MINUTES
Planning Services Committee Meeting
Held on Monday, 19 March 2012 at 4:00pm
City of Rockingham Boardroom
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<th>Date and Time of Next Meeting</th>
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</thead>
<tbody>
<tr>
<td>20.</td>
<td>Closure</td>
<td>54</td>
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</table>
City of Rockingham
Planning Services Committee Meeting Minutes
Monday 19 March 2012 - Council Boardroom

1. **Declaration of Opening**

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

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

<table>
<thead>
<tr>
<th>2.1 Councillors</th>
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</thead>
<tbody>
<tr>
<td>Cr Richard Smith</td>
</tr>
<tr>
<td>Cr Chris Elliott</td>
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<tr>
<td>Cr Leigh Liley</td>
</tr>
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<td>Cr Allan Hill</td>
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<table>
<thead>
<tr>
<th>2.2 Executive</th>
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<tbody>
<tr>
<td>Mr Andrew Hammond</td>
</tr>
<tr>
<td>Mr Bob Jeans</td>
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<td>Mr Peter Ricci</td>
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<tr>
<td>Mr Brett Ashby</td>
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<tr>
<td>Mr James McKay</td>
</tr>
<tr>
<td>Mr Mike Ross</td>
</tr>
<tr>
<td>Mr Rod Fielding</td>
</tr>
<tr>
<td>Ms Melinda Wellburn</td>
</tr>
<tr>
<td>Mr Peter Varris</td>
</tr>
</tbody>
</table>

| Members of the Public: | 3 |
|------------------------|
| Press:                 | 1 |

| 2.3 Apologies:         | Nil |
|------------------------|
| 2.4 Approved Leave of Absence: | Nil |

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

Nil

4. **Public Question Time**

Mr Greg Rowe, Greg Rowe and Associates advised that he supported the Officer Recommendation with respect to Item SP-013/12 - Proposed Filling of Land and asked if the Committee had any questions prior to consideration of the matter.

The Chairman advised Mr Rowe that there were no questions from Committee members and that the Item would be discussed later on in the Agenda.
5. **Confirmation of Minutes of the Previous Planning Services Committee Meeting**

   Moved Cr Hill, seconded Cr Elliott:

   That Council **CONFIRM** the Minutes of the Planning Services Committee Meeting held on 20 February 2012, as a true and accurate record.

   Committee Voting – 4/0

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

   Nil.

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

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

8. **Declarations of Members and Officers Interests**

   Nil

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

   Cr Liley tabled a letter dated 15th March 2012 from Ms Mary Ann Rath of No.29 Jamaican Road, Waikiki regarding her views and concerns with respect to the proposed Mangles Bay Marina, currently being advertised under the Environmental Protection Act 1986 consultation process.

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

    Nil

11. **Bulletin Items**

    **Planning Services Information Bulletin – March 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 Health Promotion
       - 3.5 North Rockingham Industrial Noise
       - 3.6 Ocean Water Sampling
    4. Information Items
       - 4.1 Mosquito-Borne Disease Notifications
       - 4.2 Food Recalls - February 2012
       - 4.3 Food Premises Inspections
4.4 Public Building Inspections
4.5 Outdoor Public Event Approvals - February 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 Samples
4.12 Rabbit Processing
4.13 Hairdressing & Skin Penetration Premises
4.14 Family Day Care

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

Strategic Planning and Environment
1. Strategic Planning and Environment Team Overview
2. Human Resource Update
3. Project Status Reports
   3.1 Policy Manual Review (LUP/1265)
   3.2 Local Planning Strategy (LUP/1352)
   3.3 Visual Landscape Study (LUP/1419)
   3.4 Amendment No.114 - Developer Contribution Plan No.2 (LUP/909)
   3.5 Local Biodiversity Strategy Review (EVM/22)
   3.6 Karnup District Water Management Strategy (EVM/136)
   3.7 Lake Richmond Water Quality Studies and Integrated Catchment Management Plan (EVM/135)
   3.8 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 Proposed Structure Plan - Golden Bay (Department of Housing) (LUP/246-24)
   4.4 Proposed Lifting of Urban Deferment – Lot 295 Baldivis Road (28/1259)
   4.5 Proposed Lifting of Urban Deferment – Lot 294 Kerosene Lane and Lot 1210 Baldvis Road, Baldivis (LUP/1607)

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

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 Rockingham Strategic Metropolitan Centre – Infrastructure Development Strategy
   3.3 Rockingham Primary Centre Infrastructure - Business Case
   3.4 Smart Village 1 Masterplan
   3.5 Keralup
   3.6 Karnup Station Transit Oriented Development
4. Information Items
   4.1 Proposed Memorandum of Understanding - Rockingham Strategic Metropolitan Centre Revitalisation Project

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

Committee Voting – 4/0

12. Agenda Items

4.16pm - Mr James McKay, A/Manager Building Services left the Planning Services Standing Committee meeting.
Health Services

The Chairman enquired whether any Committee members wished to discuss Confidential Report Item HS-01/12. The response being in the affirmative, the Chairman requested that the meeting proceed behind closed doors, in accordance with Section 5.23(2)(d) of the Local Government Act 1995 and requested that the members of the Gallery depart the meeting.

4.17pm - Members of the Gallery left the Planning Services Standing Committee meeting and the meeting resumed behind closed doors.

NOT FOR PUBLIC ACCESS
(Section 5.95 Local Government Act 1995)

Planning Services
Health Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>HS-01/12</th>
<th>Legal Advice – Section 95 under the Liquor Control Act 1988 - Zeldas and Vibe Nightclub</th>
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<tbody>
<tr>
<td>File No:</td>
<td>LWE/9-04</td>
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</tr>
<tr>
<td>Proponent/s:</td>
<td>Ms Erica Scott, Coordinator Health Services</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Rod Fielding, Manager Health Services</td>
<td></td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>19th March 2012</td>
<td></td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>November 2009 (PD/132/11/09), February 2010 (PD/2/2/10), September 2010 (PD/86/9/10)</td>
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<tr>
<td>Previously before Council:</td>
<td>-executive function</td>
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<tr>
<td>Disclosure of Interest:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nature of Council’s Role in this Matter:</td>
<td>Executive Function</td>
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</tr>
<tr>
<td>Site:</td>
<td></td>
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<tr>
<td>Lot Area:</td>
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<tr>
<td>Attachments:</td>
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<td></td>
</tr>
<tr>
<td>Maps/Diagrams:</td>
<td></td>
<td></td>
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</tbody>
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1. Voting Requirements

Simple Majority
2. **Officer Recommendation**

That Council **Pursue** an Appeal to the Supreme Court against the dismissal of the Section 95 complaint under the Liquor Control Act 1988 against Zeldas/Vibe Nightclub in the Liquor Commission.

3. **Committee Recommendation**

That Council **Pursue** an Appeal to the Supreme Court against the dismissal of the Section 95 complaint under the Liquor Control Act 1988 against Zeldas/Vibe Nightclub in the Liquor Commission.

Committee Voting – 4/0

4. **The Committee's Reason for Varying the Officer's Recommendation**

Not applicable

5. **Implications of the Changes to the Officer's Recommendation**

Not applicable

There being no further discussion, the Chairman reopened the meeting to the public and invited the Gallery to rejoin the meeting.

4.20pm - Members of the Gallery returned to the Planning Services Standing Committee Meeting.

4.21pm - Mr Rod Fielding, Manager Health Services left the Planning Services Standing Committee meeting.
## Planning Services

### Strategic Planning and Environment Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>SPE-003/12 Proposed Structure Plan – Consent to Advertise</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1412</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Allerding &amp; Associates on behalf of the Estate of GDR Liburne</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr John-Paul MacDonagh, Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Jeff Bradbury, Coordinator Strategic Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Brett Ashby, Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19th March 2012</td>
</tr>
<tr>
<td>Previously before Council:</td>
<td></td>
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<tr>
<td>Disclosure of Interest:</td>
<td>Legislative</td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
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<td>Site:</td>
<td>Lot 311 Fifty Road, Baldivis</td>
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<td>Lot Area:</td>
<td>15.115ha</td>
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<td>LA Zoning:</td>
<td>Development</td>
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<td>MRS Zoning:</td>
<td>Urban and Other Regional Road</td>
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<td>Attachments:</td>
<td>Proposed Structure Plan</td>
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<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
</tr>
<tr>
<td></td>
<td>2. Baldivis North District Structure Plan</td>
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This Item was withdrawn at the applicant's request.
### Planning Services
#### Strategic Planning and Environment Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>SPE-004/12 Proposed Structure Plan ('West Karnup') - Consent to Advertise</th>
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<tr>
<td>File No:</td>
<td>LUP/1593-03</td>
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<tr>
<td>Proponent/s:</td>
<td>Development Planning Strategies on behalf of Gold Right Pty Ltd</td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Tristan Fernandes, Senior Strategic Planning Officer</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Jeff Bradbury, Coordinator Strategic Planning</td>
</tr>
<tr>
<td></td>
<td>Mr Brett Ashby, Manager Strategic Planning and Environment</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19th March 2012</td>
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<tr>
<td>Previously before Council:</td>
<td>March 2009 (PD43/3/09)</td>
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<tr>
<td>Disclosure of Interest:</td>
<td>Legislative (Proposed Structure Plan)</td>
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<td></td>
<td>Executive Function (Modification to Planning Policy 6.3 - Local Commercial Strategy)</td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
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<tr>
<td>Site:</td>
<td>Lots 3, 805 and 806 Mandurah Road, Karnup</td>
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<td>Lot Area:</td>
<td>113.2790ha</td>
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<td>LA Zoning:</td>
<td>Unzoned (Lot 805 Mandurah Road, Karnup)</td>
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<td>Development (Lots 3 and 806 Mandurah Road, Karnup)</td>
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<td></td>
<td>2. Public Open Space Plan</td>
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<tr>
<td></td>
<td>3. Preferred Bus Route Plan</td>
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<td>4. Indicative Path Network</td>
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<td></td>
<td>5. Staging Plan</td>
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<tr>
<td>Maps/Diagrams:</td>
<td>1. Location Plan</td>
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<tr>
<td></td>
<td>2. Proposed Location of Karnup Train Station</td>
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<td>3. Town Planning Scheme No.2 Zoning</td>
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1. Purpose of Report

To consider a proposed Structure Plan over Lots 3 and 806 Mandurah Road, Karnup ('West Karnup') and to consider a proposed Concept Plan over Lot 805 Mandurah Road, Karnup to determine whether the proposal is suitable for the purposes of advertising.

2. Background

Amendments under the Metropolitan Region Scheme

In 1993, Amendment No.937/33 to the Metropolitan Region Scheme (MRS) was initiated over Lots 3, 805 and 806, Mandurah Road. The Amendment reflected the broader planning outcomes outlined in the adopted 1993 South Metropolitan Sub-Regional Structure Plan. Lots 3 and 806 were recognised as land suitable for urban development which is currently constrained, but which may become available for urban development in the longer term.

The Environmental Protection Authority formally assessed a number of specific proposals associated with the broader MRS amendment. The following matters were assessed and are applicable to the subject land:

- Creation of a rapid transport reserve (now the Perth to Mandurah Rail line);
- Deletion of System Six Areas; and
- Widening of Safety Bay Road, Ennis Avenue and Mandurah Road.

Following the gazettal of MRS Amendment No.937/33 the entirety of Lot 3 and Lot 806 was zoned 'Urban Deferred' and Lot 805 was zoned 'Parks and Recreation' under the MRS.

The Amendment also resulted in the reservation of the land containing Paganoni Swamp for 'Parks and Recreation' located east of the subject landholding, which now forms part of the Rockingham Lakes Regional Park.
Through a 'Negotiated Planning Solution' between the former landowner of the site (Cemex, formally CSR Readymix) and the Western Australian Planning Commission (WAPC), a land swap agreement was reached to rezone Lot 805 from 'Parks and Recreation' to 'Urban Deferred' in exchange for the land immediately south of the subject site (Lot 807) being reserved as 'Parks and Recreation' under the MRS.

In 2003, MRS Amendment 1082/33 was initiated for the implementation of Bush Forever. Proposal 71 of the Amendment referred the rezoning of Lot 805 from 'Parks and Recreation' to 'Urban Deferred' and Lot 807 (land located immediately south of the site) being zoned 'Parks and Recreation'. Lot 805 was assessed to have limited conservation value and could be made available for uses other than conservation.

The proposal was referred to the EPA in 2003, where it concluded that the overall environmental impacts would not be severe enough to warrant formal assessment pursuant to the Environmental Protection Act.

In October 2010, Amendment 1082/33 was adopted and published in the Government Gazette.

**Agreement to Reserve Land for Conservation on Lot 806**

In 2007, the previous landowner (Cemex), applied for a clearing permit under the *Environmental Protection Act 1986*, in order to clear vegetation for the purposes of expanding the Extractive Industry (Limestone Mining) operation being undertaken on Lot 806. A condition was imposed on the Clearing Permit under the provisions of the *Soil and Land Conservation Act* which prohibited any clearing on 18.5ha of the southern portion of Lot 806, except where required pursuant to the *Bush Fires Act 1954*.

This condition was registered as a memorial on the Certificate of Title to protect the native vegetation in perpetuity. It is intended this remnant bushland will form part of the Rockingham Lakes Regional Park.

**Extractive Industry Operation on Lot 806**

The subject site has been used for a Limestone Quarry since 1985. Since the commencement of the Extractive Industry numerous applications have been made to the City and WAPC to extend the life of the operation. The most recent request was in March 2009, seeking to continue operation until 2011. The Proponent did not seek to continue the Extractive Industry beyond this timeframe.

The site contractor ceased the operations at the end of 2011.

**Request for Lifting of Urban Deferment**

In June 2011, the Proponent made a request to the WAPC to lift the urban deferment under the MRS for Lots 3, 805 and 806 Mandurah Road, Karnup.

July 2011, the City provided a response to the WAPC stating it did not support the proposal as it was considered to be inconsistent with the Western Australian Planning Commission's *Guidelines for the Lifting of Urban Deferment* (Guidelines), in that planning is not sufficiently advanced. In this regard, the Indicative Development Outline submitted with the application was not sufficiently detailed to depict an acceptable overall design to guide future development.

**Note:** The City requested the submission and assessment of a Structure Plan, as required by Section 5 of the Guidelines to ensure planning is sufficiently advanced to support lifting of urban deferment. In response to the City's request, the Proponent subsequently prepared and submitted the Structure Plan the subject of this Report for consideration.

It was also requested that the land between the northern boundary of the subject site and Paganoni Road that is reserved for 'Parks and Recreation' in the MRS be reviewed in the context of any investigations into transit-oriented development associated with the future Karnup Train Station.

In September 2011, the Office of Environmental Protection (OPEA) provided advice with respect to a proposed lifting of urban deferment over the subject landholding where it did not consider environmental factors to have fatal constraints to the lifting of urban deferment on the condition that the environmental factors were managed appropriately.

**Lot 3 Mandurah Road**

Lot 3 Mandurah Road, Karnup (which is located between Lots 805 and 806) is owned by the City of Rockingham. The City has previously indicated that it supports the inclusion of Lot 3 in the application.
Proposed Karnup Train Station

A future train station is proposed to be located north of where Paganoni Road passes under the Mandurah Railway line (see Figure 2). The station has been identified by the State Government as the next to be built on the Mandurah line, although to date this station has yet to be recognised in the State Budget.

The WAPC has convened a Steering Committee to progress planning for Transit Oriented Development (TOD) at the future Karnup Station. It is noted the Proponent is represented on the Steering Committee. By definition, TOD is essentially a mixed-use area developed in proximity to public transport infrastructure that encourages use of the transit. It typically involves higher residential densities within a walkable catchment to the public transport.

Figure 2 - Proposed location of Karnup Train Station

Since April 2011, there have been ongoing design workshops and investigations with all major stakeholders to progress the design of the TOD and the associated governance issues and delivery. The City has provided comment to the draft Principles and it is expected that they will be finalised in the coming months. The Department of Planning will then commission the preparation of a Concept Plan against the Design Principles following which project methodology and funding arrangements will be progressed.

3. Details

The City has received a proposed Structure Plan over Lots 3, 805 and 806 Mandurah Road, Karnup on behalf of Golden Right Pty Ltd.

For the purposes of assessing the Proposed Structure Plan, Lots 3, 805 and 806 (which represent the extent of land zoned 'Urban Deferred' under the MRS) have been included in the consideration of the proposal within this report.

Lot 805, the northern most landholding, is currently unzoned land under Town Planning Scheme No.2 (TPS2) and therefore cannot be formally considered as part of the Proposed Structure Plan. In this regard, Lot 805 is proposed to be considered 'in concept' as part of this process.

It is also considered appropriate to consider Lot 805 in context with the proposed Karnup Train Station located immediately north of the subject landholding. Given the design for the Karnup Train Station is yet to be finalised, it is deemed prudent that the Structure Plan design can be adapted to respond to the final design decisions for land to the north.
This is visually represented on the Proposed Structure Plan in Attachment No.1.

Description of the Proposal

The landholding is approximately 113ha and the proposed Structure Plan incorporates the following elements:

Residential Density and Population
- The creation of approximately 1,100 lots (approximately 1,200 dwellings);
- Residential density coding ranges from R25 - R40 (average lots areas from 220m² - 350m²); and
- An ultimate population of approximately 3,100 people (based on the average occupancy rate of 2.6 persons per household).

Neighbourhood Centre
A Neighbourhood Centre is proposed at the intersection of Singleton Beach Road and Mandurah Road which is proposed to have a retail floor space of approximately 5,300m², and is proposed to comprise of the following elements:
- Full sized supermarket: 3,800m² retail floor space; and
- Speciality Shops: 1,000m² - 1,500m² retail floor space.

A Retail Report justifying the retail floor space requirement has been lodged as part of the Proposed Structure Plan.

Community Facilities
- A Primary School site of 3.5ha co-located with a proposed 4.5ha Public Open Space reserve.

Public Open Space
- A total of 9.42ha of Public Open Space provided in seven parcels, ranging in area from 0.33ha to 4.50ha.
- 18.50ha of Regional Open Space to form part of the Rockingham Lakes Regional Park.

Road and Pedestrian Network
- The introduction of signalised intersections at Crystaluna Drive and Singleton Beach Road east into the Structure Plan area;
- A central Neighbourhood Connector road which is designed to accommodate a future feeder bus route from the proposed Karnup Station;
- A proposed Neighbourhood Connector road connection north into the proposed Karnup Train Station precinct has been accommodated by the design but the connection is, however, dependent on the final design outcomes of the Karnup TOD design process;
- A left in/left out southern access arrangement proposed on Mandurah Road abutting the proposed Neighbourhood Centre;
- A permeable grid local street layout; and
- A footpath and shared path network provided in accordance with Liveable Neighbourhoods.

A Traffic Report has been lodged as part of the Proposed Structure Plan.

Planning Context

Statutory Planning Framework
The site is zoned 'Urban Deferred' under the MRS and Lots 3 and 806 are zoned 'Development' under TPS2. Lot 805 is unzoned land under TPS2 which was the result of the approval of MRS Amendment 1082/33 in October 2010 as shown in Figure 3 below. In this regard, the City has an obligation to amend TPS2 to rezone Lot 805 to 'Development' zone to be consistent with the MRS.
Clause 4.2.4 of TPS2 requires land zoned 'Development' to be contained within a Development Area. In December 2011, the Council granted Final Approval to Amendment No.111, which provides for a 'Development Area' over Lots 3 and 806.

Determination cannot be made on the Structure Plan as it pertains to Lots 3 and 806 until such time as the Minister for Planning has granted Final Approval to Amendment No.111. As stated earlier, the plan as it applies to Lot 805 will be considered by the Council as a 'concept' only.

The Proponent is also seeking to lift urban deferment over the landholding. In this regard, the Proponent has provided the full set of Structure Plan documentation and a Bushfire Hazard Assessment to the City. At the time of writing this report, the Bush Fire Hazard Assessment was being assessed by City Officers to determine if the request for lifting of urban deferment could be supported.

Should the Bushfire Hazard Assessment be deemed appropriate, the Proponent will have demonstrated that Planning is sufficiently advanced in accordance with Section 5 of the Lifting of Urban Deferment Guidelines. In light of lack of zoning over Lot 805 under TPS2, the City will only make consideration for lifting of Urban Deferment over Lot 3 and 806.

Site Analysis

Topography

The natural topography of the subject site ranges from a maximum height of 29 metres AHD in the western portion to a minimum of 5 metres AHD in the eastern portion of the site. Lengthy historic limestone quarrying undertaken by the previous landowner has resulted in significant modification to the natural landform.
An existing earthen bund is located along the western extent of the site abutting Mandurah Road. The bund is between 3.5 metres in height, which has acted as a visual barrier to the historic quarrying activity. The site to the western side sits generally lower or at grade to Mandurah Road.

The eastern boundary of the site abuts the Perth to Mandurah railway reserve which also varies in height and grade. As the rail reserve is grade separated over Paganoni Road, the railway line sits higher than the adjacent land within the Structure Plan area.

**Hydrology**

According to the Perth Groundwater atlas, the groundwater modelling indicates that groundwater flows to the west towards the coast. Groundwater levels are expected to occur at approximately 1m AHD. The site is well elevated from the groundwater table, siting between 6m and 17m above the height known level.

**Vegetation**

The site has been identified to contain two main vegetation complexes:

(i) The Cottesloe (central and south complex) which occurs western side of the subject land and is described as mosaic woodland, tuart and open forest of jarrah and marri with close heath of limestone outcrops; and

(ii) Yoongarillup complex which occurs on the eastern side of the subject land and is a woodland.

The vegetation condition ranges across the site from 'completely degraded' to 'very good'. The substantial portion of vegetation defined as 'very good' is proposed to be contained within the area to be retained and amalgamated within the Rockingham Lakes Regional Park located in the southern portion of the site.

Significant vegetation is also proposed to be retained in the northern proposed open space reserves.

A site survey has confirmed there are no threatened ecological communities within the Structure Plan area.

**Fauna**

From the fauna study conducted over the site the following species were identified of conservation significance (considered endangered or vulnerable and protect under state and federal legislation). These are as follows:

- Carnaby's Black Cockatoo;
- Forest Red-tailed Black Cockatoo;
- Baudin's Black Cockatoo;
- Peregrine Falcon;
- Southern Brush-tailed Phascogale;
- Rainbow Bee Eater; and
- Fork-tailed Swift.

A Graceful Sun Moth survey was also conducted over the site in accordance with state and federal legislation. In this regard, a habitat was identified and substantial portion is proposed to be protected within the regional open space provided in Lot 806.

**Adjacent land uses and buffers**

The site is bounded by Mandurah Road to its western side and the Perth to Mandurah Rail line to its eastern boundary. In this regard, the proposal must have due regard to State Planning Policy 5.4 Road and Rail Transport Noise and Freight Considerations in Land Use Planning. In light of the potential noise impact to sensitive residential land uses an acoustic consultant report has been prepared. The assessment forecasts the source and extent of noise and recommends that noise barrier walls be built to the boundary of Mandurah Road and the Railway reserve.
4. Implications to Consider

a. Consultation with the Community

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

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

(b) Notice of the proposal being published in a newspaper circulating in TPS2 Area stating that submissions may be made on the proposal by a specified date.

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

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

b. Consultation with Government Agencies

In addition to the above, clause 4.2.6.5(b)(ii) of TPS2 requires that the Council give notice to relevant public authorities.

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 2: A safe community where residents feel secure, relaxed and comfortable within their home, work and social environments.

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

- Aspiration 10: Coastal and bushland reserves that are well utilised and managed in a way that will preserve them for the future generations to enjoy.

- 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 Policies

Directions 2031

Directions 2031 and Beyond: Metropolitan Planning Beyond the Horizon ("Directions 2031") was released by the WAPC in August 2010 as the plan to provide a vision for the future growth of the Metropolitan and Peel region. It provides a broad framework to guide detailed planning and the delivery of the various elements that provide for growth.

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

To achieve this target, the Policy sets a density target of 15 dwellings per gross urban zoned hectare of land in new development areas.

Assessment of the density proposed in the Structure Plan against Directions 2031 is detailed in the 'Comments' section of this report.
**Liveable Neighbourhoods**

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

*Liveable Neighbourhoods* contains eight ‘elements’ under which Structure Plans and subdivisions are assessed, as follows:
- Element 1 - Community Design
- Element 2 - Movement Network
- Element 3 - Lot Layout
- Element 4 - Public Parkland
- Element 5 - Urban Water Management
- Element 6 - Utilities
- Element 7 - Activity Centres and Employment
- Element 8 - Schools

Each Element has two components - ‘Objectives’ and ‘Requirements’. Objectives describe the principal aims of each Element, and Requirements present a range of qualitative and quantitative responses to meeting the Objectives. Requirements include matters that ‘should’ be considered, where there is a range of design solutions, and matters that ‘must’ be satisfied.

Assessment of the Structure Plan against *Liveable Neighbourhoods* is detailed in the ‘Comments’ section of this report.

**Planning for Bushfire Protection Guidelines Edition 2**

The WAPC Planning Bush Fire Protection Guidelines (Edition 2) notes in Section 2.3 – Guidance Statements for Strategic Plans, Planning Strategies, Planning Schemes, Planning Scheme Amendments and Structure Plans – that unless it is clear to the decision-making authority that the land in question is not in an area that has a moderate or extreme bush fire hazard level, any new proposals or proposals which will effect a change of land use or design resulting in the introduction of, or an intensification of development should:

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

The site abuts a bushfire hazard predominantly to its southern and eastern boundary, and to a lesser extent to the western boundary abutting the Singleton parabolic dune system. The Proponent has provided a Bush Fire Hazard Assessment (BFHA) and Bush Fire Management Plan. The Fire Management Plan has been prepared in accordance with the Bush Fire Protection Guidelines and addresses site specific concerns.

The BFHA and Fire Management Plan will be subject to a detailed assessment during public advertising of the proposal.

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

This Policy seeks to maximise the benefits providing a mix of compatible land uses near public transport infrastructure. The integration of land uses around transport networks aims to reduce the car dependence.
The policy defines a transit orientated precinct as land located within a 10-15 minute walk (or 800m distance) to a rail station or major bus interchange and within a 5-10 minute walk (400m) distance from a frequent bus route (bus routes with a 15 minute interval or less between services during peak periods). It is recommended that within vicinity of these services that increased residential densities by applied to facilitate public transport use.

Lot 805 is located within the likely 800m catchment of the proposed Karnup Train Station. In this regard, the Proponent has proposed medium density residential development within this catchment area. As stated earlier, Lot 805 is being considered 'in concept' as part of this process and will be subject to further consideration in conjunction with the Karnup TOD at a future time.

Assessment of the density proposed for land in proximity to the proposed Karnup Station is detailed in the ‘Comments’ section of this report.

State Planning Policy No.2 - Environment and Natural Resources Policy (2006)

In recognition of the demands and pressures on the natural environment, this planning policy was introduced to guide co-ordinated decision making to ensure the environment was appropriately considered in planning decisions.

The objectives of this Policy are to:
- Integrate environment and natural resource management with broader land use planning and decision-making;
- Protect, conserve and enhance the natural environment; and
- Promote and assist in the wise and sustainable use and management of natural resources.

The principles of this policy are relevant with respect to the protection of remanent bushland area set to be reserved as part of the Rockingham Lakes Regional Park located in the southern portion of Lot 806.

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

This Policy seeks to minimise the adverse impact of transport noise, without place unreasonable restrictions on noise-sensitive residential development, or adding unduly to the cost to transport infrastructure. The Policy applies for the consideration and management of the impacts of transport noise and freight operations when development is proposed in the following manner:
- New noise-sensitive development in the vicinity of existing or future major transport corridors or freight handling facilities;
- New major road or rail infrastructure projects, including major redevelopments, in the vicinity of existing or future noise-sensitive land uses; and
- The location of freight handling facilities.

The City is assessing the revised Acoustic Consultant report provided to demonstrate compliance with the outcomes of the Policy.

Local Planning Policies

Planning Policy 3.4.1 - Public Open Space

Planning Policy 3.4.1 - Public Open Space provides guidance regarding the location and design of public open space within the City. The objectives of the policy are:
- To ensure that all residential development is complemented by well located areas of public open space that provide for the recreational and social needs of the community.
- To ensure that Public Open Space is designed, developed and maintained to an acceptable standard to enhance local amenity.

Discussion regarding the distribution of public open space and compliance with the City's Policy can be found in the 'Comments' section of this Report.
Planning Policy 6.3 - Local Commercial Strategy

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

Part 2.4.3 of the Local Commercial Strategy identifies one District Centre for the Precinct being the Secret Harbour Town Centre, which is proposed to ultimately accommodate 15,000m² of retail floor space, four Neighbourhood Centres and four local (corner store) scale centres that identify a further 12,990m² retail floor space.

The Proposed Structure Plan makes provision for the identified 'Singleton East' Neighbourhood Centre. The Policy makes provision for 4,240m² retail floor area for the 'Singleton East' centre. The Proponent is seeking to increase this floor space to 5,300m².

An amendment to the City's Planning Policy 6.3 - Local Commercial Strategy is required if it is determined that the Commercial floor space does not impact planning and existing centres in the nearby vicinity.

e. Financial

Nil

f. Legal and Statutory

Proposed Structure Plan

Clause 4.2.6.2 of TPS2 states that the Council is to either:

(a) Determine that the Proposed Structure Plan is satisfactory for advertising;

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

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

Modification to Local Commercial Strategy

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

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 TPS2 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 it considers appropriate.

After the expiry of the period within which submissions may be made, the Council is to review the proposed Policy in the light of any submissions made and resolve to adopt the Policy with or without modification, or not to proceed with the Policy.

If the Council resolves to adopt the Policy, the Council is to publish notice of the Policy once in a newspaper circulating in the TPS2 area and if, in the opinion of the Council, the Policy affects the interests of the Western Australian Planning Commission (WAPC), forward a copy of the Policy to the WAPC. A Policy has effect on publication of a notice.
5. Comments

Structure Plan Assessment

Community Design

Urban Structure

The Structure Plan area is isolated from the existing urban development within the locality as a result of its location east of Mandurah Road (a designated Primary Regional Road). The site is also bounded by the Perth to Mandurah Railway to its eastern boundary and the Rockingham Lakes Region Park to the south and east of the site.

The location of the subject site provides for an opportunity to integrate development with the proposed Karnup Station TOD Precinct currently being investigated by the Department of Planning, aided by the City and other major stakeholders (including landowner).

The proposal provides for east/west road connections across Mandurah Road at proposed signalised four way intersections at Singleton Beach Road and Crystaluna Drive, providing suitable access to the coast from Structure Plan area. A potential connection is provided to link north of the subject land into the proposed Karnup TOD, which appropriately provides for access to the Karnup Station and link to the Kwinana Freeway.

The local street network designed as a modified grid layout providing for a high level of interconnectivity and good external linkages for local vehicle, pedestrian and bike traffic.

Density

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

Directions 2031 sets a minimum residential density target of 15 dwellings per gross urban zoned hectare.

Liveable Neighbourhoods outlines criteria for the consideration of appropriate locations for residential density. Density is calculated per site hectare, which is a calculation based on the land proposed to be zoned for residential purposes and does not include roads, open space or other non-residential land components.

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

(i) A minimum of 12 to 20 dwellings per site hectare for standard lot layouts separated from high frequent public transport and activity centres;
(ii) A minimum of 20 to 30 dwellings per site hectare for areas within 400m of a Neighbourhood Centre and 250m of a main bus route; and
(iii) A minimum of 20 to 30 dwellings per site hectare for areas within 800m of a Train Station.

A summary of the density requirements is provided within Table 1 as follows:

<table>
<thead>
<tr>
<th>Table 1 - Proposed Density Summary</th>
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<tbody>
<tr>
<td>Policy</td>
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<tr>
<td>Directions 2031</td>
</tr>
<tr>
<td>Liveable Neighbourhoods</td>
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</tbody>
</table>
The proposed Structure Plan achieves the minimum density required by *Liveable Neighbourhoods*. Although the proposal does not achieve the minimum density requirements of *Directions 2031*, it is considered the design appropriately responds to the context of the locality. Additional density could be considered with the northern Lot 805, however, as Lot 805 is being considered 'in concept' as part of the Structure Plan process, there will be further opportunity to explore an increase in density when the northern portion of the Structure Plan area is considered in context with the Karnup TOD.

In this regard, the density proposed is considered appropriate for the purposes of advertising.

**Bushfire Hazard**

The Structure Plan design provides for road separation between identified bushfire hazards and proposed development areas. The appropriateness of the Structure Plan design response is being assessed as part of consideration of the Bushfire Hazard Assessment.

Due to the proposed staging of the development (see Attachment No.5), it is necessary to provide a temporary controlled fire access into the subject land during the initial stages of any future development. In this regard, the City has received verbal advice from Main Roads, which supports a gated temporary access into the subject land. Through the advertising process, the City will require written confirmation of this advice from Main Roads WA.

**Lot Layout**

The proposed lot layout has been designed generally in accordance with the requirements of *Liveable Neighbourhoods*, providing for a regular street block pattern that provides for good solar passive design.

**Subdivision Design Abutting Mandurah Road**

The Structure Plan proposes residential lots backing onto Mandurah Road. *Liveable Neighbourhoods* requires Lots to front arterial roads (via service roads) wherever possible so as to provide for good streetscape amenity, surveillance, and to facilitate business and home-based business development. In this regard, it is the City's preference that a service road configuration abuts Mandurah Road as required by *Liveable Neighbourhoods*.

The Proponent has provided a rationale for the design proposal as follows:

- (i) *Noise attenuation (acoustic) measures*: pursuant to the draft noise impact report prepared by Lloyd George Acoustics, the entire western boundary of the LSP area (i.e. where lots abut Mandurah Road) will require acoustic measures, including fencing and/or bunding to a height of ~2.5m. In this case, no dwellings will directly interface with Mandurah Road.
- (ii) The proposed road design, off-set from the western boundary, assists with the spacing and orientation of residential cells, particularly in the northern portion of the development where the parent lot width is narrower; and
- (iii) The proposed road design provides for a more superior design in terms of achieving a greater lot yield; this being a primary objective of the City and developer.

The proposed design as shown on the Structure Plan is considered suitable for the purposes of advertising; however, it is recommended the interface arrangement be further investigated during the advertising process to determine if the objectives of *Liveable Neighbourhoods* can be achieved.

**Interface of Development Abutting Open Space**

The City's Planning Policy 3.4.1 - Public Open Space requires the design of a subdivision and development surrounding open space to promote visual surveillance and minimise personal safety and security problems. The Policy recommends public open space be bounded by streets on all frontages such that adjacent lots overlook the street and public open space. The City may consider lots with direct frontage to public open space where development is elevated at least 0.5m above to provide an appropriate interface and surveillance.

The City has concerns regarding the proposed interface to public open spaces 'D' and 'G' as the proposed lot orientation requires a frontage to the public open space and to the street (see Attachment No.2). The Proponent has indicated a Detailed Area Plan could be implemented to ensure residential development addressed both streets.
It is recommended the interface be investigated in further detail, given the City's Policy position is to only consider a direct frontage where an appropriate interface and surveillance can be achieved.

**Detailed Area Plans**

To ensure appropriate built form outcomes for residential and commercial development, Detailed Area Plans will be required through the subdivision process for:

- Rear laneway lots;
- Lots with frontage to public open space;
- Lots with a boundary within 100m of a Bushfire Risk Management area;
- Lots identified through the Acoustic Consultant Report to be impacted by a likely noise impact; and
- Land zoned for 'Commercial' purposes.

**Movement Network**

The Proponent has submitted a Traffic Impact Report to demonstrate compliance with the requirements of *Liveable Neighbourhoods*. The Traffic Impact Report generally addresses these requirements; however, it will be subject to a more detailed assessment during public advertising of the proposal.

The road network is based on *Liveable Neighbourhoods* objectives, with the primary aim of achieving a safe, efficient and attractive street network. A comprehensive network of shared paths and footpaths has also been provided as part of the proposed Structure Plan (see Attachment No.4) to encourage and facilitate non-motorised travel.

The Structure Plan proposes access points onto Mandurah Road (a Primary Regional Road). In this regard, formal advice is required from Main Roads WA regarding the provision of two signalised four way intersections proposed at Crystaluna Drive and Singleton Beach Road, and a proposed left in/left out access point onto Mandurah Road (south bound) south of the proposed Neighbourhood Centre. Main Roads WA will be advertised to for comment as part of the advertising process.

**Activity Centres and Employment**

**Local Commercial Strategy**

The proposed Structure Plan makes provision for the identified ‘Singleton East’ Neighbourhood Centre pursuant to the requirement outlined City’s Planning Policy 6.3 - *Local Commercial Strategy*.

In this regard, the Policy makes provision for 4,240m² retail floor area for this centre. The Proponent has provided a Retail Assessment Report is seeking to increase this floor space to 5,300m².

The City supports the proposed location of the Neighbourhood Centre, however, the City has engaged a Retail Consultant to peer review the submitted Retail Report to determine if there is suitable justification for the proposed increase in retail floor space.

Support for additional floor space would represent a modification to the *Local Commercial Strategy*. In this regard, it is recommended that the modification to the *Local Commercial Strategy* be advertised concurrently with the Proposed Structure Plan. As such, the City will need advice from its Retail Consultant prior to advertising the Structure Plan.

**Liveable Neighbourhoods Assessment**

The Centre is located at intersection along the proposed extension of Singleton Beach Road abutting Mandurah Road. Access to the centre is not proposed directly off Mandurah Road. The Neighbourhood Centre suitably located in accordance with *Liveable Neighbourhoods* and is strategically positioned to benefit from good exposure to Mandurah Road, can service local needs of both local and Singleton residents, and is proposed to abut a future public transport route.

**Linear Commercial Strip**

A linear commercial strip is proposed abutting Mandurah Road and is adjacent to the remnant bushland reserve. It is proposed that fast food outlets will likely occupy this space. The City has concerns regarding the configuration of the linear commercial strip and its potential impact to the function and operation of Mandurah Road.
It is the City's preference that the linear commercial strip be integrated into the larger centre, where potential fast food outlets could be configured in a manner similar to Warnbro District Shopping Centre, which provides fast food outlets still benefiting from the exposure of Mandurah Road and setting back the main portion of the Neighbourhood Centre further away from Mandurah Road.

Prior to making a determination on the configuration of the centre, comment is required from Main Roads WA to determine if it sees a potential impact to the function of Mandurah Road.

**Public Open Space**

The Proposed Structure Plan provides for 9.42ha of public open space and 18.50ha of regional open space to form part of the Rockingham Lakes Regional Park. The key elements of the public open space distribution are as follows:

- The open space is evenly distributed across the site and is within acceptable distance to all proposed residential lots;
- The plan proposes approximately 11% public open space contribution; and
- The proposed open space reserves provide for an appropriate cater for active, passive and conservation uses.

**Drainage in Open Space**

The City also guides the development and location of Public Open Space within Planning Policy 3.4.1 - Public Open Space.

Clause 4.7.3 of the Policy permits a maximum of 25% of any parcel of POS for the purposes of drainage up to and including a 1 in 10 year frequency event. This requirement is to ensure that Public Open Space is useable by the community and open space reserves are not developed solely for the purpose of accommodating drainage.

In light of the above the following parcels of public open space provide above the 25% maximum:

- POS A1 (34%)
- POS C (26%)
- D (31%)
- E (26%)

Notwithstanding the non-compliance with the City's Policy, the Proponent has demonstrated the usability of the open space reserves (see Attachment No.2). It is also noted that there is a marginal oversupply of open space and the Structure Plan area abuts a Regional Reserve., which suggest there is an appropriate amount of open space to meet the recreational requirements of future residents.

**Schools**

*Liveable Neighbourhoods* requires the provision of a Primary School at an average ratio of one school per 1200-1500 lots.

The projected lot yield is anticipated to be approximately 1200 dwellings, which achieves the minimum lot yield for the provision of a school site. The school site also has the ability to service any potential development as part of the Karnup Train Station precinct and relieve student capacity pressure at Singleton Primary School.

The primary school is proposed to be located abutting the eastern boundary of the site abutting the Perth to Mandurah Railway. The Proponent has achieved the requirements of *Liveable Neighbourhoods* with respect to location, street network and design.

The school is also proposed to be co-located with a 4ha district public open space, which provides opportunity to co-locate community facilitates with the school site.

**Urban Water Management**

A Local Water Management Strategy (LWMS) has been provided with the Proposed Structure Plan. Due to initial changes to the Structure Plan requested by the City, the LWMS has needed to be updated to accommodate changes to the proposed drainage catchments.
Utilities
The Proponent has demonstrated the site can be serviced with all appropriate utilities.

The proposed connection to sewer is proposed to ultimately be serviced by the unconstructed East Rockingham Wastewater Treatment Plan, which is due to be constructed by the end of 2015.

The Proponent has received advice from the Water Corporation that the site can be temporarily serviced by the Gordon Road Waste Water Treatment Plant. The Water Corporation has provided a preliminary figure outlining approximately 500 lots can be serviced in the short term (land supply for the first 3-4 years indicated by the Proponent).

In light of the above, the application will be referred to the Water Corporation for comment to confirm the servicing arrangements.

Implementation
The Proponent has prepared a staging plan which outlines development will be staged from the southern portion of the site starting next to the proposed Neighbourhood Centre, and proceed north over time. An anticipated timeframe for development has not been provided.

Conclusion
In light of the above comments, the Proposed Structure Plan is considered generally acceptable for the purposes of advertising subject to the City receiving advice from its Retail Consultant that the proposed increase in commercial floor space over and above that outlined by Planning Policy 6.3 - Local Commercial Strategy is acceptable.

It is also noted that the following matters will be considered in further detail during the advertising period:

(i) Subdivision design of lots backing onto Mandurah Road;
(ii) The proposed lot interface for public open space reserves 'D' and 'G'; and
(iii) Configuration of the linear commercial strip abutting Mandurah Road.

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council:

1. **APPROVE** advertising of the Proposed Structure Plan for Lots 3 and 806 Mandurah Road, Karnup and the associated concept plan over Lot 805 Mandurah Road, Karnup, subject to the City receiving advice from its Retail Consultant that the proposed increase in commercial floor space over and above that outlined by Planning Policy 6.3 - Local Commercial Strategy is acceptable.

2. **ENDORSE** the publishing of a notice that it has prepared an amendment to Planning Policy No.6.3 - Local Commercial Strategy to modify the maximum retail floor area for the designated 'Singleton East' Neighbourhood Centre from 4,240m² to 5,300m², subject to the matter set out in Point 1 above being resolved to the satisfaction of the City.

8. Committee Recommendation

That Council:

1. **APPROVE** advertising of the Proposed Structure Plan for Lots 3 and 806 Mandurah Road, Karnup and the associated concept plan over Lot 805 Mandurah Road, Karnup, subject to the City receiving advice from its Retail Consultant that the proposed increase in commercial floor space over and above that outlined by Planning Policy 6.3 - Local Commercial Strategy is acceptable.
2. **ENDORSE** the publishing of a notice that it has prepared an amendment to Planning Policy No.6.3 - *Local Commercial Strategy* to modify the maximum retail floor area for the designated 'Singleton East' Neighbourhood Centre from 4,240m² to 5,300m², subject to the matter set out in Point 1 above being resolved to the satisfaction of the City.

   Committee Voting – 3/1
   (Cr Elliott voted against)

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

Not applicable

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

Not applicable
### Purpose of Report

To consider a proposed Structure Plan over Lot 1507 Eighty Road, Baldivis and determine whether the proposal is suitable for advertising.
2. Background

District Structure Plan

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

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

A Comprehensive Development Plan (CDP) for Lot 1507 was approved by the Western Australian Planning Commission (WAPC) on the 27 November 2002. This CDP is limited to the west of Nairn Drive and provides for conventional residential development across the site. An indicative road network is depicted over the land east of Nairn Drive.

Since the WAPC’s 2002 approval, two minor modifications to the CDP have been approved. The first for Stage 1 on the 2nd December 2010 and the second for Stage 2 on the 21st March 2011.

Subdivision Approvals

Two subdivision approvals have been issued over the subject site. The first relates to Stage 1 and proposed 110 lots, which was approved by the WAPC on the 15th December 2010. The second relates to Stage 2 and proposed 68 lots, which was approved by the WAPC on the 11th April 2011.
3. Details

The subject land is located at the corner of Eighty and Sixty Eight Roads, Baldivis, approximately 10km south east of Rockingham.

The proposed Structure Plan incorporates the following elements:-

- Overall yield of 1600 dwellings consisting of:-
  - Low Density Residential ‘R15’ lots;
  - Low Density Residential ‘R20-25’ lots;
  - Medium Density Residential ‘R30’ rear-loaded Cottage lots;
  - 26 Medium Density Residential ‘R30-60’ sites (maximum yield of 477 dwellings);
- 1 Primary School (4ha);
- 1 District Open Space (5.77ha);
- 15 areas of Public Open Space (POS) totalling 11.46ha; and
- 1 Village Centre which is excluded from consideration of this LSP (subject to further Planning as detailed later in this report).

Planning Context

Lot 1507 is predominantly zoned ‘Urban’ under the Metropolitan Region Scheme (MRS). The only exception is the future alignment of Nairn Drive, which divides the site diagonally in half and is identified as an ‘Other Regional Road’ with a 40 metre wide reservation.

Lot 1507 is part of Development Area No.19 in which the Schedule No.9 provision states:-

‘An approved Structure Plan together with all approved amendments and detailed area plans, where applicable, shall apply to the land in order to guide subdivision and development’.

Site Analysis

The land is bound to the east and north by residential subdivisions nearing completion. South of Sixty Eight Road is a number of small ‘Special Rural’ lots and west of Eighty Road is ‘Rural’ land.

The Kwinana Freeway is the primary transport route connecting Baldivis with the Perth CBD to the North and Mandurah to the South. Safety Bay and Karnup Roads constitute the primary east-west aligned transport routes linking Baldivis with Rockingham. Nairn Drive provides a strong secondary north-south route through the centre of the Baldivis Urban area connecting Mundijong Road in the north to Paganoni Road in the south.

Adjacent Land Uses and Buffers

The area to the west of Eighty Road contains parkland cleared land used for grazing, market gardens and lifestyle village purposes.

Outridge Swamp located to the north-west of Lot 1507 is a conservation category Environmental Protection Policy Wetland.

Landscape

There are two main ridges running roughly north-south through Lot 1507. A small ridge with a high point of 19 metres AHD is located just inside the western boundary of the site. The second, with a high point of 33 metres AHD is located in the middle of the site and loosely forms the basis of the future alignment of Nairn Drive.

The land was previously a pine plantation. As such little opportunity for the retention of native vegetation remains, apart from vegetation within and adjacent to the Sixty Eight and Eighty Road reservations.

The geology of the site (S7 – sand) is characterised by a low corrosion potential, low to medium slope stability, high ease of excavation and a low to medium bearing capacity.

Heritage

There are no known or listed Aboriginal Heritage or European Heritage sites within Lot 1507.
4. **Implications to Consider**

a. **Consultation with the Community**

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

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

- (b) notice of the proposal being published in a newspaper circulating in the TPS2 Area stating that submissions may be made on the proposal by a specified date.

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

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

b. **Consultation with Government Agencies**

In addition to the above, clause 4.2.6.5(b)(ii) of TPS2 requires that the Council give notice to relevant public authorities.

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 2**: A safe community where residents feel secure, relaxed and comfortable within their home, work and social environments.

- **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**

**State Planning Policies**

**Directions 2031**

*Directions 2031 and Beyond: Metropolitan Planning Beyond the Horizon ('Directions 2031')* was released by the WAPC in August 2010 as the plan to provide a vision for the future growth of the Metropolitan and Peel region. It provides a broad framework to guide detailed planning and the delivery of the various elements that provide for growth.

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

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

The proposed Structure Plan does not meet the density target of 15 dwellings per hectare, instead having a density of approximately 14.35 dwellings per gross hectare. This shortfall is considered acceptable given that the density of Stages 1 and 2 (already approved) are lower than the remainder of the site, and number of dwellings exceeds the Liveable Neighbourhoods requirements discussed in the Comments section of this report.
**Liveable Neighbourhoods**

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

*Liveable Neighbourhoods* contains eight 'elements' under which Structure Plans and subdivisions are assessed, as follows:

- **Element 1 - Community Design**
- **Element 2 - Movement Network**
- **Element 3 - Lot Layout**
- **Element 4 - Public Parkland**
- **Element 5 - Urban Water Management**
- **Element 6 - Utilities**
- **Element 7 - Activity Centres and Employment**
- **Element 8 - Schools**

Each Element has two components - 'Objectives' and 'Requirements'. Objectives describe the principal aims of each Element, and Requirements present a range of qualitative and quantitative responses to meeting the Objectives. Requirements include matters that 'should' be considered, where there is a range of design solutions, and matters that 'must' be satisfied.

Assessment of the Structure Plan against *Liveable Neighbourhoods* is detailed in the 'Comments' section of this report.

**Planning for Bushfire Protection Guidelines Edition 2**

The WAPC Planning Bush Fire Protection Guidelines (Edition 2) notes in Section 2.3 – Guidance Statements for Strategic Plans, Planning Strategies, Planning Schemes, Planning Scheme Amendments and Structure Plans – that unless it is clear to the decision-making authority that the land in question is not in an area that has a moderate or extreme bush fire hazard level, any new proposals or proposals which will effect a change of land use or design resulting in the introduction of, or an intensification of development should:

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

Fire risk has been raised as a concern due to the proximity of proposed lots to heavily vegetated land to the south. The proponent has provided a Bush Fire Hazard Assessment (BFHA) and Bush Fire Management Plan. The Fire Management Plan has been prepared in accordance with the Bush Fire Protection Guidelines and addresses site specific concerns. The BFHA and Fire Management Plan will be subject to a detailed assessment during public advertising of the proposal.

**Local Planning Policies**

**Planning Policy 3.4.1 - Public Open Space**

*Planning Policy 3.4.1 - Public Open Space* provides guidance regarding the location and design of public open space within the City. The objectives of the policy are:

- To ensure that all residential development is complemented by well located areas of public open space that provide for the recreational and social needs of the community.
To ensure that Public Open Space is designed, developed and maintained to an acceptable standard to enhance local amenity.

Discussion regarding the distribution of public open space and compliance with the City's Policy can be found in the 'Comments' section of this Report.

Planning Policy 6.3 - Local Commercial Strategy

Planning Policy 6.3 - Local Commercial Strategy provides guidance for the distribution and hierarchy of employment centres within the District.

The proponent has indicated a desire to include 700m$^2$ of Commercial zoned land within a ‘Village Centre’ precinct abutting Nairn Drive. This Commercial floor space is not allocated to the site via the Local Commercial Strategy, nor the South Baldivis District Structure Plan (SBDSP).

As the City is currently undertaking a review of Commercial floor space allocations of the Local Commercial Strategy throughout Baldivis, it is believed to be premature to consider this element of the proposal in isolation to the wider review. As such, the ‘Village Centre’ area of the plan has been excluded from consideration of this Structure Plan, and will be subject to a future application.

f. Financial

Nil

f. Legal and Statutory

Clause 4.2.6.2 of TPS2 states that the Council is to either:

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

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

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

5. Comments

Structure Plan Assessment

Community Design

The Structure Plan design is generally consistent with the intent of the SBDSP, incorporating the District Open Space, Primary School, major road connections, POS and residential dwellings. The SBDSP shows a large area of POS in the south east of the site, this is not reflected in the revised plan, it has instead been broken into smaller parcels which provide a network of POS areas. The Primary School site is shown on the western side of the Nairn Drive reservation on the SBDSP and has been moved to the eastern side on the proposed Structure Plan.

The Structure Plan has been designed to integrate with the surrounding development framework. The movement network is generally permeable and has been designed to accommodate future bus routes, traffic related to the school site and potential urban development to the south of the site.

A range of residential densities are proposed across the Structure Plan. ‘R15’ lots approved within Stage 1 are located along the northern section abutting Eighty Road, providing an interface which assists in the transition between ‘Rural’ lots west of Eighty Road and residential development to the east. ‘R20’ single residential lots comprise the bulk of the Structure Plan Area. ‘R30’ residential lots are predominantly located abutting POS areas, increasing density in close proximity to areas of high amenity as well as providing opportunities for passive surveillance to occur.

Under Liveable Neighbourhoods, the Structure Plan is required to achieve a target density of 12-20 dwellings per site hectare outside the 400 metre radius of a Neighbourhood Centre and 20-30 dwellings per site hectare for areas in 400 metres of Neighbourhood Centres and in 250 metres of main bus routes. With a maximum of 1643 dwellings across 65.3 hectares of residential lots, a density of 25.16 dwellings per site hectare is achieved. This is consistent with Liveable Neighbourhoods.
Subdivision to a density of R60 will not be permissible until Amendment No.111 to TPS2 is gazetted (Note: Amendment No.111 proposes to remove all residential density coding’s from the TPS2 map to provide the Council with greater flexibility to consider a variety of residential densities on Structure Plans). The Council has recommended that the Hon. Minister for Planning grant Final Approval to Amendment No.111 and as such, the R60 coding on the Structure Plan is supported.

Lot Layout

The lot layout focuses on increasing density and interest around features of the site, particularly areas of POS. The majority of lots reflect a modified grid layout with north-south and east-west orientation. The lack of a true grid layout has been influenced by landform features and the Nairn Drive Road Reservation.

Residential lots have been oriented towards Nairn Drive and Sixty Eight Road where possible, avoiding the creation of a poor quality interface by having side boundary fences facing these roads. This increases amenity as well as passive surveillance.

Detailed Area Plans (DAP) will be required for all rear loaded lots, lots abutting Public Access Ways, lots abutting POS and lots with dual frontages. The DAP’s will provide adequate control of development on these unique sites, with DAP provisions achieving an appropriate streetscape to all frontages.

Movement Network

Overall the road layout accommodates a high level of interconnectivity with the surrounding area, with regular connections to Nairn Drive and relatively short and straight street blocks being arranged in a manner that achieves a high degree of legibility, permeability and walkability in accordance with the principles of Liveable Neighbourhoods.

The Structure Plan provides connections to the Ridge Estate to the North and connections to the east through the Avalon Estate.

The Baldivis Road Needs Study (2005) notes a bus route which is reflected in the Structure Plan. The Western Bus Route enters Lot 1507 via Arpenteur Drive and continues through the middle of the site before terminating at Sixty Eight Road. Medium density housing is shown along the bus route.

In accordance with Liveable Neighbourhoods, paths have been provided on one side of all roads and on both sides of roads classified as an Integrator or Neighbourhood Connector. On-street cycle lanes will be included along Nairn Drive

The Structure Plan proposes a network of shared paths located within wider landscaped road verges that link the network of POS areas and include facilities which encourage both passive and active recreational use.

Car parking embayments have been shown indicatively on the Structure Plan in areas around POS, grouped housing sites and the Primary School site.

To accommodate the identified ‘Neighbourhood Connector A’ function of Sixty Eight Road, the Structure Plan shows road widening of Sixty Eight Road to a 25 metre reserve, measuring from the centreline of the existing carriageway.

Activity Centres and Employment

The Structure Plan includes a ‘Village Centre’ area which will be subject to a separate application. The configuration of this area will be dependent on the outcomes of a review of the City’s Local Commercial Strategy for the wider Baldivis area. At such a time, a Structure Plan application for this area will subject to a full assessment, where the appropriateness of a Commercial centre will be investigated and if considered so, will be required to demonstrate consistency with the objectives of Liveable Neighbourhoods and recommendations of the City’s Local Commercial Strategy review.

Public Open Space

There are fifteen (15) areas of POS, including a 5.77ha District Open Space reserve abutting Eighty Road which accommodates a Senior size AFL oval and associated community facilities. The concept plan for the District Open Space is consistent with the City’s Community Infrastructure Plan.

The remaining POS areas range in size from 1,618m² to 11,639m² and are strategically located to ensure all lots are within a 400 metre walkable catchment.
It is noted that a number of the smaller POS areas are not regular in shape and do not represent a typical usable open space area. The proponent has advised that these areas are predominantly for passive recreation, being part of the Structure Plan’s ‘Yellow Brick Road’ network, generally featuring a high proportion of tree planting and recreational facilities such as street furniture.

Due to the nature of the site’s previous land use and the earth working requirements to achieve contour capable of facilitating infrastructure provision, there is little opportunity to retain remnant vegetation. The Eighty and Sixty Eight Road reserves provide the only areas for retention of existing vegetation and the Structure Plan notes that trees within this area will be retained where possible. The Structure Plan Report notes that four (4) trees have been identified as potential breeding habitat for black cockatoos. The location of these trees needs to be identified on a plan to demonstrate whether efforts have been made to retain the trees within proposed POS reserves.

The Structure Plan provides 10.69% Open Space which complies with the 10% minimum required by Liveable Neighbourhoods.

The City’s Planning Policy 3.4.1 - Public Open Space (POS Policy) provides guidance regarding the location and design of public open space within the City. This Policy allows a maximum of 25% of a POS area to be dedicated for drainage purposes. Four (4) POS areas propose in excess of 25% drainage, POS ‘C’, ‘M’ and ‘N’ are considered minor variations to the policy and are consistent with the objectives, ensuring that POS is designed, developed and maintained to an acceptable standard to enhance local amenity. POS ‘K’ proposes a significant variation to the maximum 25% drainage, proposing 41%. This is a result of design changes during the City’s assessment to accommodate a shift in the location of the Primary School site further east, away from Nairn Drive. It is also noted that the increase in drainage does not reduce the amount of usable open space due to over-provision of POS across the site, above the 10% minimum required by Liveable Neighbourhoods.

The proponent has provided justification for lots with dual frontage (street and POS) and those located directly abutting POS, as they are not a preferred design as noted in the POS Policy. In these cases lot levels will be raised, a footpath will be constructed to clearly demarcate the boundary between public and private land and DAP’s will be imposed as conditions of subdivision approval in order to ensure that the fencing and building orientation of dwellings resulting in adequate surveillance of the adjoining POS.

Schools

The location of the Primary School site has been modified and is not consistent with the SBDSP. The School site has been moved from the west side of Nairn Drive to the east side. Given that the design of the Structure Plan adequately addresses the servicing needs of the school site, there are no fundamental issues moving the site to the opposite side of Nairn Drive. The School has a buffer to Nairn Drive provided by a residential component of the ‘Village Centre’ area which will be subject to a separate application.

Element 8, R1 of Liveable Neighbourhoods advises that written confirmation of acceptance by the appropriate school provider as to the location and configuration of a school site should be provided when submitting a Structure Plan with the local government. It is recommended that the revised location of the Primary School site be referred to the DET for consideration during public advertising of the proposed Structure Plan.

Urban Water Management

A Local Water Management Strategy (LWMS) has been provided with the Structure Plan. The objective of the LWMS is to ensure that sustainable management of the total water cycle within the estate occurs through water sensitive urban design. This includes water conservation, stormwater and groundwater management. This has been reviewed by the City and is considered acceptable.

An earthworks plan has been provided to address concerns with groundwater separation in the north west of the site. The minimum habitable floor level for this site will be 5.7 metres which is sufficient separation from groundwater.

The LWMS addresses the City’s requirements in accordance with Planning Procedure 1.8 – Water Sensitive Urban Design.

The Structure Plan will be forwarded to the Department of Water for comment during the advertising period.
Utilities
The Proponent has identified that connections to all utilities can be achieved and this matter will be confirmed when servicing authorities provide comment during the advertising period. Relevant servicing authorities will be notified of the proposal and invited to comment.

Implementation
TPS2 sets out the details that are required to be addressed in a proposed Structure Plan. These requirements are set out in more detail in Planning Procedure 1.6. In this regard, Planning Procedure 1.6 - Preparation and Assessment of Structure Plans – notes in Section 3.1.1 (i) that information such as the timeframe and staging of subdivision and development may be reasonably required to enable the Structure Plan application to be determined.

Development of the site has already commenced, with Stages 1 and 2 in the north-west corner of the landholding currently under construction. The proponent has provided a staging plan for the remainder of the site, noting that Stages 2-4 west of Nairn Drive will proceed, prior to transitioning across to the eastern side. The ‘Village Centre’ will be developed as one of the final stages.

Conclusion
In light of the above, it is considered that the Proposed Structure Plan is satisfactory for advertising. Prior to the Proposed Structure Plan being considered for adoption, the location of the four (4) trees with potential breeding habitat for black cockatoos are required to be identified on a plan.

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council APPROVE advertising of the Proposed Structure Plan for Lot 1507 Eighty Road, Baldivis.

8. Committee Recommendation

That Council APPROVE advertising of the Proposed Structure Plan for Lot 1507 Eighty Road, Baldivis.

Committee Voting – 4/0

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

Not applicable

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

Not applicable
## Statutory Planning

### Planning Services

#### Statutory Planning Services

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<th>Reference No &amp; Subject:</th>
<th>SP-013/12</th>
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<td>File No:</td>
<td>28/6310</td>
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<tr>
<td>Proponent/s:</td>
<td>Greg Rowe &amp; Associates</td>
<td></td>
</tr>
<tr>
<td>Author:</td>
<td>Mr Ross Underwood, Senior Planning Officer</td>
<td></td>
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<tr>
<td>Other Contributors:</td>
<td>Mr David Waller, Coordinator Statutory Planning</td>
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<td>Mr Mike Ross, Manager Statutory Planning</td>
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<tr>
<td>Date of Committee Meeting:</td>
<td>19th March 2012</td>
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<tr>
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<td>August 2011 (SP-049/11)</td>
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<td>Disclosure of Interest:</td>
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<td>Nature of Council’s Role in this Matter:</td>
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<td>Site:</td>
<td>Lot 447 Telephone Lane and Lot 459 (No.21) Baldivis Road, Baldivis</td>
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<td>Lot Area:</td>
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<td>Maps/Diagrams:</td>
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<td>2. Aerial Photo</td>
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<td>3. Plan of Refused Application (August 2011)</td>
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<td>4. Plan of Proposed Fill</td>
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<td>5. Location of the Resource Enhancement Wetland (Emerge Associates)</td>
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<td>6. Consultation Plan</td>
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### 1. Purpose of Report

To consider an application seeking planning approval for the filling of Lot 447 Telephone Lane and Lot 459 (No.21) Baldivis Road, Baldivis.
1. Location Plan

2. Aerial photo
2. Background

In June 2009, the Western Australian Planning Commission (WAPC) rezoned the site from Rural to Urban Deferred under the Metropolitan Region Scheme (MRS). The City has since been progressing the preparation of a District Structure Plan (DSP) over the area bound by Baldivis Road, Telephone Lane, Kwinana Freeway and Safety Bay Road, which includes the subject site. The DSP is yet to be considered by Council.

In August 2011, the Council considered an application seeking planning approval for the import of 350,000m³ of fill onto Lot 447 Telephone Lane and Lots 459 and 709 (No.19-21) Baldivis Road, Baldivis, to a depth of up to 1.6m to raise the ground level of the site to RL 6.10m AHD. Council resolved to refuse the application for four reasons as detailed in the ‘Comments’ section of this report.

3. Details

The proponent seeks Planning Approval for the import of approximately 330,000 – 350,000m³ of fill over the site, as identified on the following plan. The fill is to have a maximum depth of 1.6m above the existing ground level, and will raise the site to a height of RL 6.10m AHD. The proposal will result in the clearing of approximately 50% of the remaining remnant vegetation on the site.
4. Plan of proposed fill

The revised application varies from the 2011 fill proposal, in that the extent of fill proposed is reduced, and the purpose of the fill is different. The 2011 fill proposal was intended to “prepare the subject land for future development”, whereas the revised proposal “does not propose a change of use and is only an application seeking Development Approval to fill a portion of the land”. The proponent has argued that given there is no proposal for a change in the use of the land, the current application is not required to address reasons 1, 2 and 3 of Council’s refusal letter dated 24th August 2011, as it was suggested they are not relevant to the current proposal. The revised proposal is also accompanied by the following technical reports:

- ‘Level 2’ Flora, Vegetation and Wetland Assessment (Emerge Associates) – The report concludes that much of the flora and wetland values remaining within the site are located within the mapped ‘resource enhancement’ wetlands and other remnant vegetation associated with the adjacent Tramway Reserve. Notwithstanding, much of the site (54ha of 57 ha) is completed degraded and contains little to no remnant vegetation. The report recommends that remnant vegetation should be considered for retention in park areas where possible, and the declared weed arum lily should be targeted for removal across the site.
5. Location of the Resource Enhancement Wetland (Emerge Associates)

- **Report on Geotechnical & Preliminary Acid Sulphate Soil Investigation** (Douglas Partners) – The report notes that ground conditions beneath the site predominately comprise medium dense sand, with highly-reactive clayey materials in the southeast part of the site. The clayey soils can be improved by the placing of non-reactive material to a depth of at least 0.5m (for Class M), 1.1m (for Class S) or 1.8m (for Class A) over the affected land. Alternatively, the reactive material could be excavated and replaced with non-reactive material. Prior to excavation or fill, all topsoil (present to a depth of 0.35m) should be removed and stockpiled for reuse in landscaping, and the ground compacted – the proponent has confirmed that topsoil will be excavated from the land prior to the import of fill.

On-site stormwater disposal can only be achieved over the clayey materials where suitable clearance (of permeable soil) exists between the base of soak wells or sumps and the clayey soils.

The report notes that a preliminary investigation for acid sulphate soils (ASS) found soils above the criteria for which more detailed investigations need to be undertaken, beneath the site at depths between 0.5m and 3.3m. More detailed investigations are to be undertaken prior to the commencement of excavation activities (which includes the removal of topsoil).

- **Preliminary Site Investigation** (Emerge Associates) – The report was undertaken to determine whether there are any sources of contamination located in the subject site. It notes that the site was historically used for grazing activities since prior to 1953. Groundwater is found at a depth of approximately 0.5m – 1.0m below ground level, and three dams have been excavated to access the groundwater. The investigation concludes that the contamination risk to human and ecological health is very low, and no further investigation is warranted.
A Stormwater Drainage Strategy prepared by David Wills and Associates – The Strategy recommends that to prevent any excess stormwater runoff from the proposed imported fill, a spoon drain approximately 150mm deep and 1m wide will be constructed along the southern and eastern boundaries of the property. All stormwater will be contained on site by infiltration.

The site groundwater levels are controlled on site by three drainage culverts with open drains running through the site, which direct stormwater to the Peel Main Drain and eastwards across Kwinana Freeway. The importation of fill will not change the functionality of these culverts, and the pre-development flows will be maintained. During a rainfall event, the stormwater will infiltrate to the existing channels. The fill reduce the conductivity of the stormwater discharge along these channels but an outflow path will still be provided by these channels which will discharge to the culverts.

4. Implications to Consider

a. Consultation with the Community

The application was referred to the owner of Lot 460 (No.95) Baldivis Road, Baldivis, given the site adjoins Pug Road at the southern boundary of the subject site. The owner of Lot 460 advised that the proposal “is unlikely to have any negative impact on the Cedar Woods landholdings to the south providing the City imposes the usual conditions regarding dust/noise mitigation”.

6. Consultation plan

b. Consultation with Government Agencies

The application was referred to the Department of Environment and Conservation (DEC), Department of Water, Main Roads Western Australia and the Water Corporation for comment on the 13th January 2012, for a period of 30 days. The following comment was received.
Department of Water

The Department of Water recommends the following conditions:

1. Any filling of the subject lots should be carried out in accordance with the approved North East Baldivis District Water Management Strategy.
2. Any drainage systems required shall be designed and constructed consistent with the Stormwater Management Manual for Western Australia.
3. Any fill used on the subject lots should be certified/validated as clean and free from contaminants.

The Department of Water also recommends that best environmental management practices be used for all landfilling activities to avoid contamination of the groundwater. The Department of Water’s Water Quality Protection Note 24 – Landfilling with Inert Materials provides guidance on the practice and management of landfilling to avoid disrupting local hydrology, causing groundwater contamination or producing other adverse effects on the local environment and potential health risks, and it provides 33 recommendations for fill. The proposal demonstrates compliance with the relevant recommendations of Landfilling with Inert Materials. In addition the site is located in the Peel-Harvey catchment and the provisions of the Environmental Protection (Peel Inlet – Harvey Estuary) Policy 1992 and State Planning Policy 2.1 – The Peel-Harvey Coastal Plain Catchment shall apply. This is discussed in the ‘Policy’ section below.

The application does not propose any urban development or rezoning, and therefore not all of the recommendations of the North East Baldivis District Water Management Strategy apply at this time to the proposed fill.

The Stormwater Management Manual for Western Australia applies stormwater management principles broadly, and is not well suited to address specific design issues with any particular proposal. The proponent’s Stormwater Drainage Strategy provides specific design outcomes for stormwater management and is better suited to addressing stormwater management as a condition of approval.

Water Corporation

The Water Corporation has no objections to the proposal. It notes that groundwater levels on the subject land are currently controlled by three small pipes under Kwinana Freeway that drain to the Peel Main Drain. The filling of land must make adequate provision to retain runoff on site to pre-development levels.

The proponent proposes a 0.15m deep spoon drain along the southern and eastern boundaries of the property to prevent any excess stormwater runoff from the imported fill and contain all stormwater on-site by infiltration.

Department of Environment and Conservation

The DEC assumes that potential sources of soil contamination are located on adjoining Lot 709, which is not part of the subject application.

The DEC is also concerned with the lack of information provided on the source of the proposed fill. Further information is required on the source of the fill such that laboratory analysis of the material can be undertaken, or a statement provided from the provider of the fill. If the application is approved, a mandatory auditor’s report must be submitted to the DEC to confirm that the fill is not contaminated. It is proposed that the DEC’s requirement be included as a condition of planning approval.

The DEC notes that fill is not proposed within 50m of the resource enhancement wetland. This can be conditioned on any approval.

The DEC notes that a permit to clear land is required under the Environmental Protection (Clearing of Native Vegetation) Regulations 2004. It is recommended that proponent be advised of this requirement.

Main Roads Western Australia

Main Roads did not provide any comment on the application.
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:-

- Development proposals are to 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.

There are no requirements in the *Rural Land Strategy* specific to proposals for the filling of land.

The proposal complies with the above requirements, except that revegetation is not proposed. Given the land is identified as a future urban area which will be subject to further development, there is not considered to be any value at this stage in revegetating or rehabilitating the filled land.

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*.

State Planning Policy No.2.1 - *The Peel-Harvey Coastal Plain Catchment* encourages the retention and rehabilitation of existing remnant vegetation. There are no provisions specific requirements relating to proposals for the filling of land.

Guidelines for the Lifting of Urban Deferment

Although there is no local or state planning policy that explicitly forbids earthworks in advance of a subdivision approval, the planning framework is normally progressed as precursor to this type of development. The framework includes approval of a Local Structure Plan, adoption of a District Structure Plan being adopted and the land being suitably zoned under either the local or regional planning scheme. The WAPC’s *Guidelines for the Lifting of Urban Deferment* states:

"Land zoned urban deferred under a regional planning scheme should generally be zoned rural or, where appropriate provisions restrict development until urban deferment is lifted under the regional planning scheme, urban development in the [local] planning scheme."

This implies that no development for urban purposes should occur until the land has been transferred to the 'Urban' zone under the MRS. The proponent notes that the application solely seeks to import fill onto the subject land, and is not related to any particular use of land.
Filling with Inert Materials

The Department of Water’s Water Quality Protection Note 24 - *Landfilling with Inert Materials* provides 33 recommendations for fill comprising stable, non-hazardous materials. The recommendations are either not relevant or are able to be achieved, and therefore compliance with the requirements of *Landfilling with Inert Materials* can be included as a condition of approval.

e. Financial

Not applicable

f. Legal and Statutory

The clearing of vegetation and filling of land constitute 'development' and requires planning approval pursuant to clause 6.1.1 of TPS2.

The proponent notes that the application “does not propose a change of use and is only an application seeking Development Approval to fill a portion of the land.” The land use permissibility requirements of Part 3 of TPS2 therefore do not apply to a proposed development where there is no associated land use.

Clause 6.6 of TPS2 identifies matters that the Council shall have due regard, in considering an application for planning approval. Relevant matters include:-

- The objectives and provisions of TPS2. The objective of the 'Rural' zone under TPS2 is "to preserve land for farming and foster semi-rural development which is sympathetic to the particular characteristics of the area in which it is located, having due regard to the objectives and principles outlined in the Rural Land Strategy and supported by any other Plan or Policy that the City may adopt from time to time as a guide to future development in the zone." The proposed filling of land does not prevent the continued use of land for agricultural purposes.

- The preservation of the amenity of the locality. The character of the area is not considered to be significantly altered by the import of fill onto the site.

- The amount of traffic likely to be generated by the proposal, particularly in regard to the capacity of the road system in the locality and the probable effect on traffic flow and safety. The source of the fill, the routes that haulage vehicles are likely to use and the total numbers and frequency of haulage vehicle movements is not known. The surrounding road network, including Baldivis Road, Telephone Lane, Millar Road and Johnson Road are used by haulage vehicles and the proposal is not prejudiced by road capacity. A Traffic Management Plan would be required prior to the commencement of work to ensure that traffic to and from the site is managed safely.

- Any other planning considerations the Council considers relevant, which could include dust, noise and weed infestation. To address the potential impact of dust on adjoining properties and roads, a Dust Management Plan should be prepared in accordance with the Department of Environment and Conservation’s *DRAFT - A guideline for the development and implementation of a dust management program* to the satisfaction of the City, prior to the commencement of any work. Given the scale of filling proposed, it is also recommended that earthworks be limited to winter months (between 30 March and 30 September) to mitigate the local impacts of dust during earthworks.

The impact of noise on sensitive premises (including houses) should be avoided. The proponent indicates that work will only be carried out between 7am and 7pm Monday to Saturday and in accordance with control of noise practices set out in section 6 of AS 2436-1981, *Guide to noise control on construction, maintenance and demolition sites*. As the impact of noise is controlled under the *Environmental Protection (Noise) Regulations 1997* it does not need to be further addressed under TPS2.

The proponent’s ‘Level 2’ *Flora, Vegetation and Wetland Assessment* identified a declared weed, arum lily, present on the subject site. The proposal involves the removal of vegetation and topsoil, which results in the removal of the weed from the site.
Clause 4.11.2(b) of TPS2 provides that no remnant vegetation shall be removed or cleared unless approved by Council. In this regard, the ‘Level 2’ Flora, Vegetation and Wetland Assessment submitted with the application demonstrates that the majority of the site is in a ‘completed degraded’ condition. Areas of ‘good’ to ‘degraded and completed degraded’ vegetation are excluded from the areas proposed to be filled, and the clearing degraded areas of land subject to the proposed fill is supported.

The responsibility for determining the application under the MRS is delegated to the City by resolution of the WAPC, and the decision of the City in respect of this application is deemed to be a decision under the MRS. There are no provisions of the MRS that apply specifically to the Urban Deferred zone or the filling of land.

5. Comments

The application includes a more thorough assessment of environmental and town planning issues relating to the import of fill onto the subject site than the 2011 fill application. The proposal can be favourably considered if it can be demonstrated that the reasons for the Council’s 2011 refusal can be addressed, as outlined below:-

“1. The proposed development is not related to a farming or semi-rural development and is therefore not consistent with the objectives and purpose of the ‘Rural’ zone under TPS2.”

The proposed filling of land does not prejudice the potential continued use of the land for agricultural purposes, and this reason for refusal is therefore satisfied.

“2. The proposed development is not permitted pursuant to subclause 3.2.4(c) of TPS2.”

The proposed development does not propose to change the use of the land, and therefore clause 3.2.4(c) of TPS2 does not apply. This reason for refusal is therefore satisfied.

“3. Planning is not sufficiently advanced for the consideration of development for urban purposes on the land, given:

(a) there has been no investigation to determine whether or not the land is suitable for industrial development pursuant to the Western Australian Planning Commission's draft Outer Metropolitan Perth and Peel Sub-Regional Strategy;
(b) the land is not zoned 'Urban' under the MRS;
(c) the land is not zoned ‘Development’ under TPS2;
(d) a District Structure Plan has not been adopted for the land;
(e) a Structure Plan has not been prepared for the land pursuant to section 4.2 of TPS2; and
(f) the Western Australian Planning Commission has not approved subdivision of the land.”

Given the proposed development does not propose to change the use of the land, it is not reasonably associated with any particular future use of the land, whether it be agricultural, industrial, commercial or residential. The application has therefore been considered on its merits, with respect to the implication of the clearing of land and importation of fill. The proposed clearing and fill can be undertaken in a manner that does not prejudice future use of the land, and to mitigate potential issues it is recommended that a supervising engineer provide a report certifying that the fill has been undertaken in accordance with the Report on Geotechnical & Preliminary Acid Sulphate Soil Investigation. This reason for refusal can be satisfied in this manner.

“4. The proposed development has not addressed relevant planning consideration or the Environmental Protection Authority’s advice and recommendations regarding environmental issues, including:

(a) The geotechnical capability of the land should be addressed prior to works commencing;
(b) Investigation into local site characteristics is needed to establish whether there is a risk of acid sulphate soils;
(c) A preliminary site investigation is required to determine whether there are any contaminated soils on site;

(d) Implications for drainage should be addressed by the preparation of a local water management strategy, prior to the commencement of any work on site;

(e) A flora and vegetation assessment must be undertaken for the site in accordance with the Environmental Protection Authority's Guidance Statement No.51, Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment for Western Australia; and

(f) It being demonstrated that the 30m buffers to the Resource Enhancement wetlands on the site have been identified using a methodology acceptable to both the Department of Environment and Conservation and the Department of Planning, in accordance with the Western Australian Planning Commission's draft Guideline for the Determination of Wetland Buffer Requirements. Furthermore, management plans should be prepared for the wetlands."

The proponent has submitted information on the geotechnical characteristics of the land, acid sulphate soils and preliminary investigations for contaminated soils. While these results confirm that the filled land could be developed where clayey materials in certain areas, it confirms that where these materials are present close to the surface, some may need to be removed from the land to achieve developable sites. For example, a vertical clearance of 1.8m to the clayey materials is required to achieve ‘A’ site classification, which is the normal classification achieved in predominately sandy areas.

In addition, the approved North East Baldivis District Water Management Strategy notes that building footings and foundations typically require vertical separation of 1.2m above the maximum groundwater levels, but the required separation and site levels is generally confirmed by the preparation of an Urban Water Management Plan prior to the commencement of subdivision works. The application for fill does not address these issues, but given no consequential use or development is proposed they do not need to be addressed at this stage. It is recommended that site classification and separation to groundwater be raised as issues in a footnote to the approval.

Drainage issues are addressed in the application by the provision of a spoon drain along the northern and eastern boundaries of the site should ensure that stormwater is contained on site by infiltration. The drainage issues relating to the proposed fill are considered to be satisfactorily addressed.

The proponent’s ‘Level 2’ Flora, Vegetation and Wetland Assessment was prepared in accordance with Terrestrial Flora and Vegetation Surveys for Environmental Impact Assessment for Western Australia, and the results of this assessment confirm that the area proposed to be filled will not result in the clearing of any significant remnant vegetation.

The proposal has been modified to provide a buffer of 50m between the wetland and the edge of the fill, as per the recommendation of the draft Guideline for the Determination of Wetland Buffer Requirements. The application does not propose the use of the land, and it is considered inappropriate to require a management plan for a wetland when the adjacent land is not proposed to be used for any purpose.

The reasons for refusal are satisfied, as addressed above.

The revised proposal does not consider the impact of the proposed development of fauna; this was not identified in the reasons for refusal but is nonetheless a relevant consideration. There is black cockatoo foraging habitat located near to the subject site, and the proposal should be assessed further for its potential to impact on this threatened species. This matter is addressed under the Environment Protection and Biodiversity Conservation Act 1999 and under this Act only Commonwealth and State governments may refer a proposal to the Environment Minister for assessment. It is recommended that this advice be provided to the proponent.

The management of dust, noise, traffic and Acid Sulphate Soils can be addressed via conditions of planning approval.
The revised proposal addresses the town planning requirements, environmental issues and satisfactorily addresses the Council’s 2011 reasons for refusal. It is recommended that the application be approved, subject to conditions that address the management requirements for the fill.

6. Voting Requirements

Simple Majority

7. Officer Recommendation

That Council:

1. **APPROVE** the application seeking planning approval for the filling of part of Lot 447 Telephone Lane and Lot 459 (No.21) Baldivis Road, Baldivis subject to the following conditions and advice notes:
   (i) All stormwater runoff must be contained on site by infiltration, in accordance with the “Stormwater Drainage Strategy” prepared by David Wills and Associated dated 12th January, 2012.
   (ii) Detailed site investigation for Acid Sulphate Soils must be undertaken prior to the commencement of excavation works, and the recommendations of the investigations implemented for the duration of works.
   (iii) All fill material must be consolidated, clean course and clay-free sand and must not contain any building rubble or contaminated material.
   (iv) A Mandatory Auditor’s Report must be prepared in accordance with r.32 of the Contaminated Sites Regulations 2006 within 60 days of the completion of works.
   (v) A Traffic Management Plan must be prepared to ensure that the movement of haulage vehicles on-site and on public roads can be managed in a safe manner prior to the commencement of any works and implemented for the duration of works to the satisfaction of the City.
   (vi) A detailed Dust Management Plan must be prepared in accordance with the Department of Environment and Conservation’s DRAFT - A guideline for the development and implementation of a dust management program to the satisfaction of the City, prior to the commencement of any work, and must be implemented for the duration of works.
   (vii) The filling of land, including the movement of vehicles, must maintain a separation of at least 50m to the Resource Enhancement Wetland located near the northern portion of the site.
   (viii) All earthworks including excavation and filling must only be undertaken between 30th March and 30th September in any one year.
   (ix) A Supervising Engineer must certify that the works have been undertaken in accordance with the Report on Geotechnical & Preliminary Acid Sulphate Soil Investigation prepared by Douglas Partners dated January 2008 and ‘Stormwater Drainage Strategy’ dated January 2012.

Advice Notes

(a) The fill levels approved as part of this application should not be construed as being the final design levels of the site which will be determined by a future subdivision application.

(b) The development must comply with the Environmental Protection (Clearing of Native Vegetation) Regulations 2004; the proponent should liaise with the Department of Environment and Conservation in this regard.
(c) The site is located nearby to areas identified as black cockatoo foraging habitat; black cockatoos are a threatened species. It is recommended that the proponent undertake investigations to determine whether the proposed vegetation to be cleared is foraging habitat for black cockatoos for the purposes of the Environment Protection and Biodiversity Conservation Act 1999, prior to the commencement of clearing works.

(d) The development must comply with the Environmental Protection (Noise) Regulations 1997; observance with this requires that work shall only be carried out between 7am and 7pm Monday to Saturday (excluding public holidays) and in accordance with control of noise practices set out in section 6 of AS 2436-1981, Guide to noise control on construction, maintenance and demolition sites.

(e) The proponent is advised that any groundwater abstraction in this area for purposes other than domestic and/or stock watering taken from the superficial aquifer is subject to licensing by the Department of Water. The issuing of a groundwater licence is not guaranteed but if issued will contain a number of conditions that are binding upon the licensee. Please note that this area has reached its allocation limit and there is no guarantee that any request for allocation will be approved. The proponent is advised to contact the Department of Water’s Licensing section in the Mandurah Region on 9550 4222 to discuss water management options.

8. Committee Recommendation

That Council:

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Committee Voting – 4/0

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

Not applicable

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

Not applicable
13. Reports of Councillors

Nil

14. Addendum Agenda

Planning Services
Strategic Planning and Environment Services

<table>
<thead>
<tr>
<th>Reference No &amp; Subject:</th>
<th>SPE-006/12 Future Operation of the Point Peron Wastewater Treatment Plant</th>
</tr>
</thead>
<tbody>
<tr>
<td>File No:</td>
<td>LUP/1426</td>
</tr>
<tr>
<td>Proponent/s:</td>
<td>Water Corporation</td>
</tr>
<tr>
<td>Author:</td>
<td>Ms Fiona Pond, Coordinator, Sustainability and Environment</td>
</tr>
<tr>
<td>Other Contributors:</td>
<td>Mr Brett Ashby, Manager, Strategic Planning and Environment</td>
</tr>
<tr>
<td>Date of Committee Meeting:</td>
<td>19th March 2012</td>
</tr>
<tr>
<td>Disclosure of Interest:</td>
<td>Advocacy</td>
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<tr>
<td>Nature of Council’s Role in this Matter:</td>
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<tr>
<td>Site:</td>
<td>Lot 2152 Point Peron Road, Peron</td>
</tr>
<tr>
<td>Lot Area:</td>
<td>5.54 hectares</td>
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<tr>
<td>MRS Zoning:</td>
<td>Public Purposes</td>
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<tr>
<td>Attachments:</td>
<td>Water Corporation correspondence (dated 2nd March 2012)</td>
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<td>Maps/Diagrams:</td>
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1. Purpose of Report

To consider Water Corporation advice of its intention to continue operations at the Point Peron Wastewater Treatment Plant (PPWWTP) beyond 2015, irrespective of the East Rockingham Wastewater Treatment Plant (ERWWTP) becoming operational.
2. Background

The City has had a long standing expectation that the construction of a new Waste Water Treatment Plant at East Rockingham would result in decommissioning of the PPWWTP. During the planning and approvals process for the ERWWTP, the Water Corporation has made various statements concerning the relationship between the ERWWTP and closure of the PPWWTP, including the following:

(i) Water Corporation's Submission of the ERWWTP proposal to the EPA - March 2011

Project Benefits

Development of the ERWWTP within the RIZ will provide substantial social, economic and environmental benefit to the State of WA. These benefits include, but are not limited to:

• Closure of the Point Peron WWTP (PPWWTP) resulting in:
  - Removal of primary (low level of treatment) wastewater from the ocean at Sepia Depression with resultant improvement in wastewater quality discharged to the Sepia Depression from the ERWWTP;
  - Availability of a valuable community recreational, ecological and tourism precinct on Cape Peron; and,
  - Meeting community expectations for decommissioning the PPWWTP by approximately 2015.

Site Selection

Planning in the late 1980s identified the need for a new WWTP within the IP14 area in the vicinity of East Rockingham. The new WWTP would replace the Point Peron WWTP and would provide treatment for the industrial area to its north and urban development to its south.

Marine Areas and Biota

In addition, development of the ERWWTP within the RIZ will provide substantial social, economic and environmental benefit to the State of WA, particularly with regards to commercial fisheries in the vicinity of the SDOO. These benefits include the closure of the Point Peron WWTP which will result in the removal of primary (low level of treatment) wastewater from the ocean at Sepia Depression.

Annex S - Water Corp’s Communication Plan for the proposed ERWWTP & SDOOL

Duplication

Construction of the new East Rockingham WWTP will enable the decommissioning of the Point Peron WWTP by 2015.

The SDOOL at Point Peron will remain open and operational despite the closure of the Point Peron WWTP and provide an ocean discharge facility for Woodman Point, Kwinana and the proposed East Rockingham plants.

The development of the new East Rockingham WWTP will mean that the smaller Point Peron WWTP could be decommissioned by 2015.

(ii) Water Corporation DEWHA Referral Submission Form

As well as increase demand, the current PPWWTP, which currently services some of the ERWWTP catchment, is close to capacity. The land upon which PPWWTP is sited is under development pressure from the DPI and City of Rockingham due to proposed Cape Peron recreational and conservation precinct and the Mangles Bay Marina in the area. The recent upgrade to 20 ML/d at the PPWWTP was approved by the DEC/EPA on the grounds that the WWTP will be decommissioned by 2015. Moreover, Point Peron is the only WWTP in WA that treats to a primary standard, hence producing a poor effluent quality. The EPA has a current objective to cease primary effluent discharge to the ocean before 2015. As the TWW quality from the ERWWTP will be substantially better than from the PPWWTP (advanced secondary TWW versus primary TWW respectively), once PPWWTP is shut down and the ERWWTP is commissioned, the average daily load of nitrogen discharged to the ocean via the SDOO will be reduced, therefore minimising any potential impacts on the marine environment.
The ERWWTP would ultimately replace the PPWWTP, which is unsuitable for major upgrade and complement the KWWTP.

(iii) Water Corporation East Rockingham Wastewater Treatment Plant Homepage

The operation of a modern wastewater treatment plant at East Rockingham will ultimately see the old wastewater treatment plant at Point Peron decommissioned.

Community Brochure

The plant and associated infrastructure will use the latest technology and it will be designed to meet stringent environmental requirements. Operation of this modern plant will ultimately see the decommissioning of the wastewater treatment plant at Point Peron.

The Point Peron WWTP is only a primary treatment process, which limits the quality of the treated wastewater. Also, it is located on a small part of the environmentally sensitive Shoalwater Islands Marine Park and there is ongoing community pressure for this facility to be removed so the area can be further developed for tourism and community recreation. Construction of the East Rockingham WWTP will enable the decommissioning of the Point Peron WWTP by 2015.

Social Impact Assessment

It is anticipated that the ERWWTP will be fully commissioned and operational by 2015. By 2070, the plant will reach an operating capacity of 160 ML/d servicing approximately 700,000 people. Each of the planned expansions (see Table 2.1) will be accommodated within the initial assessment footprint. As the ERWWTP expands, the Point Peron WWTP, which currently treats wastewater will no longer be required and will be decommissioned. Further, as the ERWWTP comes on line the Point Peron WWTP will be decommissioned.

3. Details

On the 2nd March 2012, the City has received correspondence from Water Corporation advising of changes to the scope of the ERWWTP project proposal.

In this regard, due to the deferral of capital funding to allow the second phase of the Southern Seawater Desalination Plant to go ahead in 2011/2012, the Water Corporation has decided to build ERWWTP to a smaller capacity initially, and extend the operation of the Point Peron WWTP beyond 2015 (to at least 2020).

4. Implications to Consider

a. Consultation with the Community

Nil

b. Consultation with Government Agencies

Nil

c. Strategic

Community Plan

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

Aspiration 10: Coastal and bushland reserves that are well utilised and managed in a way that will preserve them for future generations to enjoy.

d. Policy

Nil

e. Financial

Nil

f. Legal and Statutory

Nil
5. **Comments**

Extending the operation of the PPWWTP beyond 2015 has the potential to adversely impact on both the future development of Cape Peron, and its surrounding environments.

The PPWWTP is located within the environmentally sensitive Shoalwater Islands Marine Park. The Marine Park offers a wide range of attractions and opportunities for visitors to the area, which in turn supports a marine nature-based tourism industry. The Marine Park also provides a sanctuary for a diverse range of species giving it high ecological, aesthetic, recreational and educational value. To maintain the values of this area, a high level of water and sediment quality is important. Inputs of nutrients, toxicants and bacteria into the marine park can have ecological impacts, reduce amenity and contaminate seafood. Currently the main pressures on water and sediment quality in the marine park come from point source treated wastewater, such as those discharged from PPWWTP.

The PPWWTP is a primary treatment process facility, meaning the wastewater discharged to the Sepia Depression from PPWWTP is of the lowest quality. As the population in the South-West metropolitan corridor increases, resulting in higher volumes of wastewater, it will be increasingly difficult to operate the existing PPWWTP effectively within the current environmental conditions set out by the Department of Environment and Conservation. Continuing the operations of this Plant beyond 2015 exposes the delicate marine park and Cape Peron area to a sustained and increased level of potentially damaging pollutants.

Once operations at the PPWWTP cease, the Cape Peron area can be further developed as a recreational and conservation precinct benefitting the environment and the community through nature-based tourism and recreation activities.

6. **Voting Requirements**

Simple Majority

7. **Officer Recommendation**

That Council:

1. **OPPOSE** the decision of the Water Corporation to build the East Rockingham Wastewater Treatment Plant to a smaller capacity initially and extend the operation of the Point Peron Wastewater Treatment Plant beyond 2015.

2. **DIRECT** the Chief Executive Officer to undertake an extensive lobbying campaign to the State Government and Opposition to seek a reversal of the Water Corporation’s decision.

8. **Committee Recommendation**

That Council:

1. **OPPOSE** the decision of the Water Corporation to build the East Rockingham Wastewater Treatment Plant to a smaller capacity initially and extend the operation of the Point Peron Wastewater Treatment Plant beyond 2015.

2. **DIRECT** the Chief Executive Officer to undertake an extensive lobbying campaign to the State Government and Opposition to seek a reversal of the Water Corporation’s decision.

Committee Voting – 4/0

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

Not applicable

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

Not applicable
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<tr>
<td>15.</td>
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<td>Notices of Motion for Consideration at the Following Meeting</td>
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<td>16.</td>
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<td>Urgent Business Approved by the Person Presiding or by Decision of the Committee</td>
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<td>17.</td>
<td>Nil</td>
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<td>Matters Behind Closed Doors</td>
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<td>18.</td>
<td>Nil</td>
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<tr>
<td></td>
<td>Date and Time of Next Meeting</td>
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<tr>
<td>19.</td>
<td>The next Planning Services Committee Meeting will be held on <strong>Monday 16 April 2012</strong> in the Council Boardroom, Council Administration Building, Civic Boulevard, Rockingham. The meeting will commence at 4:00pm.</td>
</tr>
<tr>
<td></td>
<td>Closure</td>
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<td>20.</td>
<td>There being no further business, the Chairman thanked those persons present for attending the Planning Services Committee meeting, and declared the meeting closed at 4.48pm.</td>
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