
<td>28/4602</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Mr &amp; Mrs Chamberlain</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Regan Travers, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Ms Erika Barton, A/Coordinator Statutory Planning</td>
</tr>
<tr>
<td></td>
<td>Mr David Waller, A/Manager Statutory Planning</td>
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<td></td>
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<td>Nature of Council’s Role in this Matter:</td>
<td>Tribunal.</td>
</tr>
</tbody>
</table>

| Site:                  | Strata Lot 3 (Unit 3/No.96) Harrison Street, Rockingham   |
| Lot Area:              | 200m²                                                     |
| LA Zoning:             | Residential (R40)                                         |
| MRS Zoning:            | Urban                                                     |

**Attachments:**

1. Schedule of Submissions
2. Plans

**Maps/Diagrams:**

1. Location Plan
2. Development Site Aerial
3. Development Site Ground Level
4. Consultation Plan
5. Eastern Elevation
6. Western Elevation
7. Photo facing Unit 2/96 Harrison Street
8. Photo facing No.98b Harrison Street
9. Photo facing No.94 Harrison Street
10. Overshadowing Diagram
1. Location Plan

Purpose of Report

To consider an application seeking planning approval for a Grouped Dwelling on Strata Lot 3 (Unit 3/No.96) Harrison Street, Rockingham.

2. Development Site (Aerial)
In December 2011, after an initial assessment of the application revealed that a number of unjustified variations to the Residential Design Codes (R-Codes) and the City’s Policy 3.3.20 – Residential Design Codes (Policy) were proposed, the City advised the Proponent that it did not support the proposal in its current form and therefore did not advertise the proposal for comment.

In January 2012, revised plans were received, which were again assessed against the R-Codes and the Policy. The assessment revealed that insufficient changes had been made to address the City’s concerns and as such, the City advised the Proponent in January 2012 that it City would be recommending that the application be refused.

In March 2012, the City received additional information from the Proponent seeking to justify the variations proposed. The City advised the Proponent (verbally) that there were still concerns over the proposal, however, the Proponent insisted that the proposal be advertised for public comment and be considered.

The Proponent seeks approval for a three-storey Grouped Dwelling on a rear strata lot of a group of three lots. The ground floor features a garage, store and laundry. The first floor features three bedrooms and a family room. The second floor features a bedroom with walk in robe, en-suite and balcony.

A common driveway will service the development. Two parking bays for residents are to be accommodated within the ground floor garage.

The existing ground levels rise approximately 2m from the front of the strata lot to the rear.

The Proponent seeks approval for several variations to the Acceptable Development criteria of the R-Codes. The variations are as follows:-
Buildings of Boundary

1. The Policy permits nil setback walls to two boundaries subject to a maximum 2/3 length of the boundary, with a maximum height of 3.5m and an average length of height of 3m. The proposal has nil setback walls to the north, east and west elevations. The north wall is consistent with the Acceptable Development height of the R-Codes, however, the eastern wall is 5.079m high, and the western wall ranges in height from 3.95m to 5.28m in height.

Buildings Setback from the Boundary

2. The R-Codes stipulate the required boundary setbacks for buildings, taking into account the length, height and openings of a wall. The five setback variations proposed are:
   (a) Northern 1st floor family room is proposed to be setback 1.54 metres. The R-Codes require a setback of 1.8 metres.
   (b) Northern 2nd floor elevation is proposed to be setback 1.54 metres. The R-Codes require a setback of 3.5 metres.
   (c) Southern 1st floor balcony is proposed to be setback 3.09 metres. The R-Codes requires a setback of 3.9 metres.
   (d) Western 1st floor is proposed to be setback between 0 and 0.8 metres. The R-Codes requires a setback of 1.1 metres, or 2.5 metres where there is an opening.

Wall Height

3. The R-Codes specify that the maximum height for an external wall with the roof above not to exceed 6 metres. Sections of the eastern and southern walls exceed this maximum height, at 7.686 metres and 8.52 metres respectively.

Implications to Consider

a. Consultation with the Community

   In accordance with clause 6.3 of Town Planning Scheme No.2 (TPS2) and clause 4.1 of the R-Codes, the application was referred to nearby owners and occupiers for comment, for a period of 14 days.

![Consultation Plan](image_url)
At the close of the advertising period, four submissions had been received. All four raised objection to the development. The submissions raised the following concerns:

<table>
<thead>
<tr>
<th>Submission concern</th>
<th>No. of Submissions Raised the Concern</th>
</tr>
</thead>
<tbody>
<tr>
<td>Boundary setbacks</td>
<td>3</td>
</tr>
<tr>
<td>Wall heights</td>
<td>2</td>
</tr>
<tr>
<td>Visual privacy/overlooking</td>
<td>2</td>
</tr>
<tr>
<td>Tree lopping</td>
<td>1</td>
</tr>
</tbody>
</table>

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
State Planning Policy 3.1 – Residential Design Codes
The purpose of State Planning Policy 3.1 - Residential Design Codes (R-Codes) is to provide a comprehensive basis for the control, through local government, of residential development throughout Western Australia. The R-Codes set a number of objectives for residential development, including Clause 1.3.1 (e):

“To protect the amenity of adjoining residential properties”.

The Proponent seeks a number of variations to the Acceptable Development provisions of the R-Codes. The following outlines the proposed variations to the Acceptable Development provisions within the R-Codes and an explanation of whether the corresponding Performance Criteria has or has not been satisfied.

Buildings on Boundaries
City of Rockingham Planning Policy 3.3.20 – Residential Design Codes
This Policy seeks to clarify circumstances where the City considers certain design elements that satisfy the performance criteria of the R-Codes. The Policy permits nil setback walls to two boundaries subject to a maximum 2/3 the length of the boundary, with a maximum height of 3.5 metres and an average height of 3 metres over the length of wall. The Policy varies the R-Codes requirement which only permits one side boundary under Acceptable Development criteria.

The proposed development has nil setback walls to the northern, eastern and western elevations. The northern wall is consistent with the Acceptable Development height of the R-Codes and is considered acceptable, however, the eastern wall is 5.079 metres high, and the western wall ranges in height from 3.95 to 5.28 metres high.

The Proponent has not provided justification for the proposed variations to the height of the boundary walls. The Performance Criteria of the R-Codes for walls on boundaries is as follows:-

- Make effective use of space; or
- Enhance privacy; or
- Otherwise enhance the amenity of the development; and
- Ensure that direct sun to major openings to habitable rooms and outdoor living areas of adjoining properties is not restricted.

The proposal is considered to have an adverse effect on the amenity of the adjoining property to the south east by restricting direct sunlight to major openings and an existing outdoor living area. The substantial height of the two boundary walls also significantly impacts the visual amenity of the eastern neighbour due to the visual appearance of a blank wall and view of the wall from there outdoor living area which contains a pool.

5. Eastern Elevation

6. Western Elevation
7. Photo facing Unit 2/96 Harrison Street

8. Photo facing No.98b Harrison Street
9. Photo facing No.94 Harrison Street

Buildings Setback from Boundaries

Table No.2a and No.2b of the R-Codes stipulate the required boundary setbacks of a building, taking into account the length, height and openings of a wall. The five setback variations shown on the advertised plans were:-

(a) Northern 1st floor elevation is proposed to be setback 1.24 metres. The R-Codes requires a setback of 1.8 metres.

(b) Northern 1st floor family room is proposed to be setback 1.54 metres. The R-Codes requires a setback of 1.8 metres.

(c) Northern 2nd floor elevation is proposed to be setback 1.54 metres. The R-Codes requires a setback of 3.5 metres.

(d) Southern 1st floor balcony is proposed to be setback 3.09 metres. The R-Codes requires a setback of 3.9 metres.

(e) Western 1st floor is proposed to be setback between 0 and 0.8 metres. The R-Codes requires a setback of 1.1 metres, or 2.5 metres where there is an opening.

Modified plans received in June 2012 addressed some of the above variations in the following manner:-

(a) Windows have been changed from major openings to highlight windows (Minor Openings). As such, the required setback for this wall is 1.2 metres, with 1.24m provided (see Figure No.10). This setback is now compliant with the R-Codes.

(b) The setback for this wall has not changed, however, a screen has been added to address privacy and overlooking concerns. This setback does not comply with the R-Codes.

(c) The configuration of the opening for this wall has changed, however, the setback still does not comply with the R-Codes. A screen has been added to address privacy and overlooking concerns.

(d) No change proposed. The setback does not comply with the R-Codes.
(e) No change proposed. The setback does not comply with the R-Codes.

The Proponent has made some minor modifications to reduce privacy and overlooking impacts, however, this has not resulted in compliance with boundary setback requirements of the R-Codes. The setback variations create undue building bulk which is not appropriate for a small residential lot.

The Performance Criteria of the R-Codes for building setback from boundaries is as follows:-

- provide adequate direct sun and ventilation to the building;
- ensure adequate direct sun to the building and appurtenant open spaces;
- assist with protection of access to direct sun for adjoining properties;
- assist in ameliorating the impacts of building bulk on adjoining properties; and
- assist in protecting privacy between adjoining properties.

It is considered that the proposed dwelling does not meet the Performance Criteria for building setback from boundaries as the proposed setbacks do not assist in ameliorating the impacts of building bulk on adjoining properties. The variations also further restrict access to sunlight to adjoining properties.
10. Overshadowing diagram
Wall Height

The R-Codes specify that the maximum height for an external wall with the roof above not to exceed 6 metres. Sections of the eastern and southern walls exceed this maximum height, at 7.686 metres and 8.52 metres respectively.

The Performance Criteria of the R-Codes in relation to Wall Height notes that building height should be consistent with the desired height of buildings in the locality, and to recognise the need to protect the amenities of adjoining properties, including, where appropriate:-

- Adequate direct sun to buildings and appurtenant open spaces;
- Adequate daylight to major openings to habitable rooms; and
- Access to views of significance.

The City believes that the additional wall height results in sunlight being restricted to adjoining properties, in particular 2/96 Harrison Street's outdoor living area and major openings to rear habitable rooms. As such, the proposed variations to the R-Codes do not meet the relevant Performance Criteria.

e. Financial

Nil

f. Legal and Statutory

Town Planning Scheme No.2

In TPS2, the proposed development is classed as a Grouped Dwelling, which is a (‘D’) use that is not permitted in the Residential Zone, unless the Council has exercised its discretion by granting planning approval. The residential density code shown on the Scheme Maps is R40, which designates the site for Grouped Dwellings. Clause 4.1 of TPS2 requires residential development, unless otherwise provided for in TPS2, to comply with the R-Codes. The Council has discretion to either approve the proposal, with or without conditions, or refuse the application.

Comments

Response to Submissions

Wall Heights
Dealt with in Policy Section.

Boundary Setbacks
Dealt with in Policy Section.

Visual Privacy/Overlooking

The Proponent was advised of the concerns raised during advertising and subsequently submitted amended plans. The amended plans include screens up to 1.65 metres for major openings and now comply with the Acceptable Development provisions of the R-Codes for privacy and overlooking.

Tree Lopping

Given the size of the subject site, it is considered that the removal of vegetation to accommodate a future dwelling is acceptable.

Conclusion

The City has made the Proponent aware of the various neighbours’ concerns regarding the proposed variations. The Proponent has requested that the application be considered by Council.

The proposed Grouped Dwelling is not consistent with a number of requirements of the Acceptable Development provisions of the R-Codes. The variations to boundary setbacks and wall heights are considered significant and have not been justified against the relevant Performance Criteria.

It is considered that the scale of the development, including the bulk of the building, which results primarily due to the reduced boundary setbacks and high walls, has an adverse impact on the amenity of adjoining properties.
On balance of the matters raised by submissioners, the development is not considered to be suitable for the site. It is recommended that Council refuse the application for a Grouped Dwelling.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council **REFUSE** the application for a Grouped Dwelling on Strata Lot 3 (Unit 3/No.96) Harrison Street, Rockingham, for the following reasons:-

1. The development is inconsistent with the objectives of the R-Codes in that the development does not ensure an appropriate standard of amenity for all dwellings or protect the amenity of adjoining residential properties.

2. The proposal fails to meet the Performance Criteria of Clause 6.3.2P of the R-Codes as it has an adverse impact on the amenity of No.98B Harrison Street and Unit 2/No.96 Harrison Street, Rockingham by restricting direct access to sunlight of the major openings to habitable rooms and outdoor living areas.

3. The proposal fails to meet the Performance Criteria of Clause 6.7.1P of the R-Codes as it has an adverse impact on the amenity of Unit 2/No.96 Harrison Street, Rockingham by the restricting direct sun to buildings and adequate daylight to major openings to habitable rooms.

4. The proposal fails to meet the Performance Criteria of Clause 6.7.1P of the R-Codes as it has an adverse impact on the amenity of No.94 Harrison Street, Rockingham, No.98B Harrison Street and Unit 2/No.96 Harrison Street, Rockingham by not assisting in ameliorating building bulk or providing adequate direct sun to buildings and appurtenant spaces.

**Committee Recommendation**

That Council **REFUSE** the application for a Grouped Dwelling on Strata Lot 3 (Unit 3/No.96) Harrison Street, Rockingham, for the following reasons:-

1. The development is inconsistent with the objectives of the R-Codes in that the development does not ensure an appropriate standard of amenity for all dwellings or protect the amenity of adjoining residential properties.

2. The proposal fails to meet the Performance Criteria of Clause 6.3.2P of the R-Codes as it has an adverse impact on the amenity of No.98B Harrison Street and Unit 2/No.96 Harrison Street, Rockingham by restricting direct access to sunlight of the major openings to habitable rooms and outdoor living areas.

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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
Planning Services
Statutory Planning Services

Reference No & Subject: SP-050/12 Scheme Amendment No.112 – Change to Additional Use No.22 (The Spud Shed)

File No: LUP/1520

Proponent/s: Planning Solutions

Author: Mr Ross Underwood, Senior Planning Officer

Other Contributors: Ms Erika Barton, A/Coordinator Statutory Planning
Mr David Waller, A/Manager Statutory Planning

Date of Committee Meeting: 20th August 2012

Previously before Council: February 2012 (SP-009/12)

Disclosure of Interest: Legislative

Nature of Council’s Role in this Matter:

Site: Lot 299 Kerosene Lane, Baldivis

Lot Area: 21.1936ha

LA Zoning: Development, with Additional Use No.22

MRS Zoning: Urban

Attachments: Figure 1 – Location Plan

Purpose of Report

To consider granting Final Approval to Amendment No.112 to Town Planning Scheme No.2 (TPS2) to extend the date by which ‘The Spud Shed’ must cease operation to 30th June 2015, and remove the requirement for The Spud Shed to cease upon cessation of the market garden.

Figure 1 - Location Plan
Background

The Spud Shed, which sells fruit, vegetables and other incidental goods to the public from Lot 299 Kerosene Lane, Baldivis, is restricted in its operation by the following Special Condition of Additional Use No.22 of TPS2:–

“2. The Additional Use shall cease upon the land ceasing to be used for the purpose of a market garden or by 27th February 2013, whichever occurs first.”

In February 2012, the Council resolved to adopt (initiate) Amendment 112 to TPS2 to replace Special Condition 2 of Additional Use No.22 with the following Special Condition:–

“2. The Additional Use shall cease by 30th June 2015.”

The Council also resolved to advise the proponent that the time extension should be used constructively to progress an amendment to the Structure Plan to incorporate the Neighbourhood Centre, prepare an integrated Development Guide Plan for the Neighbourhood Centre and obtain planning approval for the Neighbourhood Centre, as required under clause 4.6A(d) of Town Planning Scheme No.2.

Details

Now that the submission period has closed, the Council must consider whether to adopt the Amendment, with or without modifications or not to adopt the Amendment.

Implications to Consider

a. Consultation with the Community
   The proposal was advertised for public comment for a period of 42 days commencing on the 30th May 2012 and closing on the 12th July 2012 in the following manner:–
   - Written notice was provided to nine adjoining owners;
   - A sign was erected on the site adjacent to Kerosene Lane for the duration of the consultation period;
   - A notice was published in the “Public Notices” section of the Sound Telegraph newspaper on the 30th May 2012; and
   - Details of the proposal were made available for viewing on the City’s website.
   At the end of the consultation period, no submissions were received.

b. Consultation with Government Agencies
   The proposal was forwarded to the Environmental Protection Authority for its advice on whether the proposal should be subject to an environmental assessment. The Environmental Protection Authority advised that the proposal should not be assessed Environmental Protection Act 1986 and that it is not necessary to provide any advice or recommendations.
   The comment of other government agencies was not sought.

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

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

d. Policy
   Nil

e. Financial
   Nil
f. **Legal and Statutory**

   Regulation 17(2) of the *Town Planning Regulations 1967* provides that if no submissions have been lodged, the City shall pass a resolution either that the amendment be adopted with or without modification, or that it does not wish to proceed with the amendment.

   After making the resolution, the City will forward the amendment documents to the Western Australian Planning Commission for consideration of final approval by the Minister for Planning.

   **Comments**

   No submissions were received on the proposal, and it is recommended that the Council adopt the proposed amendment to TPS2 without modification.

   **Voting Requirements**

   Simple Majority

   **Officer Recommendation**

   That Council *ADOPT* for Final Approval Amendment No.112 to *Town Planning Scheme No.2* without modification.

   **Committee Recommendation**

   That Council *ADOPT* for Final Approval Amendment No.112 to *Town Planning Scheme No.2* without modification.

   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
13. **Reports of Councillors**

Nil

14. **Addendum Agenda**

Nil

15. **Motions of which Previous Notice has been given**

**Director Planning and Development**

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**Planning Services**

**Director, Planning & Development Services**

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>DPD-009/12 Cr Hill Notice of Motion - Syren Street Traffic Management</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1163</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Cr Allan Hill</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Bob Jeans, Director Planning and Development Services</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr James Henson, A/Director Engineering and Parks Services</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
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<td>Previously before Council:</td>
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<td>Disclosure of Interest:</td>
<td>Executive Function</td>
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<td>Nature of Council’s Role in this Matter:</td>
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<tr>
<td>Site:</td>
<td>Syren Street, Rockingham City Centre</td>
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<tr>
<td>Lot Area:</td>
<td>Primary Centre City Centre</td>
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<tr>
<td>LA Zoning:</td>
<td>Central City Area</td>
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<td>MRS Zoning:</td>
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<td>Attachments:</td>
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<tr>
<td>Maps/Diagrams:</td>
<td>Figure 1 - Extent of Subdivision Application</td>
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<td>Figure 2 - Syren Street - Deposited Plan 65360 - Sheet 1</td>
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<tr>
<td></td>
<td>Figure 3 - Syren Street - Deposited Plan 65360 - Sheet 2</td>
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<td>Figure 4 - Landgate Smart Plan</td>
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**Purpose of Report**

To provide Officer comment and advice on Cr Hill’s Notice of Motion.
Background

The subdivision application to create the Syren Street road reserve, Contest Parade road reserve and associated lots (consolidated shopping centre site and various development sites) was lodged with Western Australian Planning Commission (WAPC) in October 2006.

The subdivision application involved the following landowners:

- Colonial First State Property Management (CFSPM) - shopping centre land.
- WAPC - proposed Transit Street reserve.
- City of Rockingham - proposed Transit Street reserve and Ako Lane.
- Public Transport Authority (PTA) - bus station site.
- Department of Housing (DoH) - former Licensing Centre site on Council Avenue.

All parties were signatories to the application.

The extent of the land covered by the application is shown below.

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Figure 1 - Extent of Subdivision Application

The WAPC approved the subdivision application in November 2006, subject to twelve (12) standard conditions and seven (7) footnotes.

Works involved with the construction of Contest Parade (formerly known as the Transit Street, between Council Avenue and Chalgrove Street), Syren Street (formerly known as the Retail Main Street, between Contest Parade and Central Promenade), the expansion and total refit of the shopping centre, the cinema complex and the street front buildings along Syren Street proceeded from design in 2006 through to construction in 2009 and 2010.
The City's subdivision files shown the following record of events:-

- July 2009 - Syren Street (west of Contest Parade) Practical Completion.
- October 2009 - Syren Street (east of Contest Parade) Practical Completion.
- October 2010 - City issued its subdivision clearance.
- October 2010 - full clearance documents lodged with WAPC.
- December 2010 - Deposited Plans approved by WAPC.
- May 2011 - City's solicitors initiate process for new Certificate of Titles (for City's lots).
- June 2011 - Duplicate Certificates of Title issued for City's Lots (Lot 55 and Lot 7).

The approved Plans of Survey for Syren Street are shown below.

![Figure 2 - Syren Street - Deposited Plan 65360 - Sheet 1](image-url)
In February 2012 the City enquired on the status of the balance of the proposed lots shown on the approved Deposited Plans (ie the lots south of Central Promenade; the lots north of Central Promenade are owned by the City). The City was advised that various legal issues were still being resolved between CFSPM, PTA and DoH, involving:

- CFSPM and PTA land exchange with the former bus station site and the road reserve for Contest Parade.
- CFSPM and DoH in a land amalgamation involving CFSPM land south of Syren Street (east) and the former Licensing Centre site on Council Avenue.

It was anticipated that the new Certificates of Title would be issued by March 2012, however, this has yet to occur. The City has received advice from DoH (August 2012) that the Department and CFSPM have settled on their land exchange, and that new Certificates of Title are being arranged. At the time of writing of this report, no further information had been received from CFSPM.

Details

Nil

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 Aspirations contained in the Community Plan 2011:
**Aspiration 6:** Civic buildings, public places and transport infrastructure of contemporary design, constructed and maintained using best practice principles.

**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 3.2.1 "Development Policy Plan - City Centre Sector" provides overall guidance on the subdivision and development of this land.

e. **Financial**

Nil

f. **Legal and Statutory**

Nil

**Comments**

The City's involvement in the statutory subdivision process is complete. It has issued subdivision clearance (signifying completion of the applicable local government conditions), received the approved Deposited Plans from the WAPC, and successfully applied for new Certificates of Title for its two lots which were created through the subdivision process (Lots 55 and 7).

In relation to the Rockingham Shopping Centre site, the surveys for the creation of the roads have been lodged with Landgate and are in order for dealings, however, the actions to create the roads have not been completed, as shown on the Smart Plan below:

![Landgate Smart Plan](image-url)

**Figure 4 - Landgate Smart Plan**
Although Engineering Services has undertaken preliminary discussion with Main Roads, the City cannot initiate any traffic calming initiatives until the road reserve creation process has been completed.

**Voting Requirements**

Simple Majority

**Officer Recommendation**

That Council *DIRECT* the Chief Executive Officer to investigate and implement appropriate traffic management measures for Syren Street, subject to completion of the necessary statutory processes and actions to create the road reserves.

**Notice of Motion from Cr Hill**

That Council *DIRECT* the Chief Executive Officer to expedite the finalisation of the Rockingham Shopping Centre subdivision to facilitate the dedication of Syren Street and to allow the implementation of appropriate traffic management measures.

**Committee Recommendation**

That Council *DIRECT* the Chief Executive Officer to investigate and implement appropriate traffic management measures for Syren Street, subject to completion of the necessary statutory processes and actions to create the road reserves.

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

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<table>
<thead>
<tr>
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<tbody>
<tr>
<td><strong>16.</strong></td>
<td><strong>Notices of Motion for Consideration at the Following Meeting</strong></td>
</tr>
<tr>
<td></td>
<td>Nil</td>
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<tr>
<td><strong>17.</strong></td>
<td><strong>Urgent Business Approved by the Person Presiding or by Decision of the Committee</strong></td>
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<td>Nil</td>
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<td><strong>18.</strong></td>
<td><strong>Matters Behind Closed Doors</strong></td>
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**PRESENTATION BY WATER CORPORATION - CURRENT AND FUTURE ACTIVITIES:**

4.50pm - Messrs John Stansfield, Steve Horrock and Andrew Baker attended the Planning Services Committee meeting.

The Chairman welcomed Messrs Stansfield, Horrock and Baker and invited them to address the Committee.

Mr Stansfield provided a briefing on the Water Corporation’s future works, noting its plan to invest $228 million in infrastructure for the Rockingham area over the next five years, including:

- $160 million on the East Rockingham Waste Water Treatment Plant;
- $10 million on the East Rockingham to Sepia Depression line;
- $28 million on duplication of the Sepia Depression Ocean Outlet Landline;
- $20 million on the “Baldivis Divert” new pressure main; and
- $10 million on refurbishment of the Point Peron Waste Water Treatment Plant.

Mr Stansfield proceeded to provide the following information with respect to the various project:

**East Rockingham Waste Water Treatment Plant (ERWWTP)**
- Federal and State environmental approvals have been secured.
- Construction to start in early 2014, with commissioning from mid-2015 before becoming fully operational by the end of 2015.
- The ERWWTP is to be constructed in 4 stages, initially to a capacity of 20ML/day, with an ultimate capacity of 160ML/day. It will be similar to the Alkimos WWTP.
- Original plans to develop the ERWWTP to an initial capacity of 40ML/day, and decommission the Point Peron WWTP, were reviewed in light of capital funding required for the Southern Seawater Desalination Plan.
- It is now intended to develop the ERWWTP to a smaller capacity and retain the ERWWTP for an unspecified period of time.
- The decision to reduce the initial size of the ERWWTP and retain the PPWWTP has resulted in $22 million in savings whilst retaining the same level of service.
- In total, the Water Corporation has deferred around 300 projects in order to meet funding requirements for the Southern Seawater Desalination Plant.

**Point Peron Waste Water Treatment Plant (PPWWTP)**
- The PPWWTP was built in the mid-1970’s and is currently operating well.
- It has a licence capacity of 20ML/day, however, is currently operating at about 16ML/day.
- The DEC has not current concerns with its operations on the ability of it to meet its Licence conditions.
- A $10 million refurbishment is planned over the next 5 years.
- There is no set timeframe for decommissioning.

**Sepia Depression Ocean Outlet Landline (SDOOL) Duplication**
- Stage 1 is a 3.8km section from Ritchie Drive to the PPWWTP commencing in 2013/14.
- Federal and State environmental approvals are in place.
- The Water Corporation is liaising with Landcorp and Cedar Woods with respect to the Mangles Bay Marina proposal, which would require an alternative alignment.
- The existing pipeline is degrading and needs to be replaced in the short term.

**Baldivis Waste Water Pressure Main (BWWPM) Divert**
- The existing Baldivis WWPM was built in 2005 and pumps to the PPWWTP via Safety Bay Road.
- Major headworks and a conveyance system upgrade is required to transfer to the ERWWTP, which will involve the construction of 11km of pipeline along Mundijong Road.
- The project is to commence in 2014 and be completed in early 2015.

Discussion ensued and the following additional points were made:
- The PPWWTP provides primary treatment of waste water, and is the only WWTP in the metropolitan area limited to basic treatment.
- The ERWWTP will provide full secondary treatment of waste water.
- Currently, the PPWWTP represents only a small proportion (less than 10%) of disposal to the Sepia Depression.
- At some point the PPWWTP will become too expensive to operate, and will inevitably be replaced by expanded capacity at the ERWWTP.
- The Water Corporation is required to undertake environmental offsets in relation to land clearing and would be interested in undertaking revegetation within the City's reserves.

The Committee members reiterated the Council's previous objections to the PPWWTP remaining in operation, which is contrary to previous undertakings provided by the Water Corporation. It was noted that the Water Corporations decision was based purely on financial considerations and not because the continued operation of the PPWWTP was appropriate. Finally, it was stated that the City has an expectation that the PPWWTP will be closed as soon as possible, and has significant concerns that the Water Corporation has provided no commitments on future closure of the PPWTTP.

The Chairman thanked Messrs Stansfield, Horrock and Baker for their presentation.

5.34pm - Messrs Stansfield, Horrock and Baker left the Planning Services Committee meeting.

<table>
<thead>
<tr>
<th>19.</th>
<th>Date and Time of Next Meeting</th>
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<tbody>
<tr>
<td></td>
<td>The next Planning Services Committee Meeting will be held on Monday 17 September 2012 in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.</td>
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<tr>
<th>20.</th>
<th>Closure</th>
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<tbody>
<tr>
<td></td>
<td>There being no further business, the Chairperson thanked those persons present for attending the Planning Services Committee meeting, and declared the meeting closed at 5.35pm.</td>
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</table>